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Fair Housing in California: Moving Forward or Spinning Wheels?

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Issue

The introduction of the 1968 Fair Housing Act was a pivotal moment in the history of U.S. housing. The act explicitly required that local government recipients of federal money take meaningful action to affirmatively further fair housing (AFFH). Decades of debate over AFFH ensued, stemming in part from a disagreement about whether governments should focus on encouraging mobility into higher opportunity neighborhoods or investing in disinvested neighborhoods. Both of these approaches largely ignored the relationship between land use planning and neighborhood integration.

As of 2019, California law requires that local governments include AFFH analysis in existing planning processes. State guidelines encourage a spatial evaluation of planned sites for low-income housing with respect to opportunity. While these updated guidelines and requirements are extensive, they often overlook the ways in which local land use plans continue to perpetuate socioeconomic and racial segregation.

Notably, segregation of housing types has a strong association with segregation of people. Considering that land use plans dictate where different types of housing can exist, municipalities must critically evaluate the implications of their land use policies and planning practices. In response to this issue, researchers within this study ask how federal and state regulators can better assess and amend local land use plans to affirmatively further fair housing goals.

Study Approach

Researchers propose and evaluate the fair housing land use score (FHLUS) that measures whether or not local governments' land use policies promote inclusion across neighborhoods. The FHLUS quantifies the distribution of land zoned for multifamily housing,

including low-income housing, across neighborhoods and ranked by an indicator of opportunity or segregation.

To illustrate its benefits and limitations, researchers calculated the FHLUS for three municipalities in California: Yorba Linda, Inglewood and Santa Monica. For each municipality, the FHLUS measures whether zoning for multifamily housing and plans for low-income housing were distributed in a way that would alter the segregated status quo. Researchers believe that these case studies and their calculated FHLUS can assist both state and federal agencies in tracking progress, or lack thereof, toward larger AFFH goals of advancing integrated and balanced living patterns.

Research Findings

Across all three municipalities, researchers found that:

Existing zoning and recently developed housing plans exacerbate patterns of economic segregation, rather than reverse them. This remained true even within the context of recently created and state-certified housing plans with extensive AFFH analysis.

The FHLUS metric is more precise than existing approaches, but all measures of this phenomenon are less useful in smaller, more homogenous jurisdictions. Such analysis raises important questions about the geographic scale and outcome measures for AFFH analysis, and expectations for municipalities of varying sizes and levels of diversity.

Currently, local governments in California rely on regional opportunity maps to assess progress toward fair housing goals.

Ranking census tracts within regions is important, but this can allow higher-resourced jurisdictions to get away with segregating multifamily housing in their lowest-resourced areas.

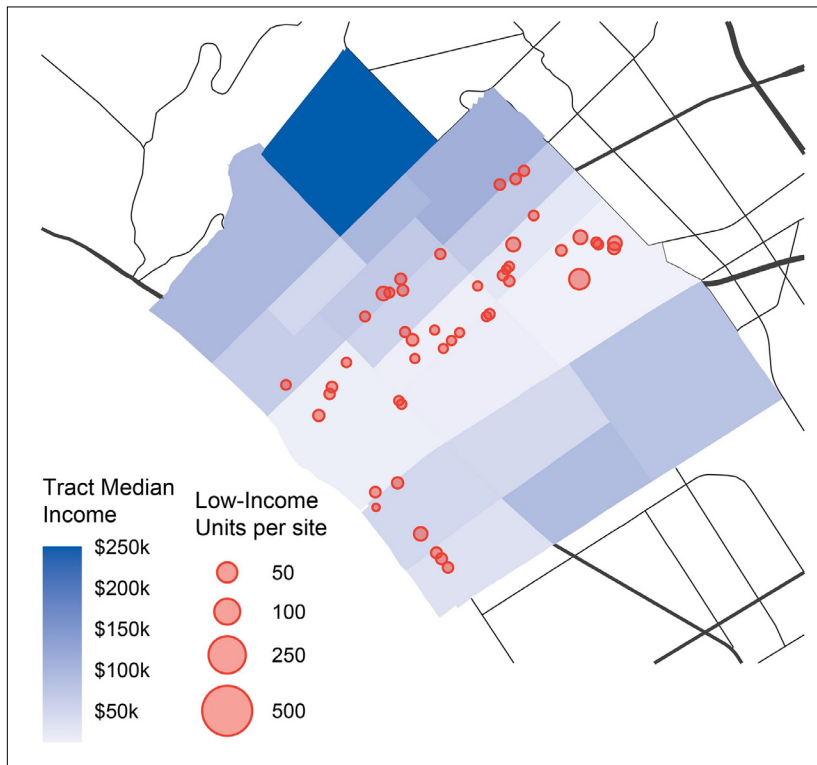


Figure 1.

Santa Monica's 2021 affordable housing sites by neighborhood incomes.
 Sources: Authors; City of Santa Monica, 2021; U.S. Census Bureau, 2019.

Recommendations

Based on their analysis and findings, researchers on this study argue that the FHLUS is a useful and important metric for advocates and planners at all levels of government, and recommend the following:

The federal government should incorporate the FHLUS into the AFFH toolkit. Practicing planners should also employ the measure to assess and prioritize local zoning and investment decisions moving forward.

Regulators should establish minimum expectations about how much multifamily zoning municipalities should have, and how dispersed it should be. Doing so is an important next step toward achieving more balanced and integrated living patterns.

Regulators can and should measure whether land use policies actively promote integration. The United States Department of Housing and Urban Development (HUD) and the California Department of Housing & Community Development (HCD) should set a positive score as the minimum expectation for local land use plans of municipalities that span four or more census tracts.

Conclusion

On its own, land use reform will not integrate urban areas by race, ethnicity, and socioeconomic status. Yet it is a necessary component of fair housing reform. This study shows how governments can take important first steps to make racial integration possible through incorporating measures like the FHLUS into fair housing efforts. In doing so, governments can finally begin to reframe land use planning as an effective means to affirmatively further fair housing goals.

For More Information

Monkkonen, P., Lens, M., O'Neill, M., Elmendorf, C., Preston, G., & Robichaud, R. (2023). Do land use plans affirmatively further fair housing? *Journal of the American Planning Association*, 1-14.
<https://doi.org/10.1080/01944363.2023.2213214>

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