



REPORT

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A FREE-MARKET GUIDE FOR MISSOURI MUNICIPALITIES PART THREE: PLANNING AND ZONING

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ADVANCING LIBERTY WITH RESPONSIBILITY
BY PROMOTING MARKET SOLUTIONS
FOR MISSOURI PUBLIC POLICY



KEY TAKEAWAYS

- There is a beneficial relationship between high levels of government fragmentation, less strict zoning and planning regulations, and lower housing costs in Missouri.
- Even though Missouri municipalities have less strict zoning than in many other states, there are still many zoning reforms that can be implemented to increase housing options, promote economic growth, and strengthen personal property rights.
- Missouri municipalities have thus far avoided engaging in large scale, regional planning initiatives, such as urban growth boundaries. Cities should continue to resist such harmful efforts.

INTRODUCTION

This is part three in a series titled “A Free-Market Guide for Missouri Municipalities.” The focus of this part of the series is on municipal planning and zoning regulations.

Part one covered the structure and organization of municipal government itself, including the reasons for incorporation, how cities compete with each other through a menu of taxes and services, and the question of whether to hire a city manager.

Part two focused on municipal taxation, providing an analysis of the various municipal revenue options and their proper uses. Missouri municipalities have an unsound reliance on sales and (in two cities) income taxes for revenue. Property taxes and, where appropriate, user fees, should be a larger part of the municipal revenue mix.

Subsequent parts will be released on transportation and public works, public safety, parks and recreation, and public health. The overall project will be organized by content area and is intended to serve as a resource for municipal officials, community activists, and interested citizens. Each part of this guide will combine current examples, historical knowledge, political realities, and academic studies on the operation and management of municipalities in our state.

As noted throughout this series of guides, the adoption of free market–oriented public policies by governments

has the potential to dramatically improve lives around the world. If Missouri’s cities, towns, and villages adopt many of the policies discussed in this series, and in particular the policies related to planning and zoning, the results could be very positive for the people of Missouri.

As a reminder, I use the term *free market–oriented policies* throughout this project in a broad sense. It encompasses policies that create a more optimal system of taxes and land regulations, save taxpayers money by sharing or outsourcing services, deliver higher-quality public services through competition or privatization, and expand opportunity by reducing barriers to homeownership, employment, and entrepreneurship.

In these guides, the term *municipality* will refer to all three recognized types of incorporated communities: cities, towns, and villages. When *city*, *town*, or *village* is used, the term generally refers to individual examples of each, or to laws and policies specific to that type of incorporated community. *Town* is less clearly defined in Missouri law than the other two, so that term will not be used in a specific sense. Habit, simplicity, and a desire to vary the terminology will result in my occasionally using *city* as shorthand for all types of municipalities. Finally, in instances where a municipality shares its name with another form of government, such as the City of Ozark and Ozark County, the author is referring to the municipality unless it is clearly stated otherwise.

DOES A MUNICIPALITY NEED PLANNING AND ZONING?

Perhaps more than any other section in the series, part three directly addresses the question of how a truly free-market, limited-government municipality would and could operate. Municipalities need police and fire protection, quality roads, trash service, parks, a city administration, and other key services. The purpose of the project is to address all the options for how to provide those services, including standard local government operation, privatization, outsourcing, service sharing with other governments, and special taxing districts. But municipalities don’t need to have planning and zoning ordinances, regulations, and departments. Municipalities are capable of operating perfectly well without them. As the scholar and writer Randal O’Toole says about

urban planning and, by extension, zoning, “. . . almost everything that planners do could be done better, at lower cost, and with less intrusion into people’s lives, with properly designed user fees, markets, and incentives.”¹ While many cities have nevertheless enacted both planning and zoning, there are many communities (mostly small, rural villages) and unincorporated rural areas that have neither.

I like to ask myself, how would a truly libertarian municipality be arranged? For starters, it probably would not be a municipality in the first place. It would be an unincorporated part of a county, likely in a rural area. But leaving that aside, what would a libertarian city look like, compared to the current makeup of most cities? (Note: In this guide I use the word *libertarian* in the sense of a philosophy of limited government and individual liberty. Nowhere in this guide am I using the term to refer to a political party or affiliation.)

Such a municipality would not have zoning. It would have limited building codes and regulations. It would maximize contracting for services like trash and utilities between private companies and either the municipality itself or its residents. It would institute user fees to fund as many services as possible, such as for recreational facilities like public swimming pools instead of relying on general taxes. The services it would provide would be generally limited to public safety, key public works items like roads, baseline recreational services like parks, and the tax collection and administration of the municipality itself. Many small towns in rural areas of Missouri meet this description, but it is not the reality for most Missourians.

Planning and zoning in Missouri’s cities seem so common that to doubt their necessity would be akin to spitting into the wind. As far back as 1926, Missouri urban planners were praising the adoption of zoning for its unique ability to enhance our freedoms by restricting our freedoms (emphasis added throughout):

We are living in a highly organized society where regulation is necessary to protect freedom. **Personal liberties and property rights are valuable because of such regulations.** As the public needs change, our laws governing human beings and regulating

property must change. What is a public need is largely a matter of public opinion and is then in the ultimate psychological. Our constitutions do not change with every popular clamor but they can be interpreted in the light of modern knowledge and present-day needs. Our Federal Constitution owes its existence today to such interpretations.²

Houston (Texas, not Missouri) is well known as the largest American city without zoning. Its tremendous growth and success suggest that zoning is not a requirement for a successful municipality.³ Be that as it may, many cities in Missouri have adopted planning and zoning ordinances. Unfortunately, the author is unaware of any central database of local governments with zoning laws in Missouri. Suffice it to say, every municipality is *authorized* to enact planning and zoning⁴ and the author believes *every large and medium-sized municipality* in Missouri has voluntarily adopted zoning.⁵ However, there likely remain many smaller municipalities throughout the state that have adopted neither planning nor zoning.

It is not the purpose of the section to argue that cities should end zoning. However, throughout the country there have been impressive zoning reforms enacted in recent years, especially along America’s coasts, where reforms have been spurred by the high cost of housing. (We will leave aside, for now, the fact that strict zoning regulation is one of the primary reasons for the high cost of housing on the coasts.) Missouri does not have that problem, so there has been less of a groundswell for reforms here. However, there are numerous reforms to our current zoning laws that could achieve substantial benefits without throwing the entire process out, if cities are willing to consider them. Free market–based zoning reforms can help make housing in Missouri even less expensive, reduce the cost of opening a business or buying a home, improve worker mobility and options, and provide other benefits. Furthermore, the changes to zoning around the nation will perhaps encourage smaller municipalities around Missouri that do not yet have zoning to continue to go without it, or future municipalities (e.g., South Pointe)⁶ to incorporate without zoning. Dare to dream that some municipalities with zoning could even get rid of it one day [author turns his head to the sky and sighs wistfully. . .].

PRIVATE PLACES IN ST. LOUIS

It may not have been a libertarian utopia, but historically St. Louis was the most prominent national example for the private-place neighborhood. Particularly in the central corridor of the St. Louis area, the private-place development model led to a surprising amount of fully private development and control of normally public services. This wasn't due to ideology. As St. Louis expanded rapidly in the mid and late-1800s, it was generally just faster for developers to build their own infrastructure than to wait for the city or county to build it. In this system, "private places" were (and still are) neighborhoods that provided their own roads, security, trash collection, and sewers.⁷ Even parks could be a part of the mix, such as Gramercy Park in New York City, which was a major part of the nation's first private neighborhood.⁸ The parks in St. Louis's private places tended to be very small green spaces within the neighborhoods, or they were not necessary because the private place abutted existing parks, including Benton, Lafayette, Tower Grove, and, later, Forest Park. The entire operation was then managed by the neighborhood's homeowners association (HOA, though they were not called HOAs at that time). This system of locally driven, fully private "planning and zoning" predates actual zoning by 90 years in many cities, especially St. Louis.⁹

While zoning didn't exist yet, the deed restrictions on the lots and homes in the private places in St. Louis make clear that separating these residential areas from polluting industrial and commercial uses was a major part of the reason for them in the first place.¹⁰

The privately operated sewers in St. Louis were all turned over to a new special taxing district in 1956. Trash collection has also been taken over by the various municipalities (which may, in turn, contract collection back out to the private sector).

However, many neighborhoods continue to privately finance and maintain their local roads. In those neighborhoods (including the author's), the property owners are assessed each year for road maintenance, and approximately every 10 to 15 years a major road renovation is undertaken. The private neighborhood model is becoming less attractive. Slowly but surely, many private roads are being converted to government operation

and ownership.¹¹ People on private roads probably ask themselves why a portion of the taxes they pay fund the maintenance of everyone else's neighborhood streets but not their own. In recent decades, very few developments in St. Louis have been built according to the private-place model.

Security is one aspect of the private place system that is expanding. More communities around St. Louis are dealing with crime by contracting with private security companies to augment police departments.¹² This service generally involves a local tax increase or special assessment to pay for the added security details.

Usually, the private security companies hire off-duty law enforcement officers as their employees. This practice can often lead to troubling concerns for policing in St. Louis and elsewhere. For example, how does it affect the chain of command if a sergeant oversees a patrolman for the police, but is underneath him or her at the private security company they both work for? And if a police officer has two crimes to investigate, will they prioritize the one in the community that they work in as their second job? Cities shouldn't—and probably can't—prohibit their officers from working second jobs, but strict rules to address matters like the above and others are necessary. (This topic will be discussed further in the future publication on public safety.)

The private-place model in St. Louis has been a successful method of local governance that has lessons to offer to municipalities around the state, but it has never been able to serve the needs of most people. Its usefulness as a realistic system of general local governance is limited.

Municipal Zoning

According to an online dictionary, "Zoning allows local governments to regulate which areas under their jurisdiction may have real estate or land used for particular purposes. . . . Zoning outlines what types of developmental and operational use of land is allowed on a given tract. Municipalities tend to partition districts and neighborhoods according to a master plan. This may be done to promote economic development, control traffic flow, manage noise levels, reserve living space for residents, and protect certain resources."¹³

In its simplest form, zoning allows cities and counties to restrict what types of activities can take place in certain areas and imposes rules regulating various aspects of those activities. Different areas of cities will be designated for residential, commercial, industrial, or other uses. Within those broad designations will be added rules, such as some residential areas being for single-family homes only while other areas may allow apartment buildings. Within these regulations will be rules about home or building design, signage, parking, and many other aspects of property use.

New York City instituted the first large-scale zoning law in 1916. The ability of government to restrict private property uses was challenged in court, and the U.S. Supreme Court ruled in the Ohio case of *Village of Euclid vs. Ambler Realty Company* that zoning was a legitimate power of local government.¹⁴ In Missouri, St. Louis instituted the state's first zoning code in 1918¹⁵ and Kansas City passed zoning in 1923.¹⁶

Housing Costs in Missouri

Missouri has a low cost of living in general, and a big part of that is the low cost of housing. This is, in many ways, a good thing, but it's not all beneficial. One of the reasons housing costs are low may be a lack of demand—the relatively low number of people who wish to live in Missouri. However one views it, one survey ranked Missouri as having the sixth-lowest overall cost of living among all states in 2024.¹⁷ This ranking is consistent with other data on the topic. For housing costs only, that same survey ranked Missouri as 10th lowest.¹⁸

Not surprisingly, the same pattern of low housing costs holds true for Missouri's two major metropolitan areas. St. Louis was ranked as the fourth and Kansas City was ranked as the 13th most affordable housing market in the country in one survey.¹⁹ Another study ranked St. Louis as the third and Kansas City as the 11th most affordable metro area out of 94 major metros internationally.²⁰ Finally, a recent survey ranked Kansas City 27th out of the 100 largest metro areas in total affordability, where housing was an important part of the calculations.²¹

Around the nation, strict zoning is one of the major reasons for high housing costs. As economists Edward Glaeser and Joseph Gyourko wrote in a study on zoning and housing costs:

The bulk of the evidence marshaled in this paper suggests that zoning, and other land use controls, are more responsible for high prices where we see them. There is a huge gap between the price of land implied by the gap between home prices and construction costs and the price of land implied by the price differences between homes on 10,000 square feet and homes on 15,000 square feet. Measures of zoning strictness are highly correlated with high prices. While all of our evidence is suggestive, not definitive, it seems to suggest that this form of government regulation is responsible for high housing costs where they exist.²²

Do we know how strict general zoning regulations in the St. Louis and Kansas City metropolitan areas are in comparison to other cities? Thanks to the Wharton Residential Land Use Regulatory Index (WRLURI), we do. The WRLURI is a project out of the Wharton School of Business at the University of Pennsylvania that compiled and measured the zoning codes of thousands of American cities. What does it mean to have strict zoning versus more liberal zoning rules? Each city will have its own variations, but more strict zoning tends to include regulations and processes such as:

- More agencies and political bodies having to approve development proposals
- More opportunities for the public to comment on various proposals (this is not automatically a bad thing, but it does give more opportunity for opponents to marshal their forces)
- Larger lot size rules (which means fewer homes due to the larger lots)
- Greater parking requirements for businesses or multi-unit housing
- Longer times for the government to review applications
- More side rules for applications, such as requirements to provide open space or low-income housing options

According to the comparisons tracked in the WRLURI and shown in the Appendix, the St. Louis metropolitan area has *the least restrictive zoning codes* out of the 44 large

metropolitan areas in the study.²³ (Each metro area studied includes analysis of the zoning codes from multiple cities in each area and is given a total score based on the rating system created by the WRLURI project. Higher scores have more strict zoning. Zero is average. Negative scores have less strict zoning.) Wendell Cox, a demographer who studies housing costs internationally, has written about low housing costs in the St. Louis and Kansas City areas. He credits local municipal leadership in St. Louis for maintaining the low housing costs there by doing nothing:

The Secret: Just what did the St. Louis leadership do to improve its competitiveness so much? Nothing. They just stayed out of the way. Unlike their counterparts where house prices exploded, St. Louis officials did not prohibit people from living where they wanted on the urban fringe and they did not force new houses to be built on postage stamp lots. Nor did they adopt land use regulations that drive up the price of land and, in consequence, housing, just as an OPEC embargo would raise the price of gasoline.²⁴

Cox has frequently spoken about the substantial political fragmentation in the St. Louis metropolitan area. (Government fragmentation refers to the number of independent government entities performing different functions.) As Cox describes it:

The fact is that the Saint Louis area, on both the dominant Missouri side of the river and Illinois, has less planning, less draconian zoning, and fewer land-use regulations than many other large metropolitan areas. Whatever the reason—and the **generally higher amount of local governments in the metropolitan region is an important explanation**—that lack of planning has played a role in the low housing costs within the region.²⁵

The connection between high levels of local government fragmentation (i.e. many different local governments in a metropolitan area) and less strict zoning and less use of comprehensive planning seems clear but imprecise. Wendell Cox certainly thinks there is a connection. Myron Orfield, a national urban policy expert who disagrees with Cox on a number of issues, also thinks there is a connection. In reference to Pittsburgh, another highly fragmented metropolitan area, Orfield stated, “Fragmentation also creates inappropriate or no incentives for land-use planning . . .”²⁶

Governing Magazine compiled a ranking of the ten most heavily fragmented metropolitan areas.²⁷ Of those ten, nine are included in the WRLURI list in Table 1. Seven of those nine are ranked in the bottom third of the WRLURI rankings with negative index values, meaning that their zoning regulations are less strict. (Those seven are St. Louis, Cincinnati, Rochester, Columbus, Grand Rapids, Minneapolis-St. Paul, and Pittsburgh.) One region, Kansas City, is in the middle, and only one metropolitan area considered to have high fragmentation is ranked in the top half of the WRLURI list: Indianapolis at 17. Louisville is the only metro area with high fragmentation not ranked on the WRLURI list because it does not have the minimum of ten regional zoning observations. For the seven regional observations Louisville does have, those municipalities average a WRLURI rating of -0.27, which would rank it as the 38th least strict metro area for zoning and is consistent with the rankings of the other heavily fragmented regions.

That high levels of local government fragmentation are correlated with less strict planning and zoning requirements seems clear. How that happens is less clear. It likely relates to it being harder to do anything, whether enacting regional regulations or arranging a night out with friends, the more entities you must successfully convince to be a part of it.

On the other side of the state, Kansas City ranked near the middle of the WRLURI list, at 26th out of 44. According to Cox, the reason behind Kansas City’s very affordable housing is similar to St. Louis’s. Kansas City has more strict zoning, overall, than St. Louis (as measured by the WRLURI) and is not quite as fragmented in its local government. For comparison, Jackson County—the largest county in the Kansas City metropolitan area—has 19 municipalities, while St. Louis County has 88. However, the Kansas City area is still ranked by *Governing Magazine* as having high fragmentation,²⁸ and its level of zoning strictness is still lower than average (it was 26th out of 44 in the WRLURI index). Kansas City has avoided the most stringent land-use policies, such as an urban growth boundary. Furthermore, if you break out the Kansas and Missouri municipalities in the Kansas City WRLURI ranking, you see that the Missouri municipalities have less-strict zoning than the Kansas ones. The nine Missouri cities included in the Kansas City metro ranking average a score of -0.17 and the eight Kansas municipalities

included have an average score of 0.46. Taken by themselves, the Missouri municipalities in the Kansas City metro area would rank 37th, not 26th, much closer to St. Louis.²⁹

As Cox explains:

Comparing Kansas City to Denver and Portland:

The differences in housing affordability trends are illustrated by comparing Kansas City with Portland and Denver. These metropolitan areas are similar in size to Kansas City, but they have adopted more restrictive land use regulations that include urban containment policy.

Denver, Kansas City's closest major metropolitan neighbor to the west, shares the characteristic of abundant flat, developable land. Denver's urban containment policy dates from the early 2000s. Portland was the first major U.S. metropolitan area to adopt urban containment policy in the 1970s.

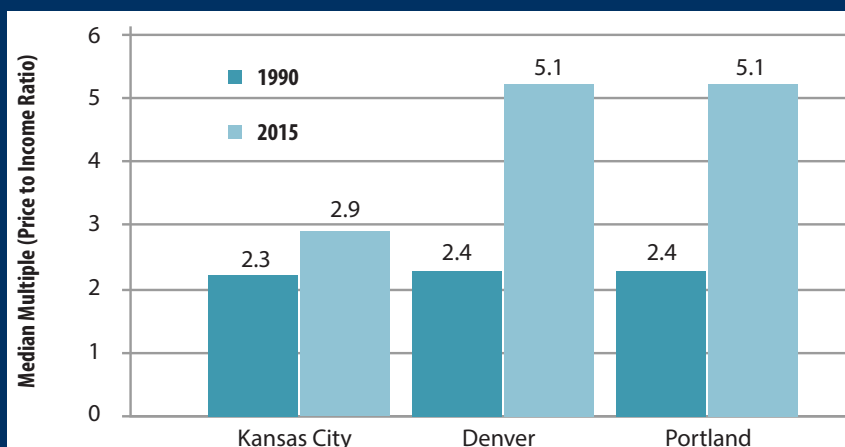
In 1990, the three metropolitan areas had similar housing affordability. The median multiple [a measure of housing prices compared to average incomes] in both Denver and Portland was 2.4. Kansas City's median multiple was 2.3. By 2015, the median multiples in Denver and Portland had more than doubled to 5.1. By comparison, the increase in the median multiple was much less in Kansas City, to 2.9 (see Figure 1). In these metropolitan areas, which had median multiples of under 3.0 before adopting strong land use regulation, residents now may face median multiples that are [almost twice] as large as those in Kansas City.³⁰

While this section has focused on Kansas City, St. Louis, and their suburbs, the same findings apply to municipalities statewide. Missouri has very affordable

Figure 1

Housing Affordability Comparison: Kansas City, Denver, and Portland, 1990–2015

In 1990, housing prices were very similar in Kansas City, Denver, and Portland. Varying policy choices by the three cities have led to substantial differences since then.



Source: Demographia International Housing Affordability Survey.

housing costs. While it would be fine for those housing costs to increase due to natural market factors like increased demand, it would be harmful for them to be increased by government-imposed supply limitations. Municipalities throughout Missouri should avoid the types of strict zoning and urban planning that have been imposed in other areas of the United States with the inevitable dramatic increases in housing costs.

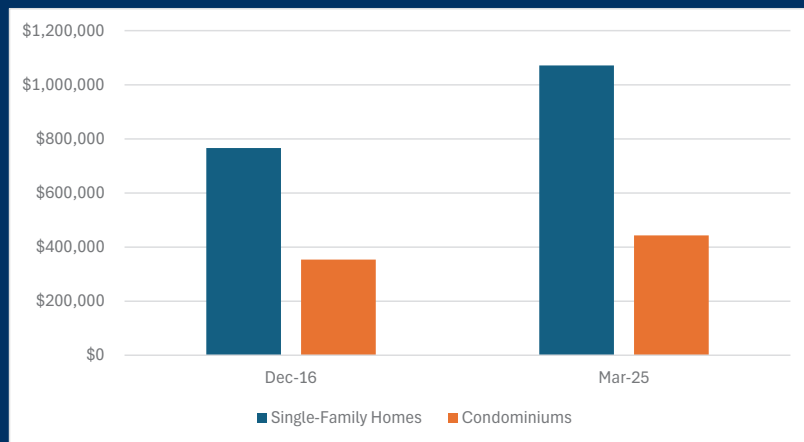
Condominiums in Clayton

In January 2024, two reporters from the *St. Louis Post-Dispatch* wrote a story on how the large property assessment increases experienced in 2023 in St. Louis County (and throughout Missouri) had not impacted wealthier homeowners in parts of St. Louis County nearly as much as most others. The article discussed some general reasons why the high-end home and condo market had not seen the same assessment increases as the rest of the county, including high interest rates having a greater impact on luxury properties and the greater ability of wealthy homeowners to hire professional help to appeal their assessments. It also focused specifically on

Figure 2

Clayton Home and Condominium Price Increase Comparison

Over the past decade, single-family home prices have increased much more in Clayton than condominium prices, as more condominium (and other multi-family options) have come onto the market.



Source: Zillow.com.

Clayton, of which 2,387 were single-family homes. By 2023, there were 6,497 housing units in Clayton, with 2,227 single-family homes. That is an increase of 630 housing units, entirely accounted for by an increase of 790 multi-family options, including condominiums, apartments, and (possibly) college dormitories. (The exact breakdown of the multi-family units is unknown, but Clayton has indisputably had a large increase in condominium options over the past two decades.)

As the number of single-family homes in Clayton has held steady, their value, not surprisingly, has significantly increased. According to data on Zillow, from December 2016 to March 2025, the average price of a single-family home in Clayton has increased from \$766,024 to \$1,107,491, an increase of 40 percent (Figure 2). As

the Clayton and Ladue (two wealthy municipalities in St. Louis County) homes of three prominent St. Louisans. However, in its analysis of the assessment issue, the article missed one major reason why the value of Clayton condominiums has remained level: increased supply.

The authors wrote about assessment reductions at one condominium building in Clayton:

The homeowners in the luxury condo in downtown Clayton owned by [Stan] Kroenke's company didn't have much of a reason to appeal this year. They were among the fraction of single-family homes countywide that saw their appraised values drop or stay the same this year compared to two years ago.

Values went down for 80% of the roughly 80 units there.³¹

According to data from the American Community Survey and the U.S. Census shared with the author by the City of Clayton, in 2000 there were 5,867 housing units in

the number of multi-family housing options was allowed to increase over the same time period, the average price of a Clayton condominium has gone from \$353,849 to \$442,753, an increase of just 25 percent. Markets work.

Allowing developers to build more housing options for people is a policy choice. Another 2024 *St. Louis Post-Dispatch* story on the topic of residential construction in Clayton compared two sides of the same street, Linden Avenue—one side of which is in Clayton and the other side in University City.³² The side of the street in University City is part of a historic district established in 1988. All of the original homes on the University City side of the street are still standing, because that is the purpose of a historic district. There is no historic district on the Clayton side, and almost every original home has been demolished and replaced with a new house. (Some of the new developments within that Clayton neighborhood are new, larger homes, while others are small condominium developments.)

University City has chosen to preserve older homes at the expense of economic growth, resulting in a lower property tax base and fewer housing options for people who may wish to live in University City. Clayton has allowed growth to occur naturally simply by allowing private buyers, sellers, and builders to provide options for customers. In doing so, Clayton has increased overall housing options in the city while—at least with regard to condominium prices—seeing the market hold the price of condos steady for new buyers. Other municipalities in Missouri should follow Clayton’s path in this regard.

Zoning Reform Options

While municipalities in Missouri may not have the strict zoning of other states, there are still many zoning reforms that should be considered by cities around the state that currently have zoning rules. Along with reforming the laws, some municipalities would benefit from a change in attitude. Cities should want to work with developers to allow growth and development to occur wherever possible. To give one example to buttress this point, St. Louis economic development officials rejected a proposal by local businessman Bob Clark to renovate a long-vacant manufacturing site in north St. Louis. The city gave no reason for its outright rejection of the plan, and two years after the rejection the site still sits vacant.³³

Smaller Lot Size Requirements

The most direct zoning reform is simply to reduce the required home or lot sizes within parts or all of a municipality. It doesn’t require a Ph.D. in economics to know that smaller homes cost less than larger homes. If you want housing to be more affordable within a community, allow developers and rehabbers to build smaller homes or build more homes by allowing smaller lots. In 2025, St. Louis passed an ordinance that reduced the required single-family home size from 4,000 square feet to 2,000 square feet and the required size for duplexes from 2,500 square feet to 1,250 square feet in many parts of the city.³⁴

As the Mercatus Center at George Mason University states, reducing minimum lot and house size requirements helps to address issues of housing affordability while enhancing property rights at the same time.³⁵ Developers

should still be free to build larger homes on larger lots when they choose to, and anyone should be free to purchase their neighbor’s property if they want to expand their own home or yard. But municipalities in Missouri with zoning regulations should consider reducing the minimum lot and home size requirements in parts of their cities to allow for more construction of smaller homes where economically appropriate.

Minimum Parking Requirements

Minimum parking requirements are a linchpin of planning and zoning and are also one of the most often-abused aspects of the field. If a development, whether commercial or residential, requires parking to be successful, then the developer has an interest in providing that parking and should be allowed to do so. Yet parking regulations micromanage requirements to a level bordering on the absurd. For example:

- In Columbia, golf courses are required to have six spaces per golf hole.³⁶
- In Joplin, bowling alleys are required to have four parking spaces per bowling lane.³⁷
- In Cape Girardeau, shopping centers are required to have one parking space for each 222 square feet of leasable area. (Noting the specificity regarding square footage).³⁸

These examples are not the exception. Every municipality with zoning has similar ordinances. They delineate in acute detail the minimum parking space requirements for scores of varying home or business uses. The result of these efforts is that America has an abundance of parking spots, usually on flat parking lots instead of in garages, that take up enormous amounts of land that could be used for better purposes than parking. For example, Des Moines, Iowa, has 19 parking spots for every house while in Los Angeles County 40 percent of the land is taken up for the movement and storage of cars.³⁹ As economist Donald Shoup asked, “Do you think McDonalds would build a lot three times as large as its restaurant if it wasn’t forced to?”⁴⁰

Minimum parking rules make parking a legal and political calculation, not an economic one.⁴¹ (The parking requirements cited here are, at best, engineering calculations, but not economic ones.) Parking should be a

good provided at a cost, not something mandated by the government.⁴² If businesses choose to offer free parking for their customers at their expense, that is a business making an economic calculation. The same argument applies for developers of residential properties.

In 2019, Kansas City eased the minimum parking requirements for apartment buildings in which some of the units are set aside for lower-income residents.⁴³ That is a good start in regard to the parking aspect of the change, but Missouri cities should go further. Significant reductions in parking mandates, and particularly their elimination in areas near public transit, are a good place to begin. According to our research, Branson, Perryville, Richmond Heights, and Grandview are four other municipalities in our state that have adjusted minimum parking requirements citywide.⁴⁴ There should be far more than just these four.

The experience in San Diego is a good guide. In 2018 and 2019, in a series of bills, San Diego reduced parking requirements generally and eliminated them for areas near transit. These changes reduced the cost of new home construction, especially for multi-family units. In 2020, new housing construction of all types of housing increased substantially in San Diego.⁴⁵ Tulsa, Oklahoma; Des Moines, Iowa; and Kansas City, Kansas are three major cities in states that adjoin Missouri that have also reduced minimum parking requirements in recent years.⁴⁶

In 2018, Branson removed all off-street minimum parking requirements for businesses and residential developments and turned the prior minimum rules into maximum rules. You can get a waiver for more parking if you can demonstrate your business needs it.⁴⁷ In 2022, Perryville ended *all* parking requirements for commercial, industrial, and institutional uses.⁴⁸ The city is simply trusting that businesses will provide the proper amount of parking for their customers, and it is removing itself from that part of the planning process.

Branson's change to end minimum parking requirements was good, but if a builder or property owner simply wants to add more parking on their own property, they should not have to request special permission. Ending the minimum requirements should have been enough. Perryville should serve as the best example for many other Missouri municipalities.

Municipalities have plenty of options for dealing with the potential effects of spillover parking without these mandates. Ordinances limiting long-term parking to residents in areas near business centers or universities are common. I am opposed to cities going as far as some anti-automobile transit advocates have recommended and prohibiting free parking entirely. If a business wants to provide free parking on its own property for customers at its own cost, it should be able to. Similarly, bills preventing cities from charging for parking on government roads are similarly anti-market.⁴⁹ Reducing—and in some places ending—minimum parking requirements is a good policy change on its own.

Allowing Accessory Dwelling Units

Accessory dwelling units (ADUs) are small housing units added to a property by the property owner. They can include very small, detached units, or they can be attached, as an apartment above a garage. They are often not explicitly illegal under zoning, but more likely are generally prohibited by the labyrinth of housing regulations that municipalities inevitably enact once they choose to have zoning. In California, statewide regulations that overrode local regulations and guaranteed the ability to build ADUs have dramatically increased their construction in one of the nation's most expensive housing markets.⁵⁰ Similar increases in ADU permit applications were found in Seattle and Portland after those two cities simplified the permitting process for ADUs.⁵¹

Columbia and Kansas City have both approved ADUs. The City of St. Louis updated its land use plan in 2025, which included clarifying that ADUs are now permitted in much of the city. Kirkwood is another city that has allowed ADUs in some parts of the city, but it needs to go further.

As with many regulations in general, the shoe is often on the wrong foot. One should not have to prove a benefit in order to change a regulation or rule. It should be enough to simply demonstrate that the elimination or reduction to the regulation does no significant harm. With this in mind, one study of ADU usage in Ogden, Utah, found no reductions in home values due to the allowance of ADUs.⁵² Another study of ADUs in California found no increase in nuisance complaints in neighborhoods with more ADUs.⁵³ That same study of California ADUs found

no statistically significant effect on rental rates or home values from ADUs.⁵⁴

The lack of an effect on rental rates is intriguing. Since many ADUs are used by family members, who, if they pay rent at all, receive a less-than-market rate, the lack of an impact on market rates should not be a surprise. In Seattle, Portland, and Vancouver, 58 percent of homeowners report renting their ADUs below the market rate.⁵⁵

Allowing ADUs is a way to enhance property rights while modestly increasing the housing supply at the same time. Permitting more ADUs would be a great move for municipalities throughout Missouri.

Building Height Restrictions

The benefits of urban density have been promulgated for centuries. In a recent example, they have been described by Harvard economist Edward Glaeser in *Triumph of the City*.⁵⁶ One of the ways that cities become dense is by growing and building upwards. Imposing height restrictions to guarantee more sunlight was one of the main reasons for New York City's zoning code in 1916, but generally, height limitations on buildings in our central cities are harmful. Both St. Louis and Kansas City have them for some commercial parts of those cities.

Kansas City's famous County Club Plaza has a special zoning code that limits the height of buildings around the area, including a very low limit of 45 feet for parts of the plaza. It is noteworthy that the Kansas City Planning Commission rejected the height limits, but the city council imposed them anyway.⁵⁷

In St. Louis, the thriving Central West End (CWE) neighborhood has height limits in the special "form-based" zoning code for much of the area. The building height maximums vary and top out at twelve stories and 130 feet, although there are parts of the CWE with no building height maximums.⁵⁸ There are other sections of both cities that have height limits.

The most famous building height limits in the United States are in Washington, D.C., where the strict height limitations certainly help protect the sense of place, architecture, and style the city has developed. However, studies have found that those height limits also severely

limit housing supply and increase housing prices.⁵⁹ Furthermore, the expensive real estate market has helped make D.C. a one-industry town for government.⁶⁰

While the harms of height limits are likely far more severe in Washington, D.C., than in Kansas City or St. Louis, height limits are nonetheless poor public policy in areas like Country Club Plaza and the Central West End. City governments should be encouraging, not restricting, dense development—both commercial and residential—in Missouri's most popular urban neighborhoods. Building height limitations need to be cut down to size.

Short-Term Rentals

There are some areas in which technological changes have led (or should lead) to consideration of new zoning rules. Specifically, there can be a role for municipalities in regulating the short-term rental (STR) industry (e.g., AirBNB and VRBO) through zoning or licensing to help ensure that the use of STRs does not overly impact nearby residents. A basic registration requirement and monetary fine system for unruly guests are policies that local government could enact and enforce. Regulations like these are being or have been enacted by many cities around Missouri, including Lake Ozark, St. Charles, Kansas City, and St. Louis.

There is good evidence that allowing STRs in a community has a positive effect on property values.⁶¹ Despite this, many municipalities throughout Missouri and around the nation are enacting limits on STRs. One prominent economist, Arpit Gupta, has suggested that this demonstrates the limits of the "homevoter hypothesis" (that homeowners support policies, including zoning, that increase their home values).⁶² With STR limits, homeowners and voters are choosing peace and quiet over a slight increase in property values, which should not be a surprise to anyone who has lived next to some out-of-control parties.

Osage Beach is one municipality that has chosen not to regulate STRs through its zoning ordinance.⁶³ Renting out your own home is legal and unregulated in most of Osage Beach (with some exceptions). People who rent out their homes have to collect sales and tourism taxes on their rentals and submit those to the city and county. Osage

Beach, which is a popular vacation destination near the Lake of the Ozarks, has decided that the free market will benefit tax collections in the city and that property rights are important for homeowners.

The STR issue is, in the author's opinion, a good example of the proper role of subdivision covenants/indentures and HOAs in community governance. It seems reasonable that different subdivision or condominium associations within the same city could decide on different rules for their buildings or neighborhoods. Consider two (theoretical) new condominium developments in Lake Ozark. One developer could choose to create condo rules that forbid STRs of units, hoping to attract people who intend to visit the lake frequently and who value privacy and quiet. The other developer could choose to allow STRs, hoping to attract investors who want to use their condos occasionally but also want to rent it out frequently. As long as everyone who purchases a condo in either of the two buildings is properly informed of the rules beforehand, this should be an entirely private decision that need not involve government. (It is fair to note that the STR spillover effects, such as loud parties, would be limited to the condo complex itself in this example, in a way that they would not be limited in a rental home in a neighborhood.)

Where possible, the regulation of rental rules for property owners should be left to private organizations. Where government rules are involved for entire cities, STR regulations should focus as much as possible on punishing rule-breaking (trash, loud parties, etc.) through police enforcement, fines, and progressively larger penalties instead of on rules that entirely prohibit rentals in an area.

Developer Impact Fees

A developer impact fee is a charge that developers pay to governments for the right to construct a project. The logic is that an impact fee helps pay for the cost of increased government services that will serve the project. Of course, property taxes would also do that, but impact fees are collected up front, and there is some justification for doing it this way. If a city has to add a traffic light on a city road due to a new development, the impact fee funds the new traffic light at the start whereas the full property taxes would not be collected until December of the year the project was completed.

A 2019 survey of developer impact fees by state ranked Missouri as having the lowest residential development impact fees and among the lowest for commercial projects.⁶⁴ While the national survey included just a very small sample of Missouri cities—Kansas City and Lee's Summit, to be precise, leaving the accuracy of the rankings open to question—the overall idea that impact fees in Missouri municipalities are lower than average is consistent with all other comparisons discussed in this guide.

A literature review of impact fee studies for the Lincoln Institute of Land Policy concluded that impact fees can benefit residential development and property values but are more harmful for commercial development.

As [the author, Gregory] Burge asserts, many existing studies have shown that residential impact fees increase property values, with new and existing homes experiencing a similar price effect. Specifically, nonutility impact fees have significant positive effects on job growth and the construction rates of larger single-family units in inner and outer suburban areas. With the increase in the supply of residential and nonresidential units of higher value, the property tax base expands. . . . **Conversely, commercial impact fees tend to discourage development and employment**, thereby lowering investment and the supply of commercial properties.⁶⁵

This view of impact fees being potentially beneficial for residential property aligns with the "benefits" view of property taxation and the theories of Charles Tiebout as discussed in part two (municipal taxation) of this guide series. If impact fees or property taxes are spent prudently on needed public services (like a new traffic light), the costs of these services are capitalized into increased home values in the community. Commercial developers and property owners experience this effect less, and are more likely to simply experience the impact fee as a new tax.

The study's conclusion explains how impact fees at reasonable levels (as at least the two Missouri cities in the survey currently have them) can operate effectively. Burge writes:

On balance, [...] impact fees should be able to augment local revenue. The key to this argument is that cities must substitute monetary exactions for other

growth regulations to facilitate new development and **do not use impact fees as an additional restriction to curb growth.**⁶⁶

In other words, if a municipality has a developer impact fee that is used to address the local service needs caused by development and growth and uses the fee in place of burdensome zoning and regulatory rules, the city can benefit. If a municipality simply places an impact fee on top of existing zoning or regulatory restrictions as one more way to limit development or raise revenue for unrelated purposes, the impact fees can be very harmful. Missouri municipalities should continue to heed this lesson.

Other Zoning Reform Options

Some zoning reform proposals go much further than those discussed here, including eliminating single-family zoning entirely. Across the river from Kansas City in Johnson County, Kansas, major political fights have erupted over attempts to make zoning codes more welcoming to apartments, duplexes, and other multi-family units. There have been attempts to recall the mayor of Prairie Village, Kansas, over his support for such zoning changes.

In Webster Groves, the city council rezoned to allow duplexes in most single-family zoned areas, but upset residents got signatures for a referendum on the new law. Voters substantially rejected the duplex change by the city council and reversed the law. Three states—California, Oregon, and Maine—along with some cities, including Minneapolis, have ended single-family zoning restrictions. It is not a coincidence that all three of those states have higher housing costs than Missouri, partly due to government regulations in the first place. Austin, Texas, has enacted dramatic zoning reforms to allow for the construction of more housing and had a genuine reduction in housing costs in 2024.⁶⁷ Without the impetus of high housing costs, it remains to be seen how far the push for zoning reform will go in Missouri.

One zoning reform Missouri municipalities need to consider is allowing boarding houses again. Boarding houses, which are simply apartment-like facilities where people rent their own room but share bathroom and kitchen facilities, used to be common throughout the

United States. They developed an unseemly reputation, and many cities banned them through zoning rules. For example, St. John, a suburb of St. Louis, banned new boarding houses entirely in 1963.⁶⁸ As unseemly as they may have been,⁶⁹ boarding houses were very affordable housing options. The lack of cheap, boarding-room options is one reason for our high homeless rates.⁷⁰ Changing municipal zoning to allow boarding houses in parts of municipalities is one way to address homelessness.

Hopefully, the reforms cited here of ADU allowance in Columbia and other cities and removing commercial parking requirements in Perryville will lead to similar efforts around the state. Planners shouldn't tell businesses how many parking spaces to provide, and zoning rules shouldn't prevent a property owner from building a living unit above their garage. As communities around the country reconsider their own zoning rules, I am optimistic that those more substantial reforms will come to Missouri, too. Zoning is not an automatic requirement for a successful city. Entrusting property owners instead of government regulators to do what is right for their community should not be a scary idea.

MUNICIPAL PLANNING

According to the Collins online dictionary, "City planning is the activity or profession of determining the future physical arrangement and condition of a community, involving an appraisal of the present condition, a forecast of future requirements, a plan for the fulfillment of these requirements, and proposals for constructional, legal, and financial programs to implement the plan."⁷¹

Just as supporters of zoning thought in 1926 that personal liberties were valuable because of regulations, there are those in 2025 who think Missouri cities should be much more extensively "planned." One local consultant has been calling for an expansion of urban planning authority in St. Louis in a series of newspaper commentaries, writing, "The missing element is an aspirational and attainable vision of a new St. Louis that takes the form of a public-driven master plan."⁷² Actually, increased urban planning is the last thing St. Louis or any other municipality needs.

Neither Kansas City, St. Louis, Springfield, nor any other municipality in Missouri needs comprehensive planning.

As Randal O'Toole writes:

In sum, the technical barriers—data, forecasting, modeling, and pace of change—to comprehensive, rational planning of land or other resources by government agencies are insurmountable. Because they cannot overcome these technical barriers, planners rely on junk science and resort to fads—and those fads cause far more problems than they solve.⁷³

If New York City and Houston do not have a comprehensive plan, then your large Missouri city, mid-sized town, or small village does not need one either. As the journalist Jane Jacobs said about urban planning, “The pseudoscience of planning seems almost neurotic in its determination to imitate empiric failure and ignore empiric success.”⁷⁴

St. Louis was the site of one of the great urban planning failures in American history: the Pruitt-Igoe public housing complex. It opened in 1956 to excitement and optimism as a new type of public housing for lower-income people. The grandiose dreams of modern architecture, design, and urban planning quickly turned into a crime-ridden nightmare as they ran headlong into the reality of government management, budget limitations, and poverty. One architectural critic went so far as to state:

Modern Architecture died in St. Louis, Missouri on July 15, 1972 at 3.32 pm (or thereabouts) when the infamous Pruitt Igoe scheme, or rather several of its slab blocks, were given the final coup de grâce by dynamite.⁷⁵

There is general agreement that some type of infrastructure planning is required by municipalities. As cities grow or change, plans need to be in place for the installation of sewers, gas and water pipes, electrical lines, roads, and sidewalks. But urban planners and planning rarely maintain focus on those infrastructure needs. Routinely, comprehensive planning is the handmaiden of zoning and other land-use restrictions that impose the pantheon of rules, permits, inspections, and other mandates on the citizens and property owners in municipalities.

Planners frequently and disappointingly mandate the mundane. The growing sameness of so many American communities is a direct result of municipal plans requiring

a consistent look in a community. When you realize that most zoning codes were copied (the literal cut-and-paste prior to computers and copy machines) from other cities, that most cities use the same (or very similar) building codes, and that zoning codes limit the options available for many lots, nobody should be surprised by the loss of distinct urban aesthetics across the nation. As Cody Lefkowitz wrote about this topic:

Before the rise of zoning and consolidation of development, the country was full of special places with wonderful vernacular architecture. These were cities and towns built by many hands. Cities and towns that aged gracefully through generations of stewards iteratively building from the foundations of their predecessors. New Orleans, that much-loved city, is one of the most exceptionally beautiful places one can imagine, with an identity as unique as it is mystifying. When you're there, you could never mistake yourself for being anywhere else. The same goes for New York and San Francisco. Each place is built not only from the materials and design native to its surroundings but more importantly, is imbued with the stories of those who have come before and left their legacies on the streets we walk and facades we take in. These are places of immense cultural significance and history. Some revered on the global scale, others happy to carry on tradition within their own communities without broader recognition.⁷⁶

Municipal planning commissions are empowered to establish comprehensive plans for their cities and to approve changes, amendments, and variances to the current plans or zoning codes. They are largely advisory. Care should be taken with the makeup of the commission, as with any type of government advisory board. There should be a balance between appointees who have appropriate qualifications for the board, such as, in the planning commission example, architects or civil engineers, and appointees representing the general public interest. Boards that consist entirely of people in the related industry or field can easily be subject to regulatory capture so that they effectively serve the industry or field being regulated rather than the public. Boards that consist entirely of people representing the general public's interest might not have the necessary knowledge to make informed judgements or might be at risk of being dominated by the

municipal staff advising them. The former flaw (regulatory capture) is common on boards regulating occupational licensing and will be discussed later in the section of this project that concerns public works. The latter flaw is prevalent on many other types of advisory board and, indeed, on city councils themselves. The final concern specific to a planning commission is that it could be dominated by older, retired volunteers who have the time to commit to it and are just opposed to change in general.

City councils can easily approve a change that the planning commission rejects, as occurred in Kansas City when the council misguidedly approved building height limitations for the Country Club Plaza. In Creve Coeur in 2013, the city council approved changes to allow a new grocery store in the city despite the rejection of the proposal by the planning commission.⁷⁷ City councils can also reject changes the planning commission approves. Generally, when the city council (or board of aldermen, or village trustees) approves something over the opposition of the planning commission, they need a supermajority vote, but that is typically not hard to achieve.

The point is not that elected officials should be subservient to the appointed members of the planning commissions and the bureaucrats in the planning departments; far from it. The point is to overcome the idea that planning is some kind of urban science with a large public benefit. The planning process is wholly subject to the same political aims, interest group pressures, and regulatory capture that all of government is, but with an even stronger progressive bias.⁷⁸ Furthermore, the process institutionalizes and legislates the bias toward uniformity and present-day assumptions. Municipalities should limit their use of planning to necessary infrastructure issues and refuse to engage in it otherwise, particularly with regard to economic, cultural, or aesthetic values.

In 2024, planning commission members in Coal Camp, a small town in Benton County, were tasked with updating the city's comprehensive plan. The town hired PGAV Planners in St. Louis to lead the usually perfunctory planning update process, which the company has done for many municipalities in Missouri. However, an interesting thing happened on the way to the updated plan: The commission members opposed it.⁷⁹ Unlike in most

municipalities, the planning commission members in Coal Camp started questioning the plans and regulations in the new documents and the accompanying municipal zoning code updates. As of this paper's publication, the process is ongoing, but the city still has not adopted either the updates and changes in the comprehensive plan or the zoning code. This is a rare instance of citizen pushback against this type of "death by a thousand cuts" regulatory imposition. Hopefully, the Coal Camp example can inspire citizens in other Missouri communities—especially rural municipalities where the average citizen believes in limited government—to oppose new or expanded planning and regulatory impositions which, in the author's experience, are generally passed by municipalities with little to no awareness by regular people.

Historic Preservation

Historic preservation is a noble goal. A city's history is contained in its architecture. Every municipality in the state has the authority to create a historic preservation commission if it chooses to.⁸⁰ Sixty-two municipalities have taken the steps to become a "certified local government" for purposes of historic preservation as managed by the Missouri State Historic Preservation Office,⁸¹ but more have adopted local ordinances without taking the extra step to become certified.

Historic preservation suffers from a fundamental public choice issue. There are only so many truly historic buildings in any city. What happens when you have created a local historic preservation commission, assigned employees to the role, and hired consultants, and then you achieve your goal of preserving your historic buildings? If you do what the City of St. Louis did in 2012—you start trying to preserve buildings that *might* be historic, not just the ones that truly are. The city's preservation office launched an effort to identify more historic buildings that would be eligible for various tax credits and other subsidies, all of which would, conveniently, involve work done by the preservation community itself. As one consultant on the project stated (emphasis added throughout):

While helping "provide a road map" for developers who want to preserve or renovate such buildings, the survey could also **remove ambiguity** over a structure's

architectural significance, said Michael Allen, head of Preservation Research Office, a consulting firm. He said **he hopes to win the consultant's job** the state grant will finance.⁸²

The trick in historic preservation is to focus your efforts on preserving truly important structures and not let the natural impulse for bureaucratic expansion take over. Recently in the City of St. Louis, historic preservation has been used to justify the rejection of certain projects based on the preservation of structures of highly questionable historic value, such as the Optimist building and the Engineer's Club building.⁸³ In these cases, historic preservation of a dubious nature was used to prevent redevelopment. That's an abuse of the process, and cities should avoid allowing historic preservation efforts to morph into jobs programs, tax schemes, or protectionist measures for current property owners.

As discussed previously in the section on Clayton condominiums, the use of historic designations can also limit new housing options. In one neighborhood on the border of University City, which created a historic district, and Clayton, which did not, the Clayton part of the neighborhood has seen substantial housing renovations and condominium expansions, while the University City part has seen its housing options stagnate.⁸⁴ Some would certainly claim that "stagnation" in University City has allowed the beneficial preservation of beautiful old homes, but it has undoubtedly reduced the housing choices of current and future University City residents.

Neighborhood Covenants and Homeowners Associations

The primary alternative to zoning—if one wishes to reside somewhere with a level of homeownership rules and requirements—is through private property covenants (also called indentures or deed restrictions) and HOAs. (Arrangements of this kind were also discussed in the Private Place section of this guide.) These types of private covenants are the rules regulating property use that are part of the property deed. They are usually established when a subdivision is built. It is very difficult in Missouri to establish covenants after a neighborhood is established. Until recently, it was almost impossible to even amend an existing neighborhood covenant after it was initiated, but

a 2019 Missouri Supreme Court ruling made it easier to amend existing covenants in certain cases.⁸⁵

Private property covenants look and act like zoning in many ways. They regulate many of the same things, such as home size, setbacks, property alterations, and commercial usage. Similarly, the fees a homeowner pays to an HOA can look and feel a lot like a property tax. Regular Missourians can be forgiven if they don't see much difference between the two, but private covenants have several advantages over zoning beyond the author's preference for voluntary agreements over municipal laws. Private covenants are preferable because:

- They are usually limited to one neighborhood, so they can be specifically tailored to that neighborhood in a way that broader-based zoning laws cannot be.
- They are more difficult to amend, so private property owners who like the terms of their covenants are safer in knowing their property rights will be protected. (Zoning laws passed by governments should not be written so strictly that they can't be changed or amended.)
- They are popular and help increase home values. According to one study, homes with covenants are five percent more valuable than those without.⁸⁶ Another study found the same result, but at a four percent difference.⁸⁷

The often-maligned HOAs are certainly not perfect. They are often overzealous in their enforcement. The people who care enough to serve on an HOA board are sometimes the same people who care a little too much about their neighbors' activities. But as a replacement for government-imposed planning and zoning, HOAs provide a privately managed option that can benefit many neighborhoods and property owners.

CONCLUSION

Missouri is noted for having a large number of local governments, but other than in St. Louis County, it does not have a particularly high number of municipalities. Outside of St. Louis County, which is the largest county in the state, most of the government fragmentation involves

large numbers of often obscure special taxing districts. But whether we are talking about municipalities in St. Louis County or special taxing districts throughout the state, the fact is that the more you have, the harder it is to promulgate and enforce comprehensive planning and strict zoning. While the high levels of fragmentation certainly have their policy downsides, in this instance they are a blessing in disguise.

It is more difficult for a municipality (or county) to institute a comprehensive plan if there are numerous independent road districts, sewer districts, fire districts, or other political subdivisions that may not have compatible regulatory rules and codes. It is also more difficult for a city to institute strict zoning if it is surrounded by many other, comparable municipalities that do not impose such rules (more difficult, but not impossible). The fact that the St. Louis metropolitan area has the least strict zoning of any large metro area in the nation and is among the most heavily fragmented areas is not a coincidence.

If Houston, Texas, does not have zoning, then Houston, Missouri, doesn't need it either. If New York City does not have a comprehensive plan, then Buffalo, Missouri, also does not need one.

Planning and zoning regulations are to Missouri municipalities what the appendix is to the human body. Much like a person can survive just fine without an appendix, cities, towns, and villages do not require comprehensive planning and zoning. The author hopes that more municipalities in the future will function without them. Until then, there are numerous reforms to the planning and zoning codes that can easily be instituted to help grow Missouri by expanding housing options, reducing business regulations, and increasing personal freedoms.

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FOR FURTHER READING

O'Toole, Randal. *The Best-Laid Plans*. Cato Institute, 2007.

Caro, Robert. *The Power Broker*. Random House, 1975.

Jacobs, Jane. *The Death and Life of Great American Cities*. Random House, 1961.

Gray, M. Nolan. *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*. Island Press, 2022.

Shoup, Donald. *The High Cost of Free Parking*. Routledge, 2011.

APPENDIX

Table 1: Wharton Residential Land Use Regulatory Index 2018 Values for Core-Based Statistical Areas with 10 or More Observations

CBSA Name	WRLURI	# Obs.	CBSA Name	WRLURI	# Obs.
1. San Francisco-Oakland-Hayward, CA	1.08	18	23. Dallas-Fort Worth-Arlington, TX	0.17	49
2. New York-Newark-Jersey City, NY-NJ-PA	1.04	57	24. Hartford-West Hartford-East Hartford, CT	0.14	14
3. Providence-Warwick, RI-MA	0.93	14	25. Portland-South Portland, ME	0.13	16
4. Seattle-Tacoma-Bellevue, WA	0.73	22	26. Kansas City, MO-KS	0.13	17
5. Los Angeles-Long Beach-Anaheim, CA	0.73	48	27. San Antonio-New Braunfels, TX	0.10	10
6. Riverside-San Bernardino-Ontario, CA	0.68	18	28. Buffalo-Cheektowaga-Niagara Falls, NY	0.05	12
7. Washington-Arlington-Alexandria, DC-VA-MD-WV	0.66	16	29. Harrisburg-Carlisle, PA	0.01	15
8. Miami-Fort Lauderdale-West Palm Beach, FL	0.66	35	30. Lancaster, PA	-0.01	14
9. Phoenix-Mesa-Scottsdale, AZ	0.64	11	31. Columbus, OH	-0.01	17
10. Portland-Vancouver-Hillsboro, OR-WA	0.60	18	32. Houston-The Woodlands-Sugar Land, TX	-0.04	16
11. Madison, WI	0.60	13	33. Pittsburgh, PA	-0.06	56
12. Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	0.48	49	34. Minneapolis-St. Paul-Bloomington, MN-WI	-0.10	48
13. Albany-Schenectady-Troy, NY	0.47	10	35. Chicago-Naperville-Elgin, IL-IN-WI	-0.10	94
14. Denver-Aurora-Lakewood, CO	0.41	16	36. Atlanta-Sandy Springs-Roswell, GA	-0.12	27
15. Youngstown-Warren-Boardman, OH-PA	0.32	10	37. Worcester, MA-CT	-0.23	16
16. Boston-Cambridge-Newton, MA-NH	0.30	44	38. Cleveland-Elyria, OH	-0.28	19
17. Indianapolis-Carmel-Anderson, IN	0.30	14	39. Grand-Rapids-Wyoming, MI	-0.31	24
18. Scranton-Wilkes-Barre-Hazleton, PA	0.30	10	40. Rochester, NY	-0.38	26
19. Syracuse, NY	0.25	11	41. Charlotte-Concord-Gastonia, NC-SC	-0.38	12
20. Milwaukee-Waukesha-West Allis, WI	0.24	22	42. Cincinnati, OH-KY-IN	-0.38	26
21. Allentown-Bethlehem-Easton, PA	0.22	14	43. Detroit-Warren-Dearborn, MI	-0.42	60
22. Nashville-Davidson-Murfreesboro-Franklin, TN	0.17	12	44. St. Louis, MO-IL	-0.51	37

Note: There are 1,107 communities within these 44 CBSAs. The number of observations is a count of the municipalities within each CBSA that responded to the researchers' survey with information about local zoning codes.

Source: Gyourko, J., Hartley, J., Krimmel J. *The Local Residential Land Use Regulatory Environment across U.S. Housing Markets: Evidence from a New Wharton Index*. NBER Working Paper 26573, December 2019; <http://www.nber.org/papers/w26573>.

NOTES

1. O'Toole, Randal. *The Best-Laid Plans*. Cato Institute. 2007. Page 69.
2. Wells, Frederick V. "The Law of Zoning in Missouri" *Bulletin Law Series*, 34.1926; <https://scholarship.law.missouri.edu/lv/vol34/iss1/3>.
3. Sumner, Scott. "The City Without Zoning." *Econlib*, September 21, 2022; <https://www.econlib.org/the-city-without-zoning-ready>.
4. RSMo 89.010 and 89.310.
5. Research by SMI staff and an inquiry to the Missouri Municipal League have been unable to determine what the largest city in Missouri without zoning may be.
6. Lloyd, Gloria. "Oakville Citizens Eye Proposal of Incorporating Area as a City." *Call Newspapers*, June 4, 2014; <https://callnewspapers.com/oakville-citizens-eye-proposal-of-incorporating-area-as-a-city/>.
7. For example, the Wikipedia page on the topic only refers to St. Louis. View online here: http://en.wikipedia.org/wiki/Private_place.
8. O'Toole, Randal. *The Best-Laid Plans*. Cato Institute. 2007. Page 69.
9. *Ibid.*
10. Savage, Charles C. *Architecture of the Private Streets of St. Louis*. University of Missouri Press, 1987.
11. St. Louis City Ordinance 65291 regarding the Ellenwood Subdivision in both St. Louis and Clayton is one example.
12. Kohler, Jeremy. "St. Louis' Private Police Forces Make Security a Luxury of the Rich." *Pro Publica*, September 8, 2022; <https://www.propublica.org/article/public-vs-private-policing-in-st-louis>.
13. Definition found here: <https://www.investopedia.com/terms/z/zoning.asp#:~:text=Zoning%20refers%20to%20municipal%20or,from%20building%20in%20residential%20neighborhoods>.
14. Justia, U.S. Supreme Court. <https://supreme.justia.com/cases/federal/us/272/365/>.
15. Wells, Frederick V. "The Law of Zoning in Missouri." *Bulletin Law Series* 34. (1926); <https://scholarship.law.missouri.edu/lv/vol34/iss1/3>.
16. *Ibid.*
17. Cost of Living Data Series, Missouri Economic Research and Information Center. <https://meric.mo.gov/data/cost-living-data-series>.
18. *Ibid.*
19. Delgado, Michelle. "U.S. House Prices Are Rising Exponentially Faster Than Income (2021 Data)." *Real Estate Witch*, January 26, 2023; <https://www.realestatewitch.com/house-price-to-income-ratio-2021>.
20. Cox, Wendell. "International Housing Affordability." *Demographia*, 2023.
21. Medici, Andy, and Cagle, Ellen, "After Inflation's Boom, Here's How Kansas City Ranks for Affordability," *Kansas City Business Journal*, October 5, 2023.
22. Glaeser, Edward, and Joseph Gyourko. "The Impact of Zoning on Housing Affordability." NBER Working Paper No. 8835, March 2002.
23. Gyourko, Joseph, Jonathan Hartley, and Jacob Krimmel. "The Local Residential Land Use Regulatory Environment Across U.S. Housing Markets: Evidence from a New Wharton Index." NBER Working Paper No. 26573, December 2019. The main thing missing from these data is that the City of St. Louis itself is not included as one of the 37 municipalities in the St. Louis region that provided data to the project. The author's knowledge of zoning in St. Louis is that it is not particularly strict compared to other cities or to its own suburbs, and as such its inclusion is unlikely to have changed the ranking substantially.

24. Cox, Wendell. "Housing Affordability: St Louis' Competitive Advantage." *New Geography*. February 27, 2012. <https://www.newgeography.com/content/002692-housing-affordability-st-louis%E2%80%99-competitive-advantage>.
25. Cox, Wendell. "Housing Affordability: The St. Louis Competitive Advantage." *Show-Me Institute Policy Study No. 31*, February 2012.
26. Hart, Peter. "The Case Against Government Fragmentation." *University Times*. University of Pittsburgh, November 11, 2010. <https://www.utimes.pitt.edu/archives/?p=14048>.
27. Maciag, Michael. "How Many Governments Is Too Many?" *Governing Magazine*, May 3, 2019, <https://www.governing.com/news/headlines/gov-most-local-governments-census.html>.
28. Ibid.
29. The comparison between the Kansas and Missouri cities in the Kansas City zoning breakdown was just a simplistic averaging of their scores. As such, the statement that the Missouri cities in Kansas City alone would rank 37th should be understood as a basic statement that the Missouri municipalities are less strict than the Kansas municipalities within that Kansas City metro area and is not intended as a precise ranking. This note also applies to the comments on Louisville.
30. Cox, Wendell. "Kansas City: Genuinely World Class: A Competitive Analysis." *Show-Me Institute*, 2016.
31. Landis, Kelsey, and Josh Renaud. "Property Taxes Soared in St. Louis County. But Not for Some of the Richest Homeowners." *St. Louis Post-Dispatch*, January 14, 2024.
32. Benchaabane, Nassim. "An Original 'Old Town' Clayton House Faces Demolition. Developer Wants to Build Condos." *St. Louis Post-Dispatch*, April 1, 2024.
33. Knox, Samir. "A Year after Rejecting Bob Clark plan, SLDC Still Seeking Bids for North St. Louis Site." *St. Louis Business-Journal*, February 26, 2025.
34. Knox, Samir. "St. Louis reduces lot size requirements, paving way for denser development in parts of city." *St. Louis Business-Journal*, July 11, 2025.
35. Furth, Salin. "Four Benefits of Limiting Minimum Lot Sizes." *Mercatus Center*, February 9, 2021.
36. City of Columbia Ordinances, Section 29.4.3.
37. City of Joplin Ordinances, Section 29A-1904.
38. City of Cape Girardeau Ordinances, Section 25-47.
39. Milman, Oliver. "Shifting Gears: Why US Cities Are Falling Out of Love with the Parking Lot." *The Guardian*, December 26, 2022; <https://www.theguardian.com/us-news/2022/dec/26/us-cities-parking-lots-climate-walkability#:~:text=These%20stipulations%20have%20helped%20concrete,total%20according%20to%20some%20estimates>.
40. Ibid.
41. Cowen, Tyler. "The Economics of Free Parking." *Marginal Revolution*, August 15, 2010; <https://marginalrevolution.com/marginalrevolution/2010/08/the-economics-of-free-parking.html>.
42. There are reasonable exceptions to this, such as handicapped parking regulations.
43. Kite, Allison. "Kansas City Eases Parking Requirements to Spur Affordable Housing Along Transit Lines." *Kansas City Star*, April 18, 2019; <https://www.kansascity.com/news/politics-government/article229433619.html>.
44. Parking Reform Network map; <https://parkingreform.org/resources/mandates-map>. It is also possible that these two cities just never implemented parking mandates in the first place.
45. Curry, Melanie. "Parking Requirements Are Not a Useful Bargaining Chip for Increasing Affordable Housing." *StreetsBlogCal*, May 19, 2021; <https://cal.streetsblog.org/2021/05/19/parking-requirements-are-not-a-useful-bargaining-chip-for-increasing-affordable-housing>.

46. Tuohey, Patrick. "Testimony before the Kansas City, Kansas Parking Commission." Better Cities Project, June 9, 2025.
47. Parking Reform Network; https://parkingreform.org/mandates-map/city_detail/Branson_MO.html.
48. Perryville municipal code, section 17.60.050.B.
49. Missouri House Bill 246, 2023.
50. Cato Institute. "The Promising Results of Accessory Dwelling Unit Reform." June 28, 2023; <https://www.cato.org/blog/results-accessory-dwelling-unit-reform-so-far#:~:text=The%20number%20of%20ADU%20permits,of%20ADUs%20permitted%20grew%2088%25>.
51. Ibid.
52. Gnagey, J., Gnagey, M., & Yench, C. "The Impact of Legalizing Accessory Dwelling Unit Rentals on Property Values: Evidence from Ogden, Utah." *Journal of Housing Research*, 2022. 32(2), 103–122; <https://doi.org/10.1080/10527001.2022.2106039>.
53. Bhatt, Ishan. "Yes, Literally, in My Backyard: The Effect of 'Gently' Upzoning Single-Family Neighborhoods." Harvard Kennedy School of Government, May 2023.
54. Ibid.
55. Chapple, Karen, et al. "Jumpstarting the Market for Accessory Dwelling Units: Lessons Learned from Portland, Seattle, and Vancouver." Turner Center for Housing Innovation; https://turnercenter.berkeley.edu/wp-content/uploads/2020/08/2_Page_Summary_Final_Draft.pdf.
56. Glaeser, Edward. *Triumph of the City*. Penguin Books, 2011.
57. Collison, Kevin. "Kansas City Plan Commission Rejects Plaza Building Height Limits, but Council May Impose Them." KCUR, February 5, 2019; <https://www.kcur.org/news/2019-02-05/kansas-city-plan-commission-rejects-plaza-building-height-limits-but-council-may-impose-them>.
58. City of St. Louis Central West End zoning code; <https://www.stlouis-mo.gov/government/departments/planning/documents/central-west-end-form-based-code.cfm>.
59. DePillis, Lydia. "Study: Raising D.C.'s Height Limit Would Help City, Not Cause World to End." *The Washington Post*, July 24, 2013; <https://www.washingtonpost.com/news/wonk/wp/2013/07/24/study-raising-d-c-s-height-limit-would-help-city-not-cause-world-to-end>.
60. Yglesias, Matthew. "'Washington DC's Aversion to Skyscrapers Has Turned It into an American Versailles.'" *Dezeen.com*, June 19, 2015; <https://www.dezeen.com/2015/06/19/washington-dc-height-buildings-act-skyscrapers-inequality-housing-american-versailles>.
61. Barron, Kyle, Kung, Edward and Proserpio, Davide. "The Effect of Home-Sharing on House Prices and Rents: Evidence from Airbnb," March 4, 2020; <https://ssrn.com/abstract=3006832>.
62. Gupta, Arpit. Post on X.com dated June 13, 2025; <https://x.com/arpitrage/status/1931812265944351179>.
63. City of Osage Beach website; <https://www.osagebeach-mo.gov/FAQ.aspx?QID=217>.
64. 2019 National Impact Fee Survey. Data at <https://www.impactfees.com/resources/surveys>.
65. Burge, Gregory. "The Effects of Development Impact Fees on Local Fiscal Conditions." Lincoln Institute of Land Policy. May 2010. Summary here at <https://www.lincolninst.edu/publications/conference-papers/effects-development-impact-fees-local-fiscal-conditions>.
66. Ibid.
67. McGlinchy, Audrey. "As Rents across the Country Go Up, Austin Prices Continue to Fall." *Austin Monitor*, Sept. 11, 2024.
68. St. John City Code section 650.010, <https://ecode360.com/29085680>.

69. The last major boarding house–style facility in St. Louis, the Mark Twain hotel downtown, was a haven for registered sex offenders who had nowhere else to live due to rules against living close to schools, churches, etc.
70. Yglesias, Matthew. “Homelessness is About Housing.” *Slow Boring*, May 17, 2021; <https://www.slowboring.com/p/homelessness-housing>.
71. Definition from Collins online dictionary: <https://www.collinsdictionary.com/us/dictionary/english/city-planning>.
72. Michaud, Greg. “To Succeed as a Modern City, St. Louis Needs a Master Plan.” *St. Louis Post-Dispatch*, September 25, 2024.
73. O’Toole, Randal. *The Best-Laid Plans*. Cato Institute. 2007. Page 71.
74. Jacobs, Jane. *The Death and Life of Great American Cities*. New York: Random House, 1961, p. 183.
75. Jencks, Charles. “The New Paradigm in Architecture: The Language of Post-Modernism,” 1977; <https://www.pruittigoenow.org/the-unmentioned-modern-landscape>.
76. Lefkowitz, Cody. “Why Everything Looks the Same.” *Marker*, April 28, 2021: <https://marker.medium.com/why-everywhere-looks-the-same-248940f12c4>.
77. Palermo, Gregg. “Council Overrides City Planners on Proposed Fresh Market Site.” *The Patch*, August 12, 2013; <https://patch.com/missouri/crevecoeur/council-overrides-city-planners-on-proposed-fresh-market-site>.
78. One analysis found that 95 percent of urban planners are supporters of the Democratic Party: <https://www.zippia.com/advice/democratic-vs-republican-jobs>.
79. Author’s conversations and correspondence with local citizens.
80. RSMO 253.415.
81. List found at: https://mostateparks.com/sites/mostateparks/files/CLG_PrimaryContactList.pdf.
82. Bryant, Tim. “St. Louis to Survey Mid-Century Buildings.” *St. Louis Post-Dispatch*, March 30, 2012; https://www.stltoday.com/business/local/city-to-survey-mid-century-buildings/article_266033e2-79ac-11e1-b262-001a4bcf6878.html.
83. Lloyd, Gloria. “Plan to Demolish Part of Engineers’ Club for Central West End Apartments Denied by City Board.” *St. Louis Business-Journal*, December 21, 2021. It should be noted that both projects were revised and eventually approved by the city.
84. Benchaabane, Nassim. “An Original ‘Old Town’ Clayton House Faces Demolition. Developer Wants to Build Condos.” *St. Louis Post-Dispatch*, April 1, 2024.
85. Trustees of Clayton Terrace Subdivision v. 6 Clayton Terrace, LLC.
86. Agan, Amanda Y. and Tabarrok, Alexander T. “What Are Private Governments Worth?” *Regulation*, Vol. 28, No. 3, pp. 14–17, Fall 2005; <https://ssrn.com/abstract=820444>.
87. Clarke, Wyatt, and Matthew Freedman. “The Rise and Effects of Homeowners Associations.” *Journal of Urban Economics*, Volume 112. 2019. Pages 1–15.



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