Hoarding Land: How Cities Allocate (and Weaponize) a Scarce Resource to Block New Housing*

Abstract

A wide body of scholarship has explored America's worsening housing crisis and implicated onerous land use regulations in driving rising home prices. This research largely ignores an important step in the development process: land acquisition. In doing so, it misses an additional tool local governments wield in controlling land use: hoarding publicly owned land. This paper marshals an array of data on public land ownership across more than one hundred jurisdictions in Massachusetts to explore how much public land local governments control and the extent to which publicly owned land is used to develop or obstruct housing. We find that local governments own a striking amount of land—nearly 12 percent of Massachusetts land—and that much of it is vacant, even in areas with extraordinarily high land values. If local governments in metropolitan Boston developed housing at 15 units per acre on just five percent of their vacant, publicly owned land, it could produce more than 75,000 homes. We reveal that the failure of local governments to convert much of their vacant land into housing is rooted in homevoter and anti-growth sentiments; in some communities, governments purchase land expressly to block new housing and fight state-level preemption of local land use.

Keywords: local politics, housing policy, land use policy

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Introduction

In many American communities, residents face a crushing housing crisis. Home prices nationally have increased over 60% in the last decade, and one quarter of renters spend more than half of their income on housing.[1] While the drivers of the housing crisis are manifold, economists have implicated onerous zoning and land use regulations from local governments as key contributors to the housing crisis (Schuetz 2009; Gyourko and Molloy 2015; Glaeser and Gyourko 2018; Schuetz 2022). These policies have made building extremely difficult, creating an unpredictable and expensive housing development process (Einstein, Glick and Palmer 2019; Sahn 2024). Consequently, America has been left with a shortage of four million units of housing.[2] These building practices not only make housing more expensive; they also contribute to high levels of racial segregation (Rothstein 2017; Trounstine 2018, 2023) and unequal access to high quality public goods, such as schools (Rothwell and Massey 2013; Trounstine 2018).

Local governments prize their control over land use (Burns 1994; Trounstine 2018). It allows them to shape what can be built and where any new building occurs. Local governments incorporate to maintain control over land use (Burns 1994), often with an explicit goal of racial segregation (Trounstine 2018; Godinez Puig 2023). They are supported in these aims by strong public support for the use of exclusionary land use policies to block new housing (Hankinson 2018; Marble and Nall 2017; Einstein, Glick and Palmer 2019). This is true even in liberal places where the public's stated values should, at least in theory, be more favorable towards inclusive housing policy (Marble and Nall 2017; Ornstein 2023).

Scholars and policy advocates argue that the streamlining of zoning policies is a necessary first step to address the housing crisis (Einstein, Glick and Palmer 2019; Schuetz 2022). Oftentimes, when faced with recalcitrant local governments, such streamlining requires state-level preemption of local zoning and land use laws (Schleicher 2013; Schuetz 2022). Journalist Jerusalem Demsas argues, "Local government is fundamentally not equipped to internalize and weigh the benefits and costs of large infrastructure projects, which can affect the economic and environmental prospects of the

[1] https://www.nytimes.com/2024/03/27/briefing/affordable-housing-crisis.html.
[2] https://upforgrowth.org/apply-the-vision/housing-underproduction/

whole nation."[3] Early evidence from places that have streamlined their zoning—either at the city-level via local change (e.g., Austin, TX and Minneapolis, MN) or state-level preemption (e.g., CA, OR, and MA)—suggests that these policies are at least somewhat effective at removing obstacles to new housing. In Austin, TX, the housing stock grew by eight percent between 2020-2024, stabilizing housing prices in the region despite massive population and job growth.[4] In Massachusetts, a recent statewide policy, the MBTA Communities Act, required communities served by the regional mass transit system to change their zoning to allow the construction of more multifamily housing; Lexington, MA, an early-complying town of 30,000 residents, will build 1,000 new homes as a consequence.[5]

This body of research focuses primarily on the *development process*. It takes as a starting point that developers are able to acquire land on which to develop; but, onerous regulatory processes make it difficult (and expensive) for developers to actually build on a parcel of land once acquired. The glacial pace of this part of the homebuilding process is critical to understanding the housing crisis. However, research focused on the development process eschews another potentially impactful land use tool that local governments wield: public ownership of land. In order for a builder to become mired in the tortuous land use process, they must first acquire ownership of the land they hope to develop. On land that is publicly owned, the government body in question controls whether or not a developer has that opportunity. Even in contexts where the state government has preempted local control of zoning, local governments retain potent control over land that they directly own.

Local governments must weigh a variety of goals when deciding how to use this public land. They might allocate some land to serve as municipal buildings or recreational facilities. Or, local governments might create protected greenspace with publicly accessible trails. Some communities facing housing crises might use the land to make it more financially feasible for private developers to produce affordable housing; while such developments may be uneconomical in areas with high land costs, publicly owned land might present an opportunity to make subsidized housing development

[3] https://www.theatlantic.com/ideas/archive/2022/04/local-government-community-input-housing-public-transportation/629625/

[4] https://www.businessinsider.com/austin-home-prices-falling-texas-mortgage-rates-housing-crisis-success-2024-9

[5] https://www.bostonglobe.com/2024/12/03/business/lexington-mbta-communities-housing/

financially possible. Both Democratic and Republican administrations have endorsed plans to open up federal lands for the development of affordable housing.[6]

Alternatively, public land potentially presents anti-development municipalities an opportunity to circumvent pro-growth state preemption laws. Indeed, the incentives to use public land to stymie new housing might be especially potent in places where the state government preempts (some) local land use and zoning laws. In most places, local governments can choose the stringency of their land use and zoning laws; anti-development communities can consequently choose to impose strict policies that make it difficult to build new housing. Some state governments, though, have put laws in place that prevent local governments from passing exclusionary zoning laws, or require local governments to allow certain types of housing, such as duplexes, without any discretionary permitting process. State preemption laws prevent local governments from using the full menu of local zoning and land use policies to stop unwanted development.[7] But, they can still use publicly owned land as a potential anti-development tool. For example, local governments can choose to set aside publicly-owned land and ensure that it remains undevelopable. Or, local governments might choose to purchase developable plots to prevent that land from being converted into housing.

Despite the potentially pivotal nature of publicly owned land, we know very little about how much land local governments even own, let alone the extent to which they allow it to be developed into housing. Using administrative data from Massachusetts, we explore how much public land municipal governments own. We find that local governments own a perhaps surprisingly large amount of land: 12 percent of all land. Despite extraordinarily high demand for land in these regions, local governments leave a whopping 50 percent of the land they own vacant—not what we might expect from cities behaving economically rationally and seeking to maximize their tax base (Peterson 1981).

We then explore why, in a regional context of soaring real estate demand, this land is only rarely developed into housing. We find that deep and entrenched anti-growth public sentiment intersects with state and local political institutions to make it extraordinarily difficult to build on

[6] `https://www.bloomberg.com/news/articles/2025-01-08/us-housing-crisis-could-be-eased-by-building-on-federal-lands?embedded-checkout=true`

[7] State preemption laws can also act as an anti-housing tool. Goodman and Hatch (2024) find that more conservative states use preemption laws to block affordable housing.

public land. State procurement law creates multiple veto points for the redevelopment of public land, which housing opponents readily take advantage of to block proposed projects.

In extreme cases, we find that public land can be wielded as a powerful tool against state-level preemption of local zoning. Massachusetts communities subject to a state law preempting local control over land use, Chapter 40B, were significantly more likely to leave land purchased post-2000 vacant compared to their counterparts who were exempt from the law. In a detailed analysis of post-2010 large Massachusetts land purchases, we uncovered 13 instances of cities and towns spending more than $50 million in public dollars to purchase land expressly to stop housing developers from taking advantage of a state preemption law. Much of this land is expensive to maintain, underscoring the extent to which cities and towns are willing to operate against their own financial interests (and those of local homeowners) to block housing development.

In addition to shaping the availability of land for housing development, the use of municipally-owned land to stop housing development has important implications for the study of federalism. In particular, these findings highlight an important way that local government policy is at odds with federal and state aims. Public land allows local governments to circumvent preemption laws targeting zoning. Our results also suggest that, in some places, local governments, state governments, and the federal government may be using their public lands at cross-purposes. In the same jurisdiction, the federal government and state government might seek to redevelop their lands into new housing while the municipal government purchases developable land to stop new housing.

Local Government as Landowners

What considerations could local governments bring to bear when deciding how to allocate public land? For at least some portion of their public land, they have little choice. There are certain essential (and legally mandated) government services, such as fire protection and schooling, that require physical infrastructure typically built on publicly owned land. Once local governments have acquired and developed government land so they can perform essential government functions, how do they choose to use additional land? Below, we present four frameworks local governments might follow when choosing what to do with their surplus public land: (1) Tax base maximization; (2)

Redistribution; (3) Amenities for homevoters; and (4) Anti-growth.

Tax Base Maximization

One urban politics perspective sees local governments as focused on growth and enhancing their economic interests and tax bases (Peterson 1981; Logan and Molotch 1987; Stone 1989; Vogel and Swanson 1989). In this framework, cities pursue policies that augment their highly constrained tax bases (Peterson 1981), often at the behest of business interests (Logan and Molotch 1987; Stone 1989; Vogel and Swanson 1989). They might pursue pro-development policies, such as making it easier to develop commercial or residential real estate on public land. Facing competition from surrounding local governments and limitations from higher levels of government, public land becomes a powerful asset for gaining a local economic advantage.

State-level tax policies might make it particularly attractive for local governments to use public land to enhance their local tax base. Many states have passed Tax and Expenditure Limits (TELs) that restrict local governments' ability to raise revenue via taxation; these communities are often unable to increase either their property tax rates or assessed property values by more than a limited amount (Tax Policy Center 2024). For communities affected by TELs, the only way to substantially increase their tax bases is through new development.

We should expect local governments operating under this economic framework to use available public land as a tool of economic development. They might place amenities on public land that make the area more attractive for nearby development. These public amenities could include high-quality schools that attract a well-heeled workforce; or, perhaps land might be used to build a new convention center that local businesses believe serves as a valuable convening space. Local governments might also sell or lease their land for commercial or residential real estate development to directly catalyze an increased tax base. In areas with high demand for land, though, we should never observe economically rational local governments leaving developable parcels vacant. Instead, we would expect public land to serve a tax base-maximizing role either as a public amenity friendly to businesses and wealthy homeowners, or as privately-owned development opportunity.

Redistribution

This economically rational urban politics framework largely ignores a critical component of local politics: public officials are elected and thus, in theory, accountable to their constituents. Local government policies are, to varying degrees, reflective of constituent preferences (Tausanovitch and Warshaw 2014; Einstein and Kogan 2016; Warshaw 2019), though they may be more responsive to the wishes of some (more privileged) subsets (Schaffner, Rhodes and La Raja 2020). We might therefore broadly expect local governments' choices about public land to align with the preferences of (at least some of) their constituents. In this section and those that follow, we consider different groups of city residents who might shape local decision-making surrounding public land.

Liberal and Democratic cities and conservative and Republican cities differ across an array of policy areas (though, importantly, local partisan and ideological differences are distinct from those at the national level (Anzia 2020)). Consistent with the stances of the national parties, liberal and democratic cities tend to spend more and prefer greater investments in redistributive policies (Tausanovitch and Warshaw 2014; Einstein and Glick 2016; de Benedictis Kessner, Jones and Warshaw 2024), such as improving housing affordability.

Public land may provide interested cities with the opportunity to make these redistributive investments. For example, cities facing an affordable housing crisis might choose to develop government-constructed subsidized housing on public land, or to sell/lease land to a private affordable housing developer. In places with high land values, it is often not economically feasible to develop subsidized housing; developers instead must price units high simply to make their budgets work (Terner Center For Housing Innovation 2024). While public land does not allow a housing developer (either public or private) to avoid all construction costs, it does, in principle, reduce or eliminate the cost of acquiring land—a sizable hurdle in many communities. Consequently, we might expect liberal and Democratic cities to use their public land to subsidize redistributive policies like affordable housing.

Amenities for Homevoters

While left-leaning cities may face public demands for redistribution, perhaps no constituency is more important and powerful in local elections than homeowners. Homeowners are heavily over-represented in local elections, especially those held off-cycle (Hall and Yoder 2022; Hajnal, Kogan and Markarian 2022). They comprise 93 percent of local politicians (Einstein, Ornstein and Palmer 2023).

For most Americans, their home is the most expensive asset they own and the foundation of their wealth (Fischel 2001; Schuetz 2022). Consequently, it is unsurprising that homeownership might strongly motivate political participation and views on local politics (Fischel 2001; Hankinson 2018; Marble and Nall 2017; Hall and Yoder 2022; Einstein, Glick and Palmer 2019). As so-called homevoters (Fischel 2001), the financial motivations of homeowners are clear: to maintain (and maximize) the value of homes.

These economic considerations would lead homevoters to support two potential (and complementary) uses for public land: (1) amenities that enhance the value of their homes; (2) preventing undesirable projects that might detract from the value of their homes. Starting with amenities, home values are profoundly shaped by the quality of public goods in a local community (Fischel 2001; Rothwell 2018; Trounstine 2018). Homeowners might advocate for new public schools or high-quality greenspaces that enhance the value of their homes.

Conversely, homevoters may also seek public land as a tool for blocking unwanted land uses. Homeowners may believe that some land uses, such as an industrial use, might detract from their home values. If their community is threatened with, say, an Amazon warehouse, they might advocate purchasing developable land as a means of blocking undesirable developments. Many homeowners also believe that new housing hurts their property values, both by detracting from the quality of the local neighborhood and by diminishing the value of local public goods (Fischel 2001). Consequently, proposed new housing developments may also fall into the category of unwanted land uses.

Thus, under a homevoter framework we should expect local governments to use surplus public land to enhance local home values. They might do so through developing attractive amenities on

public land and/or by blocking value-detracting land uses. While the types of projects built on public land might look quite different than under the tax base maximization framework, we also do not expect local governments following the preferences of their homevoters to leave land vacant in a context of high real estate demand, unless they plausibly believe that a vacant parcel might increase local home values.

Anti-Growth

Opposition to new development may not stem solely from concerns about property values, as in the homevoter framework. Instead, community members—homeowners and renters alike—may reject new projects because they are resistant to rapid changes in both the physical and demographic composition of their communities (Hankinson 2018; Marble and Nall 2017; Einstein, Glick and Palmer 2019; Trounstine 2023). Indeed, a wealth of psychological research suggests that rapid changes in a community are especially psychologically salient, and thus particularly likely to provoke strong sentiments among residents (Hopkins 2010; Enos 2018). This is the case even in liberal communities (Marble and Nall 2017; Trounstine 2023) and those with higher numbers of renters (Hankinson 2018) where we might otherwise expect community sentiment to favor more inclusive development policies. Given ample evidence that local governments are responsive to at least some segments of the public (Tausanovitch and Warshaw 2014; Einstein and Kogan 2016; Schaffner, Rhodes and La Raja 2020), local government policy may reflect the preferences of the anti-development and anti-growth general public.

The power of anti-growth sentiments may be amplified by local political institutions that are dominated by older voters. As longtime residents of their communities, seniors are especially resistant to all forms of new housing (Marble and Nall 2017; Einstein, Glick and Palmer 2019). They are also well-organized at the local level (Anzia 2019). This means that they are dramatically overrepresented at local public meetings about housing development (Einstein, Glick and Palmer 2019) and in off-cycle local elections (Bridges 1997; Anzia 2014; Kogan, Lavertu and Peskowitz 2018), which are widespread nationally (Anzia 2014).

The anti-growth constituency's influence might lead cities and towns to use public land in ways that seem economically irrational. Rather than seeking to maximize town coffers or community

property values, local governments instead may seek to use public land as an anti-development tool. Communities might pursue actions like leaving public land vacant; public land in this scenario serves neither to augment the community's tax revenues nor to improve local amenities.

Public land may prove an especially appealing tool for anti-growth communities for several reasons. First, it allows liberal communities to couch their anti-housing aims in more palatable language. In response to a proposed housing development on public land, more liberal community members might say that their town requires more conservation land or higher quality public facilities. They might even claim that they favor development in general, but that the particular parcel in question would be put to better use in other ways. Some communities might choose to purchase privately-owned parcels on which housing developments are proposed using similar justifications. They might say that they generally favor affordable housing, but that the town needed to acquire that specific parcel to protect a vulnerable habitat or build a new school. Communities can thus mask anti-development sentiment as ostensibly public-minded.

Second, public land may be especially attractive for anti-growth communities located in states that have preempted some local control over zoning. In response to rising housing costs, a growing number of states have passed laws that remove local control over land use policy. These laws aim to reduce regulatory barriers to housing development in communities that are unwilling to streamline zoning and land use regulations voluntarily (Schuetz 2023). For example, in 2021, California passed a law, SB 9, that allowed duplexes on all parcels of land, regardless of local zoning. That same year, Massachusetts passed a law, MBTA Communities, that required all cities and towns served by the local mass transit system, the MBTA, to create districts that allowed a minimum amount of multifamily housing to be built. These laws limit local governments from using land use and zoning regulations to stymie unwanted development.

Local governments can still, however, use their control over publicly owned land (including the ability to purchase public land) as a tool for blocking growth. Perhaps most obviously, local governments control what can be built on land that they already own, even in states that have preempted local control over land use and zoning. In order for housing to be built on publicly owned land, local governments either need to build the housing themselves or lease/sell the land to

a private developer. Local governments can also block unwanted development on privately-owned land by purchasing the land or claiming it through eminent domain.

Regulatory Process and Opposition to New Development

The institutional structure of the housing development process and the procurement of public land jointly lead us to expect homevoter and anti-growth perspectives to generally dominate decision-making around public land, rather than redistributive or tax base-maximizing forces. This is because the housing development process and procedures for redeveloping public land both create multiple veto points; at any stage, organized opponents can stop or delay a housing development.

The development process in general offers homevoters and anti-growth advocates ample opportunity to delay and block proposed new housing. In most communities, the regulatory process requires proposed multifamily projects to go through a lengthy public review process, often in front of multiple boards and commissions. Each of these meetings creates a venue in which community residents can express their opposition to a proposed project (Einstein, Glick and Palmer 2019; Sahn 2024). Many scholars and advocates implicate this lengthy and unpredictable review process as a key driver of the contemporary housing crisis (Gyourko and Molloy 2015; Glaeser and Gyourko 2018; Schuetz 2022).

These issues are compounded for projects proposed on public land, which offer additional veto points for organized development opponents. In many states, development on public land is not a simple matter of a local government picking a preferred developer and selling/leasing the land to that entity. Instead, as an anti-corruption measure, states impose procurement laws that mandate local governments go through fair, arms-length processes when redeveloping public land.

This public transparency, however, means that the procurement process creates multiple opportunities for homevoters and anti-growth advocates to obstruct unwanted new housing. In many places, multiple stages of the disposition of public land require public approval, or approval from legislative bodies that are highly sensitive to public opinion. For example, in Massachusetts, land must first be declared "surplus," or unneeded for its current designated function, by a two-thirds vote of the local legislative body. Once a town approves land as surplus, they then circulate a Request for Proposals to attract developer interest. Approval of a proposed project frequently

necessitates legislative body or board approval depending upon the type of permit requested.

In short, the structure of local political institutions means that project opponents have the opportunity—sometimes multiple opportunities—to stop or delay proposed housing development. This is especially the case for any projects proposed on public land, which face extra regulatory barriers. This oppositional institutional bias favors homevoter and anti-growth sentiments.

Data and Methods

Measuring the amount of land owned by the federal, state, and municipal governments across the United States is a challenging problem complicated by federalism and lack of centralized land ownership reporting across localities. In this paper, we focus on data from Massachusetts, which maintains a periodically updated parcel-level database of all of the land in the state.[8] While other states maintain similar databases, we focus on Massachusetts for multiple substantive and methodological reasons. First, it includes a major metropolitan area, Boston, where there is a high demand for new housing and where local officials acknowledge the impact of the housing crisis on its residents and future.[9] Available land is at a premium. There are even municipalities where there are only one or two large parcels sufficient for significant housing development; using that land for other purposes prevents housing, rather than forcing developers to pursue a substitute. Second, Massachusetts has had one of the strongest state preemptions of local land use, Chapter 40B, in place for decades. Passed in 1969, Chapter 40B offers an opportunity to test whether communities use public land as a tool to combat preemption laws (we describe Chapter 40B in greater detail when we present those results). Third, because Massachusetts has no unincorporated land, all public land is located within municipal boundaries, offering an excellent opportunity to observe the influence local governments might have over land purchases.

Massachusetts' data quality also makes it an attractive locus of study. First, it categorizes every parcel using a well-defined schema of ownership and use types, allowing us to identify which parcels are owned by governments and which are owned by private entities. Second, the state data identifies vacant parcels and parcels where development is limited by conservation restrictions, which allows

[8] https://www.mass.gov/info-details/massgis-data-property-tax-parcels

[9] https://www.bostonglobe.com/2024/01/17/business/housing-crisis-healey-wu/

us to estimate the amount of buildable vacant land.

Some other states have similarly useful data, but analyzing multiple states, and drawing comparisons across them, is difficult because state laws around public land ownership, procurement, development, and sale vary substantially. For example, states have different types of executive agencies, local governments, regional authorities for schools, water, or transit, and various other institutions. In Florida, which maintains a high-quality statewide parcel database, the most common owner of public land is the Florida Trustees of the Internal Improvement Trust Fund (TIITF), which owns and manages almost all public land.[10] In contrast, in New York State, the state, counties, municipalities, and various other forms of local governments are all large land holders with separate controls over public land.[11]

While Massachusetts has a high-quality database of all parcels in the state, we use these data with a few qualifiers both in the data itself and in the broader case selection. First, each municipality in Massachusetts has its own assessor and is responsible for maintaining its property records. These records are reported to the state using a common standard for the database, but the state does not provide further quality review or data standardization. Some municipalities may have more inaccuracies in their data than others.[12] Second, identifying parcels owned by governments can be challenging. In a state where property records date back more than 300 years (there are many parcels that have been owned by local governments since the 1600s), there are likely some properties owned by governments for a very long time where the records have not been updated to reflect the owner category, and where the name of the owner on the deed might not match the name of the government. Accordingly, we interpret our results as minimum values for government-owned land. Finally, these data represent a single snapshot in time. Parcels are bought and sold, buildings are constructed and demolished. We should expect the total amount of land owned by governments and the amount of vacant land to vary over time.

More broadly, the structure of local government in Massachusetts and the relative paucity of

[10] `https://fgdl.org/zips/metadata/xml/parcels_2023.xml`

[11] `https://gis.ny.gov/parcels`

[12] For example, Everett, a city just north of Boston, reports far less municipal land than other towns. Public schools in Everett are listed as being owned by the local government, but are not classified as government-owned land.

federally-owned land mean that dynamics might look different in places with weaker local governments and larger amounts of federally-owned land, such as large swaths of the American West. Similarly, we might expect different uses for public land in places where real estate demand is lower. Vacant land is not necessarily a sign of anti-growth sentiment in a community with low demand for real estate. Analogously, anti-growth pressures will naturally be higher in communities that are facing rapid economic and population growth than in places struggling to attract development. The analyses in this article more broadly generalize to places with powerful local governments and strong real estate demand.

Below, we present a mix of evidence to evaluate how local governments use their public land. First, we present summary statistics outlining how much land municipalities own in different parts of the state, and the extent to which they leave this land vacant. We juxtapose the use of municipally-owned land with other types of land, including state- and privately-owned land (the federal government is not a significant landowner in Massachusetts). We then analyze all land purchases post-2000 and large land purchases post-2010 to unpack how local governments make decisions about the use of their public land. We emphasize recent purchases in these analyses to capture recent housing market dynamics, and to ensure that, through a mix of newspaper articles, analyses of meeting minutes, and communications from public officials, we can unpack motivations for large public land purchases.

Results

In Massachusetts, both the state and municipalities are major landholders. Figure 1 shows the overall land ownership by owner type in Massachusetts. Statewide, more than 25 percent of all land is owned by a government entity. Unlike many western states, the federal government is a relatively minor land owner in Massachusetts, with its holdings limited mainly to some nature preserves (like the Cape Cod National Seashore), some historic sites, and a small number of federal facilities. Due to the municipal structure of local government in Massachusetts, governmental authorities (like the Massachusetts Bay Transit Authority and various housing authorities) are also relatively small landholders.

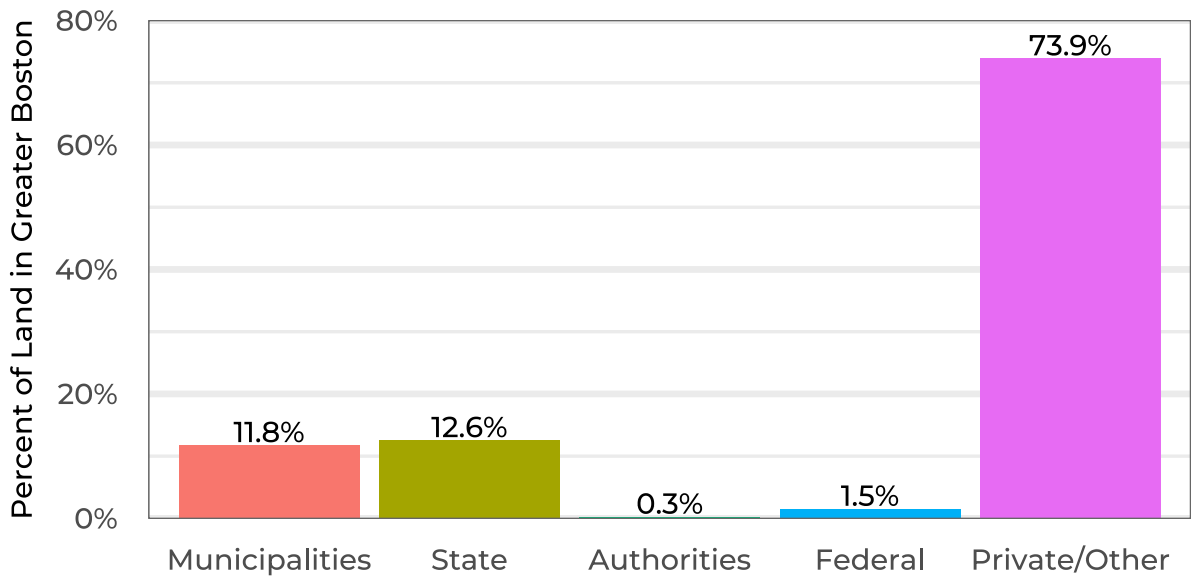

Figure 1: Land by Owner Type in Massachusetts

There is significant regional variation in land ownership across the state. We divided the state into four regions, centering on Boston as the area with the most significant housing crisis: the City of Boston, the 20 closest municipalities defined as the "Inner Core" by the Metropolitan Area Planning Council, the remaining 126 municipalities that make up "Greater Boston" (Essex, Suffolk, Middlesex, Norfolk, and Plymouth Counties), and the "Rest of the State." Figure 2 maps these regions.

In Figure 3 we show land ownership in each of the four regions. In Boston, private entities own just over half of the land. The City of Boston owns about 36 percent of the land and the state owns six percent. In the other three regions, private ownership is significantly higher and municipal land ownership is less than half the percentage of Boston. However, municipalities remain significant landholders in the Inner Core and Greater Boston, with more than 16 percent of the land in each region.

How much of this government-owned land could potentially be used for housing? To approximate this, we classified each parcel into three categories: Vacant, Non-Vacant, and Conservation Lands.[13] Figure 4 shows the percentage of land by owner and region in each category. In Boston,

[13]If land was recorded as both vacant and set aside for conservation, we coded it as conservation. Vacant land

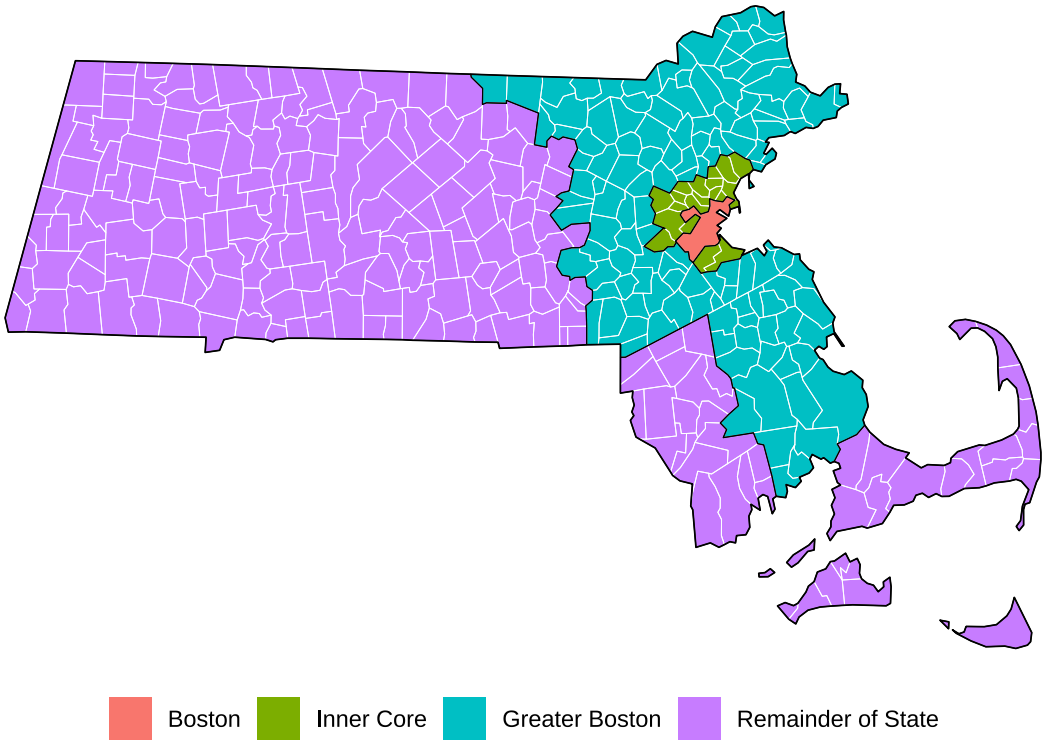

Figure 2: Map of Regions

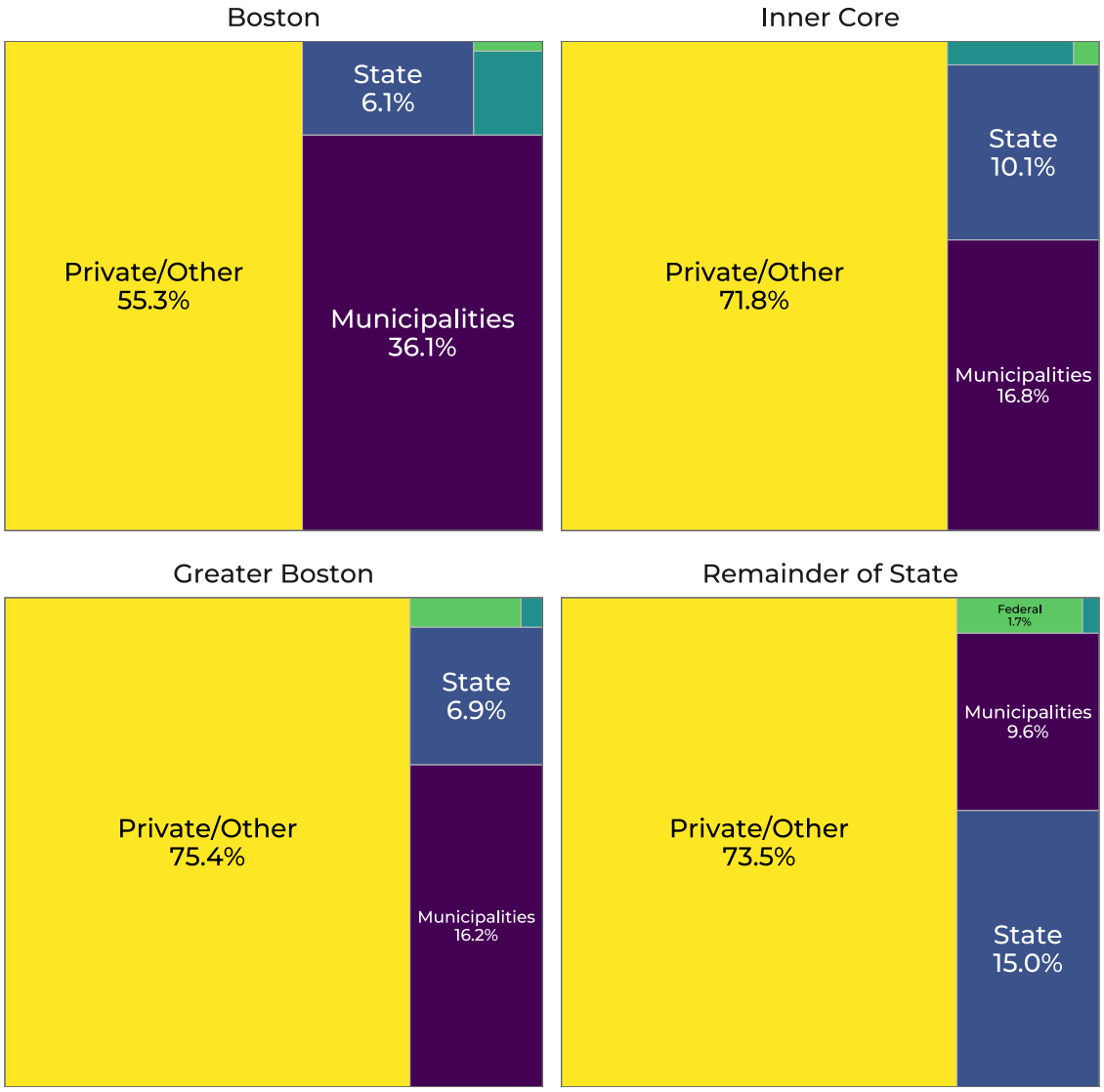

Figure 3: Map of Regions

almost all of the land is non-vacant (in-use), regardless of owner type. The vacancy rate of Boston's municipally owned land (eight percent) is virtually identical to that of privately owned land (seven percent). This high utilization of land is striking in light of the fact that the city of Boston also has the highest percentage of municipally-owned land (36 percent).

In the Inner Core (30 percent), Greater Boston (44 percent), and the Remainder of the State (50 percent), however, the amount of vacant land owned by municipalities is far higher. Notably, these vacancy rates differ starkly from those for private land in the Inner Core (one percent) and Greater Boston (eight percent). Overall, there are 257,000 acres of vacant land owned by municipalities in Massachusetts, representing 5.5 percent of all land in the state.

These vacant parcels take a variety of forms. Figure 5 shows two illustrative cases in Cambridge, an inner-core neighbor of Boston with a population of 118,000, and Peabody, an outlying suburb with a population of 54,000. The empty parking lot in Cambridge is likely what most readers picture when conjuring images of vacant land: it is an underused parcel that neighbors a mass transit stop and abuts commuter rail tracks. In its current form, it does little to maximize the local taxbase or provide amenities to homeowners. The wooded area in Peabody located behind privately owned homes, also classified as vacant, may bring to mind a more protected habitat. Importantly, however, this land is *not* conservation land: conservation parcels are legally protected land whose use is regulated by municipal conservation commissions and the state government. Their use is governed by conservation restrictions, which may require, among other things, wildlife protection and trail maintenance. Once designated as conservation land, converting these parcels to other uses requires a two-thirds vote from the local legislative body and the state legislature.

Although it is not formally conservation land, the Peabody parcel may be left vacant for economically rational reasons. It is difficult to make the case that local homeowners' property values benefit from a vacant parking lot next door, as in Cambridge. The unmaintained woodlands in Peabody, on the other hand, may indeed enhance property values for abutting homeowners. Value-maximizing homevoters may very well be behind the prevalence of such vacant parcels.

How much housing could be built on this public, vacant land? This is an impossible question

thus only includes land that is not explicitly reserved for conservation.

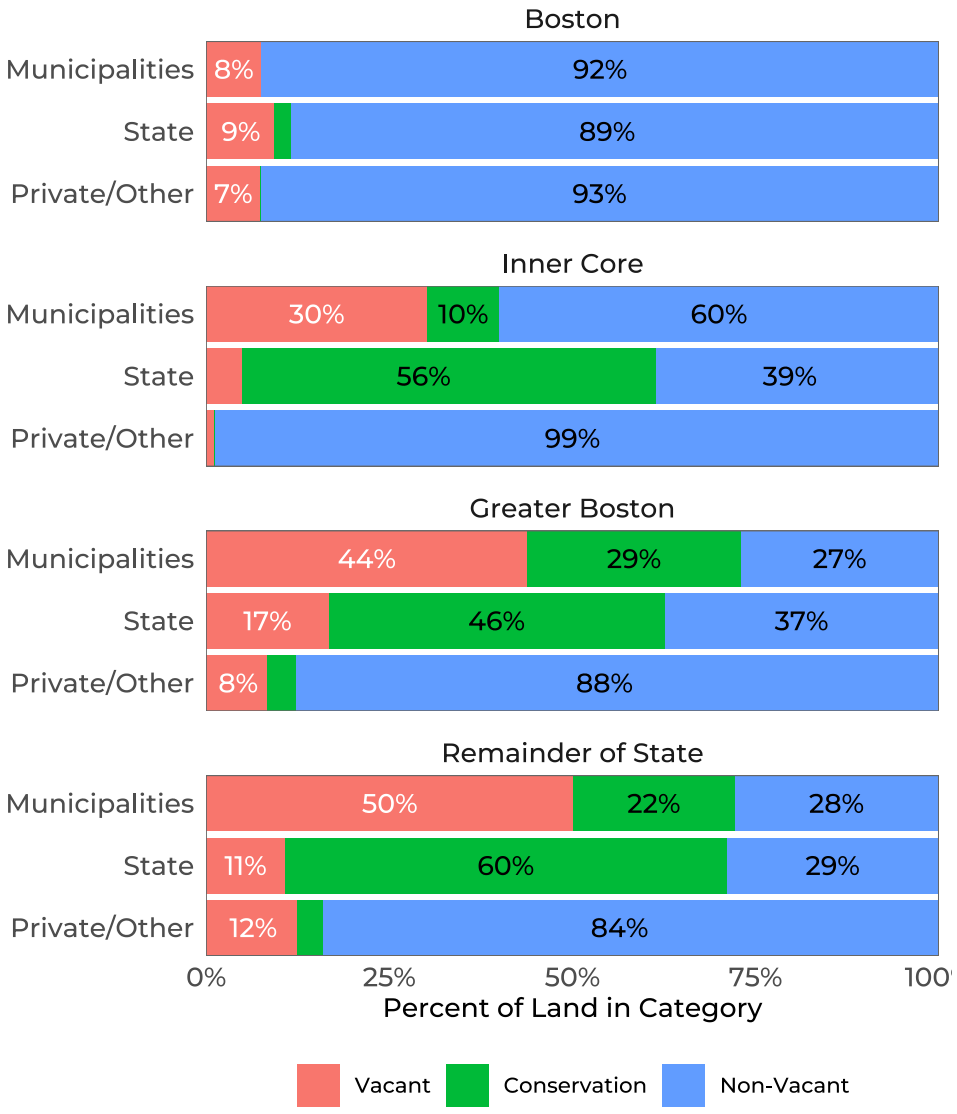

Figure 4: Land Usage by Owner Type and Region

(a) Cambridge

(b) Peabody

Figure 5: Examples of Vacant Parcels

to answer without a parcel-by-parcel analysis. Much of this land may not be suitable for housing, or any development at all. There are many other potential uses for public land, including schools, public safety, and public services. However, we can make some conservative approximations of what could be built.

We estimate potential housing development by assuming that new housing on vacant land is built at 15 units per acre, the minimum density under Massachusetts' 2021 MBTA Communities law. We make two very conservative assumptions. First, we assume that only vacant land could be developed into housing. However, many of the non-vacant parcels of municipal land could add housing as well. For example, a large plot with a single small building on it would be coded in our data as non-vacant, but there may be plenty of space to construct new housing. Second, we assume that only five percent of this vacant land is suitable for housing development. This reflects the fact that many parcels, or portions of parcels, are not suitable for development due to ground conditions, location, shape, environmental protection, or other reasons.

We estimate that Boston could build 569 units on five percent of its vacant municipal land. This would have a minimal impact on the housing supply in the city because relatively little land is vacant. Outside of the City of Boston, however, the potential is far larger. In the Inner Core, 3,265 units could be built, increasing the housing supply by almost one percent. In Greater Boston, 71,093 housing units could be built, an almost seven percent increase in the housing supply. Finally, in the remainder of the state, 118,045 units could be built, a 10 percent increase in the housing supply. Altogether, 192,973 units could be built statewide, increasing the housing supply by 7

percent. In 2025, Massachusetts Governor Maura Healey set a goal of building 222,000 homes in the state over the next ten years to address the housing crisis.[14] This number is an ambitious target. But municipal land may offer a path towards achieving this goal. In Greater Boston, where demand and potential to build are both especially high, more than 70,000 units on municipal land could be built (and potentially far more).

The amount of land that is left vacant, and the huge potential to build new housing on this land, suggests that local governments are largely *not* acting in order to maximize their tax base. Instead, local governments' allocation of public land is seemingly driven by some combination of anti-growth sentiment and, perhaps, homeowners' anxieties about the effects of new housing on their property values.

In subsequent sections, we analyze this broader data set on land purchases alongside longitudinal data set of large land purchases in Massachusetts to better understand how cities and towns make decisions about public land use and *why* so much land is left vacant. We first explore the overall use of these new public land purchases, and outline the regulatory obstacles that impact the (rare) instances when housing is constructed on public land. We then turn to the most extreme anti-growth use of public land: purchases—often for significant sums of taxpayer money—done with the express purpose of blocking new housing developments.

Housing Development Process, Public Procurement, and Vocal Opponents

Since 2010, we identified 234 local government purchases of land purchased in transactions costing more than $1,000,000.[15] Altogether, these purchases comprise over 2,902 acres of land. Of these parcels, 104 are currently vacant, comprising 1,031 acres (36 percent).

There were many different uses for these parcels. Some were land swaps with private developers, or meant to improve driving/pedestrian access to city buildings. Others extended existing conservation areas. Consistent with local governments' desire to add amenities that improve their tax bases, 19 percent of parcels became schools, public safety buildings, or public works facilities. Other parcels became conservation land or recreation spaces. Very little was used for redistribu-

[14] `https://www.bostonglobe.com/2025/02/06/business/massachusetts-222000-new-homes/?event=event12`

[15] In some cases, many parcels may have been purchased as part of one transaction, so this does not correspond to 234 separate purchases.

tive purposes; indeed, only 13 of the purchases (six percent) ultimately resulted in a redistributive land use. These land uses include affordable housing, a food pantry, and a family resource center. Housing, and redistribution more generally, are thus rarely part of the decision-making calculus surrounding public land.

Amplified by land use regulations and the public procurement process, homevoters and anti-growth constituencies frequently fought the conversion of public land into housing. The attempt to redevelop an old mansion in Northborough, MA is illustrative. In 2016, the town of Northborough purchased and maintained the White Cliffs Mansion using $2.4 million state and local resources.[16] After a committee determined that the building would require at least an additional $6 million in investment to function as a public building, the town sought outside investors.[17] In 2023, the White Cliffs Committee evaluated three bids received as part of the Request for Proposal process; they ultimately chose a housing development featuring 52 units, all affordable.[18]

But, in order to receive necessary permits, the project required both Select Board and Town Meeting approval because it was sited on publicly owned land. Almost immediately, organized public opposition targeted these two governing bodies. One abutter started a petition opposing the project which was quickly signed by 250 residents.[19] In May 2023, the Select Board opted not to move forward with the proposal. They cited significant neighborhood opposition and the overwhelming likelihood that the project would not be able to get majority support at a future Town Meeting vote.[20] Select Board member Kristen Wixstea observed: "There's a lot of fear around this building."[21] As of 2024, the Town Offices Feasibility Study Committee recommended that the mansion be used as a new Northborough Town Hall.[22]

[16] https://www.metrowestdailynews.com/story/village-news/2017/10/01/done-deal-for-white-cliffs/64784836007/

[17] https://www.metrowestdailynews.com/story/news/2022/08/31/northborough-ma-seeks-investor-to-refurbish-historic-white-cliffs-mansion/7893271001/

[18] https://www.metrowestdailynews.com/story/news/local/2023/03/07/affordable-housing-northborough-ma-white-cliffs-mansion-renovatation/69967642007/

[19] https://www.metrowestdailynews.com/story/news/local/2023/03/07/affordable-housing-northborough-ma-white-cliffs-mansion-renovatation/69967642007/

[20] https://www.town.northborough.ma.us/sites/g/files/vyhlif12221/f/agendas/06.12.23_public_meeting_packet_0.pdf

[21] https://www.communityadvocate.com/2023/05/23/white-cliffs-proposal-will-not-move-forward/

[22] https://www.communityadvocate.com/2024/06/21/committee-recommends-moving-town-hall-to-white-cliffs/

A Winchester, MA referendum proved a similarly challenging obstacle to housing development on public land. In 2018, Winchester's Select Board authorized the sale or lease of Waterfield Lot, a publicly owned approximately one-acre parking lot next to the Winchester Central MBTA Commuter Rail Station, for affordable housing.[23] In 2019, they put out a Request for Qualified Developers and in 2021, the Town voted to authorize the Select Board to enter into a land development agreement with Winchester Waterfield MM LLC (a subsidiary of Civico Development LLC).[24] The proposal included a commercial space as well as 60 units of mixed-income housing (50 percent as studio and one-bedrooms, and two- and three-bedrooms), with at least 25 percent deed-restricted affordable units. Opponents cited the loss of parking as well as parking revenue (about $15,000/year).[25]

Shortly thereafter, a citizen's petition triggered a referendum to reconsider the article, and with about 32 percent voter turnout, the project was halted with only 67 more votes (two percent) in opposition to the land development agreement.[26] The Waterfield Lot Task Force was subsequently formed and identified three drivers of opposition to the project: reduction in public parking, affordable housing ratio, and revenue for the town.[27] In response to this report, Civico returned to the city with a new plan to increase the number of public parking spaces to 70 (only down 17 from what currently existed), remove the commercial space, and increase the percentage of affordable units (while keeping the total number of units the same). They also proposed tearing down the Chamber of Commerce to make more parking. In June of 2022, the Town entered into a Land Development Agreement after a close two-thirds vote by Town Meeting Members.[28]

In the final approved plan, 40 of the 60 units will be for individuals making at or below 60 percent of the Area Median Income, and the town seeks to impose a local preference on 70 percent

[23] https://www.wickedlocal.com/story/the-winchester-star/2022/06/03/waterfield-lot-town-meeting-set-vote-affordable-housing-monday-downtown-parking-controversial/7468438001/

[24] https://www.wickedlocal.com/story/the-winchester-star/2021/05/04/waterfield-lot-winchester-approved-housing-development/4935284001

[25] https://www.wickedlocal.com/story/the-winchester-star/2021/05/04/waterfield-lot-winchester-approved-housing-development/4935284001/

[26] https://www.wickedlocal.com/story/the-winchester-star/2021/06/24/winchester-voters-say-no-lease-waterfield-property/5335460001/

[27] https://www.wickedlocal.com/story/the-winchester-star/2022/02/22/waterfield-lot-new-design-has-additional-parking/6829493001/

[28] https://www.wickedlocal.com/story/the-winchester-star/2022/02/22/waterfield-lot-new-design-has-additional-parking/6829493001/

of the units. While it appears that Winchester, unlike Northborough, will produce affordable housing on this publicly owned land, the process to produce 60 units of housing will take at least six years as of the writing of this article.

This opposition is consistent with both the homevoter and anti-growth perspectives. The "fear" highlighted in Northborough, for example, could be driven by fears about local property values, or fears more broadly about what growth and change might mean for the community. In Winchester, intriguingly, opposition was driven in part by factors, like parking and town revenue, that are consistent with a homevoter perspective. Yet, town residents also pushed to increase the percentage of affordable units before approving the redevelopment of public land; this demand delayed the project, but does not fall neatly into a homevoter or anti-growth perspective. Instead, it suggests a rare, redistributive use of public land.

Using Public Land to Block New Housing and Fight State Preemption

Cities and towns subject to state preemption of local land use authority may be particularly motivated to deploy public land as a tool for blocking new housing. Chapter 40B, passed in 1969, is a Massachusetts preemption law that allows developers to bypass certain local zoning and land use regulations if: (1) less than 10 percent of the community's housing stock is affordable; and (2) at least 25 percent of units in a proposed project are affordable. When a proposed Chapter 40B project meets these requirements, the affected community has limited legal recourse to prevent the development other than purchasing the land itself.

To assess how Chapter 40B shapes local governments' decision-making regarding public land, we compare communities above and below the law's 10 percent affordability threshold. Specifically, we examine whether communities in which less than 10 percent of the housing stock is affordable—and which are therefore vulnerable to Chapter 40B developments—are more likely to hold vacant public land than communities that exceed the 10 percent threshold. We analyze *all* municipal land purchases after 2000—not just the larger ones—to determine what proportion of those acquisitions are currently vacant.[29] We treat vacancy status as a proxy for land hoarding: land that remains

[29] We opt to use cross-tabulations for this analysis rather than regressions. Many community-level demographic traits that we might plausibly include as independent variables, such as median housing prices, directly cause communities to fall above or below the 40B threshold. We would consequently be unable to separately parse the relationships

vacant is, by definition, not being used for housing. We focus on post-2000 purchases to capture housing market dynamics during a period of sustained demand for land and housing in Greater Boston.

We find substantial variation across communities in the extent to which newly purchased land is left vacant. Some municipalities left as little as one percent of their newly acquired land vacant, while others left the entirety of such land vacant; the average across all communities was 70 percent. Vulnerability to Chapter 40B appears to account for some of this variation. In communities above the 10 percent threshold—and thus exempt from Chapter 40B—64 percent of municipally-owned land purchased post-2010 was vacant, compared with 73 percent in communities below the threshold. This disparity becomes more pronounced when we examine communities in which more than 80 percent of newly purchased land is left vacant. Thirty-seven percent of communities above the 10 percent threshold left more than 80 percent of their newly purchased public land vacant, compared with 53 percent of 40B-vulnerable communities below the threshold.

Our in-depth analysis of post-2010 large land purchases confirms that anti-housing sentiment explicitly motivated at least some local government land acquisitions: in thirteen separate instances, taxpayers and municipal officials agreed to allocate millions of dollars to purchase land expressly to block new housing. Importantly, this land was not always left vacant; some parcels remained vacant, while others were converted to conservation land, sites for public buildings, or commercial development. Crucially, *none* of these parcels became housing. Table 1 presents these cases, listing the municipality, purchase year, purchase price, and whether the purchase required a debt exclusion vote—indicating that a majority of voters explicitly endorsed the expenditure. In total, these municipalities spent over $50 million in public funds to prevent housing development.

In each of these cases, we were able to identify a specific housing proposal or credible threat of housing development to which the municipality was responding. In total, these purchases blocked 1,028 proposed housing units. This figure represents a conservative estimate: in several communities, we were unable to identify specific proposals—only concerns about broader development plans with unspecified numbers of housing units or apprehension about potential future development.

between these community-level demographics and Chapter 40B vulnerability in a regression model.

Town Name	Purchase Year	Purchase Price (in millions)	Debt Exclusion Vote
Ashland	2018	$3.5	Yes
Billerica	2020	$3.0	No
Dover	2017	$5.5	Yes
Duxbury	2020	$2.2	No
Hingham	2013	$3.7	No
Marblehead	2014	$1.5	Yes
Norwood	2017	$13.0	No
Peabody	2023	$7.2	No
Quincy	2020	$5.0	No
Scituate	2021	$2.0	No
Scituate	2010	$1.9	No
Sudbury	2015	$2.9	Yes
Wellesley	2018	$3.5	No

Table 1: Land Purchases to Block New Housing

In virtually all of these communities (except Quincy), the proposed housing development was a Chapter 40B project. These results strongly suggest that, consistent with our theoretical expectations, public land serves as a potent tool for blocking new housing development in jurisdictions where state preemption has curtailed other regulatory obstacles to development.

The anti-housing and anti-growth motivations for these purchases were intense, widespread, and extraordinarily explicit in many cases. In Marblehead, for example, the town was initially offered the Lead Mills site at no cost but declined due to environmental contamination. When a developer subsequently secured approval for a 44-unit Chapter 40B housing development on the land, the town began exploring options to acquire the property in 2012. Town Planner Becky Curran stated in local media that the town would struggle to stop 40B developments on the land once the housing market improved. Ultimately, Marblehead spent $1.5 million in public funds on land it had previously been offered at no cost, solely to block the housing proposal.[30]

In Ashland, a proposed 140-unit Chapter 40B housing development at the Valentine Estate property provoked similarly vociferous neighborhood opposition. One abutter, Robin Hicks, said of the project in local media coverage, "It's an insult to the citizens of Ashland. I have never seen such an atrocity."[31] In 2018, town residents voted to assume additional debt to purchase the property

[30] https://www.salemnews.com/news/local_news/marblehead-salem-could-cooperate-on-lead-mills-purchase/article_18a32361-7642-51a5-ac49-6fd6f4f5eb31.html

[31] https://www.wickedlocal.com/story/archive/2014/07/18/neighbors-in-ashland-call-proposed/

from the developer for $3.5 million.[32]

The Dover Board of Selectmen cited comments from dozens of residents concerned about a proposed 40-unit Chapter 40B condo development in their 2014 vote to purchase 27 acres at Springdale Farm for $5.5 million.[33] Reflecting strong community support for these purchases, all of the acquisitions we identified were approved by legislative bodies (either city councils or Town Meetings), and four required debt exclusion votes, meaning that a majority of voters explicitly agreed to assume additional local debt to block a proposed housing development.

Some cities and towns are remarkably forthright about their anti-growth motivations for purchasing land. The town of Ashland, for example, states on its official website that the town purchased the Valentine Estate property to "stave off the development of 120 units of housing." The town has done so at significant cost. In addition to paying $3.5 million to purchase the property, the town has spent an additional $1.5 million to maintain a barn on the property[34]—hardly the types of investments one would expect from a municipality seeking to maximize amenities or property values for homeowners. Strikingly, voters in Ashland, and the other communities that approved their public land purchases through debt exclusion votes, agreed to increase their own property taxes to prevent new housing from being built. These cases provide perhaps the clearest evidence that anti-growth sentiment, and not just homevoters' desires to maintain property values, drive at least some of the decision-making surrounding public land.

Other cities and towns were far more reluctant to appear on a list that the *Boston Globe* Editorial Board termed, in its coverage of this research, "the dirty dozen."[35] This discomfort is consistent with liberal towns being ill at ease with the tension between their liberal ideals at the national level and their anti-growth orientations at the local level. For these communities, public land may prove an attractive policy tool for opposing growth through ostensibly liberal means.

When we initially released this list of twelve communities, the town of Wellesley, an affluent suburb of Boston, vociferously objected to its inclusion. Wellesley's Public Information Officer,

36827064007/

[32] https://www.ashlandmass.com/952/Valentine-Estate-Property

[33] https://www.pressreader.com/usa/the-boston-globe/20140727/286177968768887

[34] https://www.ashlandmass.com/952/Valentine-Estate-Property

[35] https://www.bostonglobe.com/2024/11/25/opinion/housing-tax-dollars-suburban-towns-plymouth-ashland/

Stephanie Hawkinson, wrote to us, local media outlets, and the funder of this research demanding a correction and the town's removal from the list, "The report erroneously lists land purchased by the Town in 2018 as intended to stop housing development. However, that land (3 properties on Worcester Street) adjoining Wellesley's Hardy Elementary School was purchased in order to expand the school. The new Hardy school was completed in August 2024 and the community grand opening is scheduled for this weekend, Saturday, November 23 at 10:00 a.m."[36]

Wellesley's Executive Director, Meghan Jop, argued in follow-up emails that Wellesley had purchased the land not to block housing, but to build a school: "It is disappointing to the Town as although the timelines intersect, the Town had been reviewing acquisition of those properties for some time. The debate over where the next elementary school was to be located was prolonged and therefore the properties were sold. The Town also acquired the abutting property at 826 Worcester, again not to stop housing but to expand the school site. The site location was improved with the acquisition and a new school sits on it today."[37] Yet, when we asked for corroborating evidence that the town had considered this site for a school *prior* to the proposal of a new housing development, they were unable to provide any documentation, including under a formal FOIA request. Jop was clearly reluctant to have Wellesley perceived as anti-housing or anti-growth, likely because such a characterization was at odds with the town's self-identification as a community that prides itself on being diverse and inclusive.[38] She said in an email that the town had complied with state housing laws and that "It is just unfortunate that the message is we blocked housing through acquisition of land."[39]

Wellesley's reaction to being included as one of the "dirty dozen" illustrates how valuable public land can be as a tool for resisting development, particularly development mandated by state preemption law. Rather than characterizing themselves as anti-growth or anti-development, Wellesley officials instead describe their policymaking as pro-housing and civically minded. In their account, Wellesley's purchase of a large parcel of land had nothing to do with the proposed affordable housing development on the site. Rather, it was about enhancing the town's public

[36]Email from Stephanie Hawkinson to WBUR November 19, 2024.
[37]Email from Meghan Jop to the authors, November 22, 2024.
[38]`https://www.wellesleyma.gov/1690/Diversity-Equity-and-Inclusion-in-Welles`
[39]Email from Meghan Jop to the authors, November 22, 2024.

services. This public land purchase allowed Wellesley to circumvent a state preemption law that would almost certainly have required the town to allow this multifamily housing development, all while framing their opposition in language ostensibly supportive of housing and growth.

Regulatory Barriers to Redeveloping Public Land

Homevoter and anti-growth public opposition makes it exceptionally difficult to develop housing on public land, and, in some instances, leads to the use of public land as an explicitly anti-development tool. Our investigation reveals that, even in the absence of strong public opposition, the same regulatory processes that have been widely critiqued by scholars and policymakers make redeveloping public land extraordinarily difficult even when the general public and politicians are broadly supportive. These regulatory barriers independently contribute to the striking underdevelopment of municipal public land—and impede construction on all types of land, including federally and state-owned parcels as well as private land.

A small affordable housing development in Weston, MA illustrates these dynamics. In 2018, the town of Weston acquired a parcel at 1-11 Wellesley Street to build new affordable housing. Six years later, construction had yet to begin. Instead, the developer, Habitat for Humanity, remained in final consultations with the Commonwealth's Executive Office of Housing and Livable Communities (EOHLC) as part of the Chapter 40B process before submitting its final Marketing Plan, Calculator, and Regulatory Agreement for approval. The developer was also revising its building plans prior to applying for a building permit because Weston adopted the Specialized Code, a new, more energy-efficient building code, on July 1, 2024.

The proposed project was modest in scope, comprising only six units of affordable housing. Moreover, town officials and community members appeared uniformly supportive. This broad support stood in marked contrast to formidable public opposition to other housing developments in Weston, most notoriously a long-delayed 200-unit affordable housing project at 518 South Avenue known by community opponents as the "Weston Whopper." Why, then, did it take more than six years to begin construction on six units of housing on publicly owned land? The answer largely lies in the regulatory process.

The Habitat project was being approved as a "friendly" Chapter 40B in partnership with the

town. At four percent affordable, Weston's housing stock fell well below the 10 percent threshold. Under the Local Initiative Program (LIP), also known as a "friendly" 40B, the developer collaborates with the municipality on a proposal before applying to the state under the 40B statute. This differs from conventional 40B applications, where developers apply to the state—often in sharp conflict with the municipal government's preferences.

Although the 40B process ostensibly offers more streamlined permitting, the developer still faced numerous hurdles. Once Habitat was selected through the RFP process—which itself entailed an initial design review—the organization still had to produce, among other documents, a stormwater report, a grade plane and allowable building height calculation, a traffic study, and a grading and utility plan. While specific requirements vary across municipalities, these demands are typical of multifamily housing permitting. In addition, the LIP process imposed its own additional documentation requirements. Although development on sensitive wetlands naturally entails additional regulatory scrutiny, the multilayered requirements imposed by both the Weston Conservation Commission and the Environmental Protection Agency compounded the already burdensome process.

These regulatory challenges are by no means unique to Weston. Each local government across Massachusetts—and indeed most local governments nationally—has its own regulatory process, creating a patchwork of design requirements. Developers working across these jurisdictions must prepare different architecture and design plans for each community, and face uncertainty as to whether their plans will be approved each time they submit a proposal. In short, consistent with a substantial body of policy scholarship, standard development permitting processes combined with additional requirements for projects on public land make the construction of new housing on public parcels a protracted and costly process.

Conservation Land

The potential of public land to act as a tool of exclusion is likely understated in this article. Our analysis considers only *vacant* public land, and leaves aside municipally-owned conservation land. Many municipalities undertake substantial legal and bureaucratic processes to designate some of their land as conservation land. Figure 4 shows that 10 percent of inner core municipal land and 29 percent of exurban municipal land are set aside as conservation land.

Redevelopment of this land into housing faces enormous hurdles by design. In addition to requiring extensive documentation and approval from multiple commissions, disposing of conservation land requires municipalities to obtain support from two-thirds of the local government's legislative body *and* the state legislature under Article 97.[40] Some municipalities almost certainly designate land as conservation land expressly to block housing, even if the land is not an especially important or sensitive habitat. We do not seek to quantify the extent of this phenomenon because doing so would require parcel-by-parcel evaluation and potentially arbitrary judgments about whether designated conservation land serves a legitimate conservation purpose.

One might wonder why communities do not use the conservation designation more frequently, instead leaving land classified as vacant, if their goal is to block new housing development. The answer likely lies in the costs of maintaining conservation land and the extensive bureaucratic and legislative process required to remove a conservation restriction. Conservation land often comes with requirements, such as trail maintenance, that entail significant ongoing expenditures. In addition, a conservation classification effectively prevents local governments from ever using their land for other purposes, such as public buildings. Municipalities may prefer to maintain greater control and flexibility over the future use of their land, leading them to retain a vacant designation for land they hope to keep undeveloped.

Discussion

While the quality of Massachusetts' data led us to focus our systematic analyses there, the prevalence of vacant public land and its use to block new housing is by no means limited to the Commonwealth. In Chicago, for example, the Chicago Housing Authority owns more than 130 acres of vacant land.[41] St. Augustine, FL purchased riverfront land to prevent it from being redeveloped into housing.[42] Brunswick, ME bought land for $4 million to block a housing development.[43] In NJ,

[40] https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a

[41] https://blockclubchicago.org/2024/01/11/the-cha-owns-more-than-130-acres-of-vacant-land-and-buildings-enough-to-fill-25-city-blocks/

[42] https://www.firstcoastnews.com/article/news/local/city-of-st-augustine-buys-land-preserve-in-flood-prone-area-stops-development-of-apartment-complex/77-7b0132d1-4270-4506-b487-d9930fc62279

[43] https://www.pressherald.com/2022/11/22/brunswick-to-buy-land-for-4-million-preventing-controversial-housing-development/

the Princeton Town Council unanimously agreed in December 2024 to purchase a 90-acre parcel of land after rejecting a proposed housing development on the land.[44] In perhaps the most extreme case, Johnston, RI town officials used eminent domain to seize land and stop a 250-unit affordable housing development.[45]

However, our results for metropolitan Boston are striking. In a densely populated, expensive metropolitan area—one where we would expect incentives to be high to use every available parcel—a high percentage of public land across dozens of municipalities is vacant. Despite the liberal politics of many cities and towns, public land is rarely used for redistributive purposes. Instead, homevoter and anti-growth sentiments appear to dominate, leading cities and towns to leave much of their public land vacant and, in extreme cases, purchase public land in order to block new housing.

These findings have a number of important implications for scholars and policymakers. First, they suggest that few cities and towns are maximizing the economic value of their land. On its face, this result is perhaps surprising, especially in light of the fact that many of these municipalities have highly constrained budgets, and have had to, in many instances, pass budget overrides in order to fund basic local government services.

Second, these results indicate that local governments pose a potent obstacle to state and federal efforts to increase the housing supply on several fronts. State and federal governments hoping to unlock the potential of publicly owned land will run into multiple roadblocks. Local land use regulations and permitting processes will obstruct efforts to redevelop state- and federally-owned land. Municipal land will fare little better; many local governments apparently prefer to leave their publicly owned-land vacant rather than allow it to be redeveloped.

Municipally-owned land may also prove a powerful weapon against state preemption laws. While an increasing number of states have taken away local governments' exclusive control over land use, they can do little to force development on properties owned by municipalities. Land ownership remains a powerful policy tool firmly under the control of local governments.

Importantly, though, we do not expect this tool to be universally applied to combat preemption

[44] https://www.dailyprincetonian.com/article/2025/01/princeton-news-town-new-land-purchase-lawin-group-herrontown-road-council

[45] https://www.bostonglobe.com/2025/03/17/metro/johnston-ri-eminent-domain-affordable-housing/

laws, even in communities with strong anti-housing sentiment. Indeed, while many communities leave a high percentage of their public land vacant—some explicitly to fight unwanted housing development and state preemption of local land use—this strategy comes with significant financial costs. Purchasing land and competing with private developers is expensive in hot real estate markets like metropolitan Boston. But, Massachusetts cities and towns, like many others nationally, are constrained by state Tax and Expenditure Limits (TELs), which cap their ability to increase local tax revenue. This limits their budgets, and requires many of them to obtain support from a majority of voters in order to take on additional spending. Anti-housing sentiment must thus be high enough to combat Americans' aversion to paying higher property taxes (Martin 2007).

Local governments must also have the option of even purchasing land to pursue this strategy. Sometimes, large land purchases between two private entities occur before local governments are even aware that land purchases are a possibility. Governments' relatively sclerotic financial bureaucracies may further place them at a disadvantage when competing with private land buyers. The frequency with which these purchases do occur is striking in light of these significant fiscal and political obstacles.

While anti-growth sentiments are clearly strong across many communities, these data suggest that, in a limited number of places, like the city of Boston, public land is allocated in ways more consistent with maximizing the local tax base, rather than constraining housing growth. The differing interest group politics (Anzia 2022) and electoral dynamics (Oliver, Ha and Callen 2012) of bigger cities may help to explain why Boston's propensity to leave land vacant looks markedly different than its surrounding suburbs. Smaller suburbs may be relatively more susceptible to anti-growth constituencies, and less likely to attract strong interest group involvement from pro-development interests.

Conclusion

Our research shows that a surprisingly high share of publicly owned land remains vacant across supposedly land-constrained municipalities. There is an ample supply of publicly owned land that could be used to subsidize affordable housing (or any number of other policy goals) that

local governments have elected not to develop, by design. Future research might begin to unpack variations in the extent to which public land remains vacant or is deployed actively as an anti-development tool. Are there differences by geography? In more sprawling places, or in places where the federal government is a more important landowner, do municipalities use their public land in a different way? How important are economic market conditions in driving decision-making around public land? Anti-growth sentiment in high cost metropolitan areas like San Francisco and Boston may be significantly higher than in more economically struggling communities like Detroit and St. Louis (Vogel and Swanson 1989; Hankinson 2018; Schuetz 2022). Longitudinal data across multiple jurisdictions would also allow researchers to unpack predictors for other uses of public land. When is it used to build schools or public safety buildings, and when is land set aside for conservation purposes? How do state and federal funding streams shape this decision-making?

This research represents an important first step in better understanding the full scope of local governments' land use powers. They not only control the permitting process that governs building; they also, in many instances, control the very land necessary to even start the permitting process. Local governments' capacity to control what gets built within their borders—and hoard access to public goods—is even more capacious than previously documented. What's more, public land allows local governments to cloak exclusionary policies in civically-minded language, thus creating an opportunity for liberal communities to pursue exclusionary aims while maintaining ostensible consistency with their liberal identities.

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