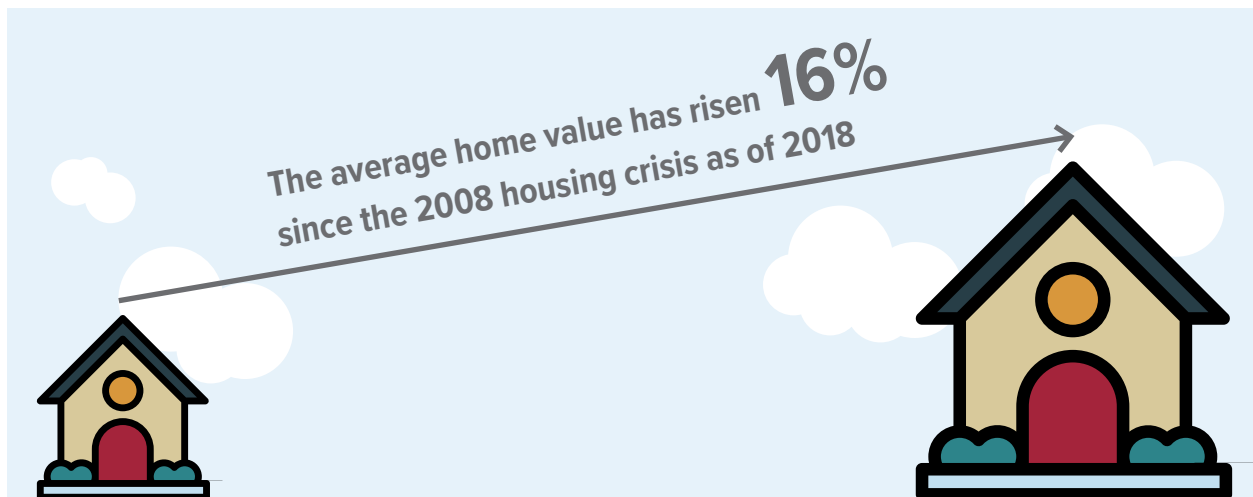


Ending Exclusionary Zoning

JUNE 2021



The American Jobs Plan (AJP) correctly identifies that decades of exclusionary zoning laws have reinforced structural inequalities by effectively locking out people of color and low-income Americans from certain communities. The AJP recognizes that eliminating policies like multi-family housing prohibitions and minimum lot sizes — which have helped fuel skyrocketing housing prices — must be a top priority in any infrastructure legislation. Accordingly, the AJP seeks to establish a national system of grant awards and tax credits to incentivize cities to change zoning laws.

By including this initiative in the AJP, the Biden Administration signals it is serious about increasing America's housing stock and combating structural racism. This initiative would complement executive actions already taken by the White House to redress the federal government's support for exclusionary housing practices. With this in mind, it must be noted that the White House's approach, described by

some within the Administration as a “purely carrot and not stick” strategy, will likely not be enough to end exclusionary zoning in America. It is difficult to imagine that the establishment of a grant-based system with no consequences for governments that refuse to adjust their zoning laws will be able to dismantle the legacy of exclusionary zoning.

That said, lawmakers in Congress have introduced legislation to rectify the legacy of exclusionary zoning laws that the Biden Administration should take cues from when shaping the final AJP legislation. The bipartisan Housing Supply and Affordability Act seeks a yearly grant program of \$300 million to incentivize the removal of barriers to housing development. Proposed by Senator Cory Booker (D-NJ) and Representative Clyburn (D-SC) in 2019, the Housing, Opportunity, Mobility, and Equity (HOME) Act would have mandated recipients of the Community Development Block Grant (CDBG) and Surface Transportation Block Grant (STBG) to work towards ending exclusionary zoning in their communities; Biden’s 2020 platform endorsed this legislation. In 2020, the House passed the bipartisan YIMBY Act, which would have mandated CDBG recipients to report on policies that affect housing affordability and availability.

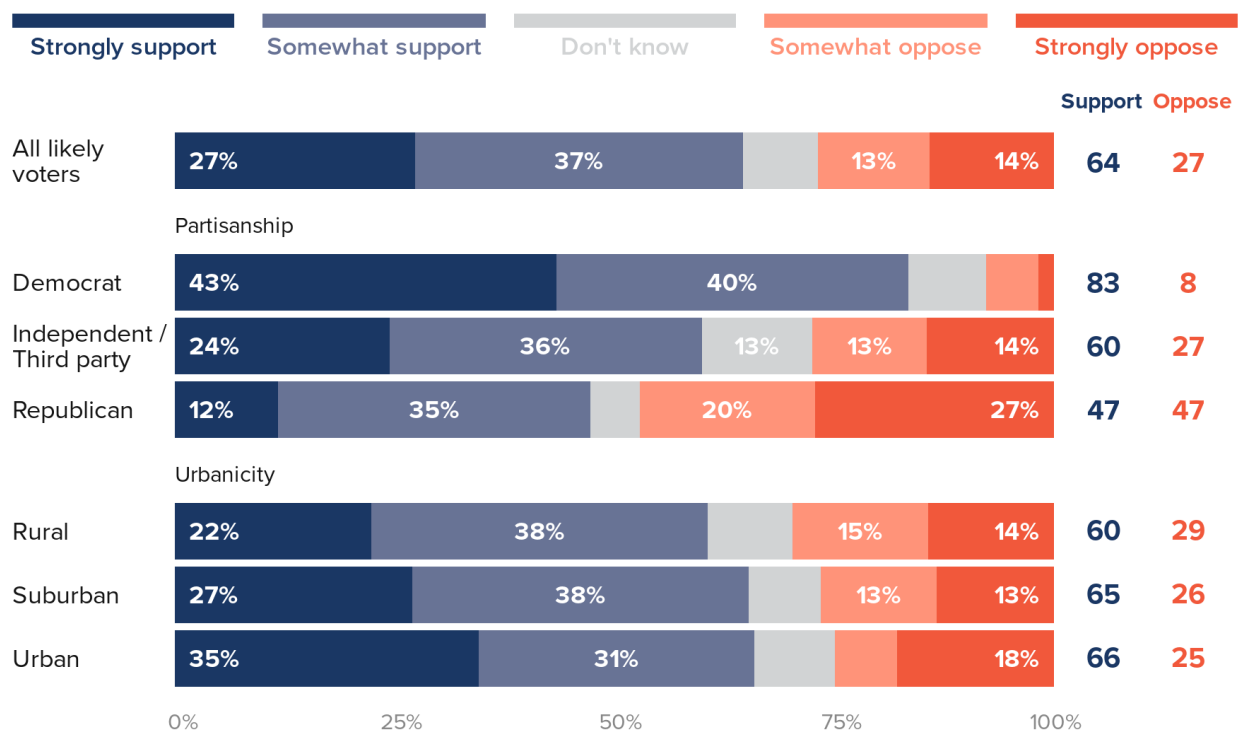
It should also be noted that securing better housing conditions for low-income tenants requires more than merely increasing housing stock. The Biden Administration should push for strengthening tenant protections, rent control and stabilization measures, neighborhood preference policies, and other complementary initiatives to protect low-income tenants. The Administration should embrace these initiatives in conjunction with stronger proposals to end exclusionary zoning as a step towards true housing justice in the United States.

Lawmakers across party lines and geographies support the AJP’s proposal to increase access to affordable housing. Nearly two-thirds of likely voters (64 percent), including majorities of Democrats (83 percent) and Independents (60 percent), support this proposal. Notably, Republicans are nearly split — a positive indication that there is potential for continued bipartisan collaboration on this issue. Moreover, while urban voters are most enthusiastic about the AJP’s plan to increase access to affordable housing (66 percent support), the proposal also enjoys strong support from both rural and suburban voters (60 percent and 65 percent support, respectively).

Voters Support Federal Policies to Increase Access to Affordable Housing

The American Jobs Plan includes a proposal to create a new federal grant program that awards government funding to communities that revise zoning laws and land-use policies to allow the construction of new affordable housing developments.

Do you support or oppose this proposal?



May 5–6, 2021 survey of 1,328 likely voters

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