

Comment on *Death of Single-Family and It's Time to End Single-Family Zoning*

# Not a Matter of Choice: Eliminating Single-Family Zoning

Anaid Yerena

What are planners' ethical responsibilities related to zoning? The American Institute of Certified Planners' (AICP) Code of Ethics and Professional Conduct, addresses planners' responsibility to the public in its sixth principle. This principle is quite clear, "[w]e shall seek **social justice** by working to expand choice and opportunity for **all** persons, recognizing a **special responsibility** to **plan for the needs** of the disadvantaged and to **promote** racial and economic integration. We [planners] shall **urge** the alteration of policies, institutions, and decisions that oppose such needs" [emphasis added] (American Planning Association, 2016). Without action (i.e., changes in current U.S. zoning), this principle is just words on a page. By not undertaking actions that lead to planning for the needs of the population most affected by the current scarcity of affordable housing, due in part to large swaths of cities dedicated to single-family residences, U.S. planners are falling short of their ethical commitment (Wegman, 2020).

Eliminating single-family zoning from U.S. land use plans, is a decision urged by both viewpoints and clearly supported by AICP's Code of Ethics. For far too long, this land use has been weaponized against those members of society with the fewest resources to seek out alternatives. Single-Family zoning also serves as a racial and economic exclusionary tool. Not replacing this exclusive land use in favor of higher-density housing and/or mixed uses is the equivalent to a doctor realizing there is a new therapy that would improve their patients' prognosis and refusing to adopt it as part of a treatment plan. This stage in the process of improving the current housing crisis falls squarely within planners' purview.

The authors of both viewpoints highlight the need to upzone as a way to create more efficient residential land uses. Furthermore, given the reality of the U.S. housing crisis, Manville, Monkonen, and Lens (2019) argue that strong renter protections should accompany said density increases. Examples of these types of renter protections have already begun to spread in several cities and states around the country (Ferré-Sadurní, McKinley and Wang, 2019). These protections, which should include rent control (Newman and Wyly, 2006), will ameliorate the effects upzoning will have on renter households that wish to stay in the neighborhood.

Moreover, along with upzoning, planners and policymakers should seriously consider plan-based land value capture (LVC) through increased inclusionary housing requirements. LVC is a policy

approach that communities can use to recover and reinvest increases in land value that result from government decisions. For example, in San Francisco's Eastern Neighborhoods, LVC was found to encourage the "highest and best use of land" (Nzau and Trillo, 2019, p. 17). In this case, inclusionary housing requirements used as an LVC mechanism were shown to be an "effective planning tool" to convert increased land values into affordable housing units within market-rate developments.

To be sure, these ideas will be met with strong resistance, in particular from wealthier constituents (homeowners, landowners, and businesses), but I close my response in the same way I started it by pointing out whose needs planners should be focusing on. As Manville, Monkkonen, and Lens (2020) point out in their piece, "planners should not stand down in the face of social harm...simply because reform is unpopular." (p. 13). I would argue not standing down on the issue of removing single-family zoning from their plans is a professional and ethical responsibility, not merely a matter of choice.

American Planning Association. (2016, April 1) AICP Code of Ethics and Professional Conduct.

Retrieved from <https://www.planning.org/ethics/ethicscode/>

Ferré-Sadurní, L., McKinley, J. & Wang, V. (2019, June 11). *Landmark Deal Reached on Rent Protections for Tenants in N.Y.* Retrieved from:

<https://www.nytimes.com/2019/06/11/nyregion/rent-protection-regulation.html>

Manville, M., Monkkonen, P. & Lens, M. (2020). It's Time to End Single Family Zoning. *JAPA* 86: 1 forthcoming

Nzau, & Trillo. (2019). Harnessing the Real Estate Market for Equitable Affordable Housing Provision through Land Value Capture: Insights from San Francisco City, California. *Sustainability*, 11(13), 3649. MDPI AG. Retrieved from

<http://dx.doi.org/10.3390/su11133649>

Newman, K., & Wyly, E. (2006). The Right to Stay Put, Revisited: Gentrification and Resistance to Displacement in New York City. *Urban Studies*, 43(1), 23-57.

Wegmann, J. 2020. Death of Single-Family. *JAPA JAPA* 86:1 forthcoming