The Role of Race in Zoning: A History & Policy Review

September 16, 2021
Introductions

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OUR MISSION IS TO OPEN MINDS, SHAPE DECISIONS, AND OFFER SOLUTIONS THROUGH ECONOMIC AND SOCIAL POLICY RESEARCH.
Agenda

• What is zoning?
• Why was zoning developed?
• What are the consequences of zoning—especially in terms of racial equity?
• How can zoning policy serve as a mechanism for positive change?
• Q&A
What is zoning?
Zoning is a key tool by which governments can regulate land use and building form.

Elements of zoning

- **Zoning map & text**
- **A. Requirements & incentives**
- **B. Flexibility measures**
- **C. Administration**
- **D. Procedures**
Local zoning in context

State and federal regulations

The real-estate market
Why was zoning developed?
Planning is an ancient tradition

Timgad, Algeria, built ~100 CE

The idea of dividing cities into “zones” for developers is about 150 years old.

Sources: City of Euclid (http://www.cityofeuclid.com/community/development/PlanningandZoningDivision/EuclideanZoningHistoricDocuments); ARL (https://www.arl-net.de/de/content/planning-system-germany-11-history-building-law)
Why zoning?

**Crowding**
- Address the perception that closely knit communities were bad for health

**Pollution**
- Address the negative impacts of living near industrial uses

Why zoning?

- The earliest zoning codes were implemented with racist motivations
- Zoning out industrial uses was motivated by stopping integration

An 1878 anti-Chinese cartoon in S.F.

Why zoning?

- Anti-density standards were premised on inaccurate claims of environmental determinism
- They had racially disparate effects

Arguments against apartments in San Diego

The real-estate market and the public also contributed to racist land use

- Landlords advocated for single-family zoning and used covenants to prevent people of color from living in certain neighborhoods

Claremont Court, Berkeley, California

The real-estate market and the public also contributed to racist land use

- Government officials and real-estate industry used racist and classist logic to underinvest in poor, minority neighborhoods

Neighborhood ratings, Boston, MA, 1933

Source: Mapping Inequality (https://dsl.richmond.edu/panorama/redlining/#loc=14/42.75/-71.141&city=haverhill-ma)
What kinds of cities has zoning produced?

- Most neighborhoods in cities nationwide continue to be zoned only for single-family homes

What are the consequences of zoning—particularly for racial equity?
The problems with single-family home requirements

- Increases costs.
- Limits options.
- Exacerbates segregation.
- Encourages car use.
- Makes alternatives difficult to build.
The US is not building enough housing

- The US built half as many units per capita in the 2010s as it did in the 1960s through 1980s

Source: St. Louis Federal Reserve (https://fred.stlouisfed.org/series/HOUST#0)
The US has a gap in ‘missing middle’ housing

Source: Opticos (https://missingmiddlehousing.com)
The US has a gap in ‘missing middle’ housing

Source: St. Louis Federal Reserve (https://fred.stlouisfed.org/series/HOUST#0)
US affordable housing construction is declining

Most Americans who need affordable housing—by which we mean paying <30% of incomes to rent—don’t have it.

Of 12 million extremely low-income families in the United States, more than half are paying too much for housing.

Source: Urban Institute (https://apps.urban.org/features/rental-housing-crisis-map/)
The stock of affordable rental housing is shrinking rapidly

- The number of cheap rental units declined by 4 million between 2011-2017.

People of color are disproportionately renters

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian</th>
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<tbody>
<tr>
<td>Renter share</td>
<td>27.8%</td>
<td>58.3%</td>
<td>52.5%</td>
<td>40.5%</td>
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<tr>
<td>Median income</td>
<td>$43,000</td>
<td>$30,000</td>
<td>$39,000</td>
<td>$58,500</td>
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<tr>
<td>Median liquid assets</td>
<td>$9,000</td>
<td>$1,600</td>
<td>$2,808</td>
<td>$9,300</td>
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<tr>
<td>Unemployment rate</td>
<td>4.1%</td>
<td>7.2%</td>
<td>4.4%</td>
<td>3.1%</td>
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</tbody>
</table>

People of color are more likely to have difficulty paying rent

Do You Experience Difficulty Paying Rent?
By race or ethnicity

<table>
<thead>
<tr>
<th>Race</th>
<th>Often or sometimes</th>
<th>Rarely</th>
<th>Never</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>25%</td>
<td>16%</td>
<td>59%</td>
</tr>
<tr>
<td>Black</td>
<td>33%</td>
<td>18%</td>
<td>49%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>27%</td>
<td>24%</td>
<td>49%</td>
</tr>
<tr>
<td>Asian</td>
<td>24%</td>
<td>21%</td>
<td>55%</td>
</tr>
</tbody>
</table>

Black renters experience high rates of evictions

Black female renters were filed against for eviction at double the rate of white renters or higher in 17 of 36 states

Data source: The Eviction Lab. Counties without data were excluded from the analysis. States where all counties were excluded or where the sum of all counties’ Black populations were less than 1%, are shown in white with a grey border. Five states: Delaware, Georgia, South Carolina, and Vermont filed white tenants for eviction at slightly higher rates than Black women. Ratios were rounded to the nearest tenth.
The combination of:

- Restrictive local zoning codes
- Low construction overall
- Limited investment in affordable housing
- Rising real estate prices...

Limits access to opportunity, making it difficult for low-income people, particularly people of color, to access public services, jobs, and other essential needs.

Source: Opportunity Insights.
Enabling low-income folks to move to opportunity communities has significant positive impacts

- Increase in income
- Less incarceration
- Amenities are more available
- Better mental and physical health outcomes

Source: Opportunity Insights.
How can zoning policy serve as a mechanism for positive change?
Elements of zoning

• All elements of zoning must be addressed to increase racial equity in communities
Zoning innovation

- New momentum
- New coalitions
- New approaches

Recent examples
- California SB 9
- Oregon SB 2001
- Minneapolis 2040

How Communities Are Rethinking Zoning to Improve Housing Affordability and Access to Opportunity

Local governments are increasingly recognizing that restrictive zoning can suppress housing supply.
Cut the red tape

- Streamline review
- Reduce discretion
Allow increased density

• Build bigger
• Build smaller
Identify the means to boost affordability

- Inclusionary zoning
- Density bonuses
- Eliminating parking requirements
- Disposition of public land
Recenter race in zoning policy

- Rigorous enforcement of state and federal fair housing laws
- Renewed commitment to public subsidies
- Pair reforms with tenant protections to prevent displacement
- New decision-making tables and robust community engagement
- Regional approaches and state oversight
- Data, metrics and accountability
Questions & Answers

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