BU Initiative on Cities

Cities, Zoning, and the Fragmented Response to Homelessness

EXECUTIVE SUMMARY

America's cities are facing a pressing homelessness crisis. The chief cause of homelessness is insufficient affordable housing, making local governments critical policy partners in addressing and ending homelessness. This policy brief explores whether local governments incorporate housing and land use planning in their homelessness policies. It includes analysis of: (1) homelessness plans from the nation's 100 largest cities; (2) results from a nationally representative survey of mayors; (3) current federal homelessness and housing plans. We find little coordination of cities' homelessness and zoning/land use planning policies:

- Only 54 percent of the nation's 100 largest cities have homelessness plans. Plans are important documents which help to coordinate complex policies and services across different departments. Their absence suggests a serious general fragmentation in local homelessness policymaking.
- A small share of those cities that do have homelessness plans mention housing policies. Only 30 percent mention land use and zoning — the most powerful policy tools that local governments wield in reducing the local cost of housing. Higher shares mention eviction (61 percent) and affordability (87 percent).
- Mayors similarly do not perceive land use and zoning to be an important component of homelessness policy. Only 32 percent believe that land use and zoning are significant barriers to addressing homelessness, despite the centrality of these policies to reducing housing costs.
- Federal government plans have begun to incentivize connecting these important policy arenas, but could do more to clarify and strengthen the link between homelessness and housing policy.

AUTHORS

Katherine Levine Einstein,
Associate Professor
of Political Science
Boston University

Charley E. Willison
Assistant Professor of
Public and Ecosystem Health
Cornell University

COMMUNITY SOLUTIONS

Cornell University

POLICY BRIEF

America's cities are in the midst of a homelessness crisis.[1] Addressing this problem is of paramount importance: unhoused people experience greater physical and mental health struggles, higher mortality rates, and poorer education, economic, and social outcomes.[2] The chief cause of homelessness is insufficient affordable housing.[3] Four decades of evidence from around the world demonstrates that providing access to housing is the most effective way to end homelessness.[4] Figure 1 illustrates the tight connection between homelessness and housing costs, showing that communities with higher median housing values experience greater homelessness.[5]

1 U.S. Department of Housing and Urban Development 2021

2 Fazel, Geddes, and Kushel 2014; Roncarati et al. 2018; Fusaro, Levy, and Shaefer 2018

3 National Academies of Sciences Engineering and Medicine 2018; Colburn and Clayton 2022

4 Mental Health Commission of Canada 2014; National Academies of Sciences Engineering and Medicine 2018; Padgett, Henwood and Tsemberis 2015

5 Homelessness rates are measured at the Continuum of Care (CoC) level, while median housing value is measured at the city-level. Consequently geographic boundaries do not always perfectly overlap. We merged cities and CoCs using the largest city located within the CoC.

Figure 1. Housing Costs and Homelessness (2020)

Local governments thus play a pivotal role in addressing homelessness. Through their control over land use policy, local governments control what housing gets built in a community and where it can be built.[6] Historically, many local governments passed these policies to explicitly restrict poor people and people of color from accessing their communities.[7] For example, many communities used single-family zoning to prevent apartment buildings from being built, thus preventing the construction of more affordable housing. Contemporary local governments' zoning codes are filled with restrictions that make the construction of multifamily housing (including subsidized housing and housing targeted towards people experience homelessness) difficult or impossible; in addition to single-family zoning, policies like parking minimums, parcel shape regulations, and setback requirements all shape the cost of local housing, as well as the cost of developing other facilities that support unhoused people, including mental health, addiction treatment, and other social service facilities.[8] Places with more zoning and land use restrictions have higher housing costs and are more racially and economically segregated communities.[9]

Moreover, local governments can shape housing policy in other important ways. While their legal powers and financial resources vary, some local governments can also mitigate homelessness by implementing tenant protections to reduce evictions and directly funding the production of subsidized housing and housing vouchers.[10]

As housing is the ultimate cause of and best practice solution to ending homelessness, this policy brief explores whether cities incorporate housing — and, especially, land use regulations and zoning — in their homelessness policy. We use a variety of different data sources, including a nationally representative survey of mayors of cities over 75,000 and homelessness plans from the nation's 100 largest cities. We find that very few cities link land use regulations and zoning with homelessness. This disconnect is especially pronounced in communities with high rates of unsheltered homelessness — arguably the places that most profoundly need to reform their approaches to housing and homelessness.

6 Burns 1994; Trounstine 2018; Einstein, Glick, and Palmer 2019

7 Rothstein 2017, Trounstine 2018

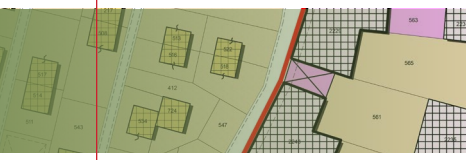
8 Einstein, Glick, and Palmer, 2019; Schuetz 2020

9 Herbert et al. 2018, Trounstine 2018

10 Michener 2020

HOMELESSNESS PLANS

Cities are not required at either the state or federal level to create homelessness plans.[11] Thus, their very existence is a signal of at least some interest in coordinating homelessness planning. Yet, plans are, by their very nature, non-binding and, at times, aspirational documents. However, the majority of homeless policy, like much local policy, occurs through plans in a regulatory capacity. Responses to homelessness very infrequently involve other types of city government processes like legislation.[12] Measuring local homeless plans may be the best measure available to understand city responses to homelessness. If anything, then, the content we present here represents a best-case scenario of coordination and reach of city homelessness policymaking.



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We collected and analyzed homeless plans from the nation's 100 largest cities. Of the 100 largest cities, 54 had homeless plans. Forty-six percent of the nation's largest cities had no separate homelessness plans. Plans are important local government documents. They present clear goals and policy proposals;[13] the federal government views policy plans in general as sufficiently important that it mandates five year housing and transportation planning processes to receive money from the Department of Housing and Urban Development and the Department of Transportation, for example. While plans might be fairly critiqued for offering overly optimistic and non-binding proposals, they provide a clear sense of government priorities. To not have one at all for homelessness suggests a low level of policy capacity, interest, and cohesion. Moreover, the big cities analyzed are likely a best-case scenario: larger communities are higher capacity and consider a wider array of policies in their governance and program implementation relative to smaller local governments. In some cases, they are better funded and institutionally empowered: larger cities often have more direct control over federal funding sources, such as Community Development Block Grants. They are also more likely to serve as leads for their Continuums of Care, the federally-designated regional planning body that coordinates federal funding related to homelessness. In short, there are a variety of reasons to believe that larger cities are more likely to have well-developed homelessness policies than their smaller counterparts.

There was considerable variation in the scope and level of detail among these plans. Some were comprehensive reports with over 100 pages of in-depth documentation on the drivers of homelessness and the variety of policies and programs the city was pursuing; others were more cursory lists of policy priorities and programs housed on city websites.

Our data from homeless plans suggest that a number of local governments do consider housing policies such as eviction reduction, rental assistance, and land use and zoning to be important parts of homelessness policy. A majority of homeless plans mention eviction (61 percent) and affordability (87 percent) at least once, suggesting at least some engagement with broader housing market conditions. Yet, only 30 percent mention zoning or land use — the set of public policies where local governments can likely have the greatest impact over the provision of affordable housing and even shelters.

11 American local governments are affected by a federal homelessness policy that has long marginalized local governments. Rather than coordinating with local governments (and potentially incentivizing local governments to implement desired policies), the federal government has instead delegated this authority to Continuums of Care since the early 1990s (Jarpe, Mosely, and Smith 2018). Continuums of Care (CoCs), mostly locally organized groups of non-governmental actors, receive and distribute federal funding according to local communities' perceived needs (United States Department of Housing and Urban Development 2009) and thus are the only entities required to submit reports to the federal government about responses to homelessness. However, the overwhelming majority of CoCs are not a part of local government (Klasa 2021; Jarpe 2018). This constrains CoCs' ability to design and enact policies to successfully address homelessness (Willison 2021). We instead focus on cities because they are both the site of the homelessness crisis and have authority over key policy levers that acutely affect communities' ability to end homelessness.

12 If legislation is involved, it typically is in regards to enacting ordinances that criminalize quality of life behaviors associated with homelessness, and not best practice solutions to ending homelessness (Robinson 2019). Policy Brief 2 discusses the role of criminalization in city responses to homelessness.

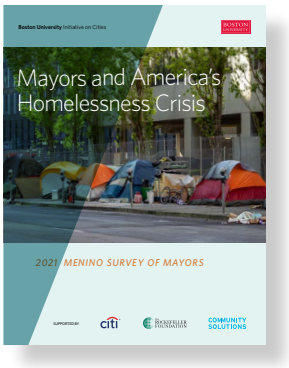
13 Moynihan 2003; Soss and Moynihan 2014

Places with higher rates of unsheltered homelessness were significantly less likely to mention zoning and land use in their homelessness plans, all else equal.[14] Higher rates of unsheltered homelessness create additional public health and safety challenges for governments, communities, and people experiencing homelessness. If anything, these are the communities that most need to engage in long-term preventative planning and housing policy to reduce homelessness.

Some communities clearly linked zoning and land use in their homeless plans. Charlotte, NC, for example, proposed a number of zoning changes designed to make it easier to build affordable housing including a revised accessory dwelling unit policy, an increase in the monthly zoning slots available, fee reimbursements, and expedited inspections and plan reviews. Albuquerque, NM outlined similarly ambitious zoning reforms: "Increase development of market-rate housing development targeted for low-income families, review zoning codes, parking requirements, and other development regulations to allow and encourage a broader range of housing types such as ADUs, SROs, traditional NM compounds, lofts, and apartments above commercial developments." The vast majority of communities, however, exhibited a sharp disconnect between their housing policy and planning processes and their homelessness policies.

There may be another bureaucracy — such as planning or housing — that has separately developed plans and policies that connect land use and zoning with homelessness. We thus also explored the housing plans for America's 100 largest cities to see whether housing bureaucracies are setting homelessness policies separately. Some cities produced separate housing plans, while others incorporated housing elements into their comprehensive plans. Unlike homeless plans, housing plans are state-mandated in many communities. As of 2017, 23 states required that local governments produce a housing element as part of their regular planning processes (Ramsey-Musolf 2017). Virtually all cities (99 percent) had some form of housing plan available online.[15] What's more, of those cities with a plan, most (76 percent) mentioned homelessness at least once.

As in the homeless plans, the housing plans evinced few connections between land use with homelessness policy. Only 18 percent of all cities over 100 (and 24 percent of cities that mentioned homelessness in their housing plans) included links between land use and homelessness in their housing plans.



SURVEY OF MAYORS

This disconnect between land use and zoning (and housing policy more generally) and homelessness extends to our survey of mayors. In summer of 2021, we fielded a nationally representative survey of mayors as part of the Menino Survey of Mayors. Launched in 2014 at Boston University's Initiative on Cities, the Menino Survey of Mayors is an annual survey of mayors of cities over 75,000.[16] Researchers conduct almost all interviews in person or over the phone, ensuring that responses are from the mayors themselves, and not city staff.[17] Annual response rates are consistently over 25 percent, in keeping with other academic surveys of public officials; in 2021, we obtained a response rate of 26 percent. Mayoral and city-level demographics were similar to the full population of cities over 75,000.[18]

14 We conducted a logistic regression analysis containing the following independent variables: total homeless population (logged), total population (logged), % homeless population that is unsheltered, % population that is white, and median housing value (logged).

15 Some plans were separate, stand-alone plans, while others were incorporated into the city's comprehensive planning process.

16 https://www.surveyofmayors.com

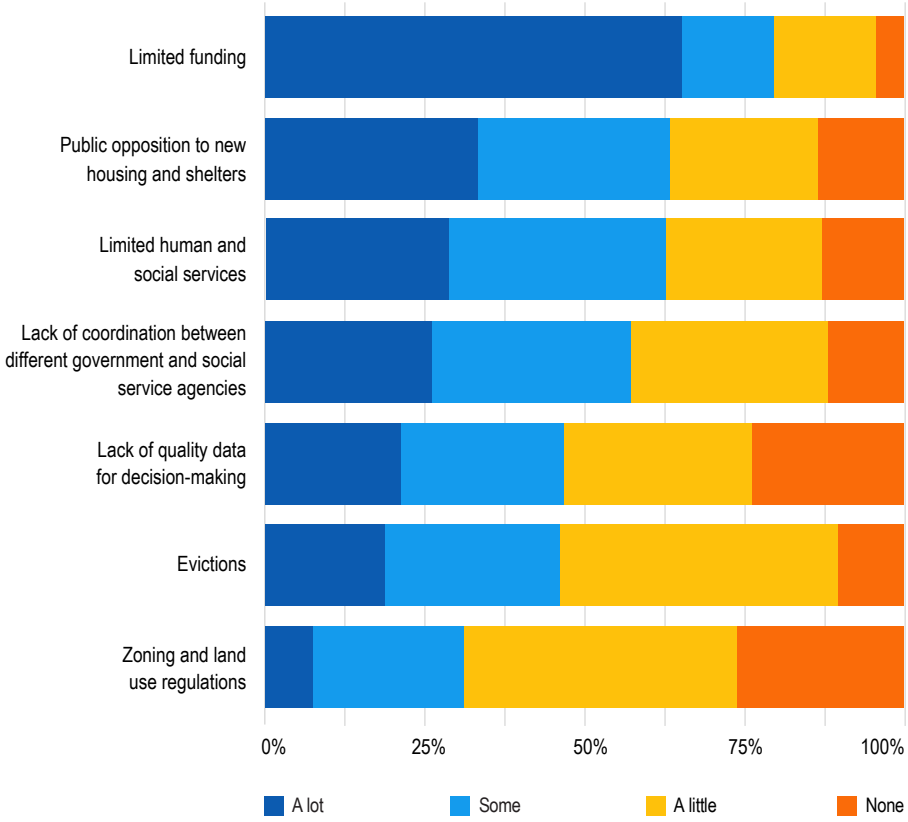
17 Due to the ongoing COVID-19 pandemic, 2021 interviews were all conducted over the phone, rather than in person.

18 More details about the full demographic breakdown of the sample population can be found here: https://www.surveyofmayors.com/files/2022/01/2021-MSOM-Homelessness-Report.pdf.

Only 32 percent of mayors see zoning and land use regulations as a significant obstacle to addressing homelessness. Forty-six percent of mayors perceive evictions as a major obstacle. In contrast, strong majorities of mayors identify limited funding (79 percent) and public opposition to new housing and shelters (63 percent) as hindrances. Figure 2 displays these results.

Figure 2. Barriers to Addressing Homelessness

How much do each of the following hinder your ability to address homelessness? (Menino Survey of Mayors)



CENTRALIZING AND COORDINATING HOMELESSNESS AND HOUSING POLICY

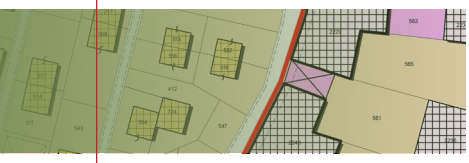
Cities' housing and planning policies and their approaches to homelessness are profoundly disconnected. For the most part, cities do not incorporate long-range planning for their housing supply into their homelessness policy. This is especially the case in communities with the largest unsheltered homeless populations — where the challenges associated with homelessness are arguably most acute. This failure to engage in long-term policymaking may lead to more reactive homelessness initiatives centered on the public safety and public health challenges associated with unsheltered homelessness, compromising cities' ability to actually reduce or end homelessness; we will explore this in future briefs.

Political constraints make pursuing an alternative approach to homelessness centered on the production of new, much-needed housing a formidable challenge. Land use and zoning have long been used as tools to wall off communities, allowing privileged white homeowners to limit access to their communities, and the high-quality public goods within.[19] Those same homeowners use these tools today to block all types of developments, including large and small projects, affordable and market rate, and homeownership and rental.[20] Recent efforts in California to block housing for people experiencing homelessness illuminate the power of land use regulations — and the homeowners that wield them. In both San Francisco and Los Angeles, homeowners have taken advantage of the state's environmental law, the California Environmental Quality Act, to file lawsuits against local developers to stop the development of housing for individuals who are experiencing unsheltered homelessness.[21] These types of efforts delay and sometimes outright block the development of much-needed housing. They also make the costs of development much higher, creating formidable barriers to producing new housing.

19 Rothstein 2017; Trounstine 2018

20 Einstein, Glick, and Palmer 2019

21 https://www.latimes.com/politics/la-pol-ca-ceqa-homeless-shelter-20190515-story.html



Centering housing in homelessness policy will require mayors to be politically courageous, and prioritize long-term goals over short-term politics.

Facing formidable homeowner opposition to new housing (especially affordable housing), it makes perfect political sense that public officials would opt for short-term tools immediately responsive to highly visible homelessness, and avoid the potentially more politically toxic long-term solutions. However, reactive public safety solutions, absent permanent housing, actually facilitate cycles of homelessness.[22] Thus, short-term, politically viable solutions come with high long-term costs for communities and persons at risk of or experiencing homelessness.

Centering housing in homelessness policy will require mayors to be politically courageous, and prioritize long-term goals over short-term politics. It will also require them to better coordinate complex local government functions across multiple departments and levels of government. Housing and planning bureaucracies must work closely with public officials focused on homelessness in order to achieve meaningful reductions in urban homelessness.

This coordination could be facilitated by support and encouragement from higher levels of government. The Biden Administration has begun this work with a series of plans on housing and homelessness. In December 2022, the administration released the Federal Strategic Plan to Prevent and End Homelessness.[23] This expansive plan discusses the nation's inadequate housing supply as an important driver of homelessness, and lists restrictive land use and zoning as root causes of this housing shortage. It encourages federal incentives to both state and local governments to reform their zoning to allow for more multifamily housing and greater housing density. This plan cites and builds upon the administration's Housing Supply Action Plan,[24] which similarly connects the nation's insufficient housing supply with a host of problems, including homelessness. Given local recalcitrance to reform zoning — particularly in more privileged communities — federal incentives will need to be quite potent to achieve the scale of land use change necessary to meaningfully reduce homelessness.

Effectively reducing homelessness will require better coordination within city, state and federal housing bureaucracies. Both local and federal policy must effectively connect the most powerful tools for improving housing affordability with the critical goal of reducing homelessness. Planning and land use are central components of homelessness policy; cities and the federal government policies should reflect this link. ■

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22 Batko et al 2020; Herring, Yarborough, Alatorre 2019

23 https://www.usich.gov/All_In_The_Federal_Strategic_Plan_to_Prevent_and_End_Homelessness.pdf

24 https://www.whitehouse.gov/briefing-room/statements-releases/2022/05/16/president-biden-announces-new-actions-to-ease-the-burden-of-housing-costs/

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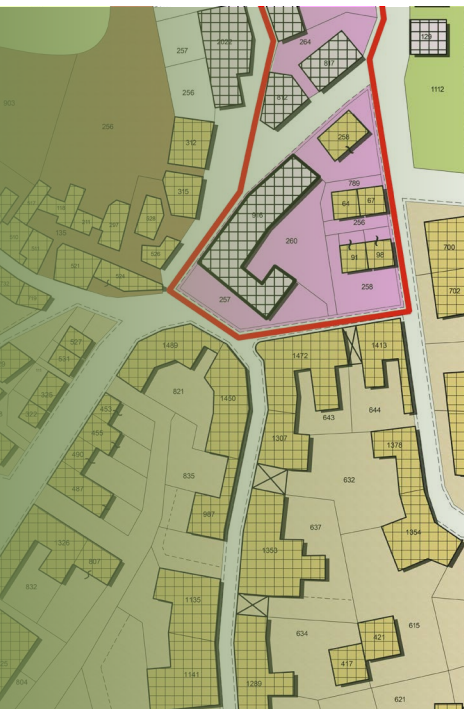
Katherine Levine Einstein is an associate professor of political science at Boston University and a faculty fellow at the Initiative on Cities. Her research asks whether local policies represent community preferences and what factors hamper politicians from addressing critical challenges in their communities — with a substantive focus on housing policy. kleinst@bu.edu

Charley E. Willison is an assistant professor of public and ecosystem health at Cornell University. She is a political scientist studying the relationships between local politics, intergovernmental relations, and public health political decision-making, with a primary focus on homelessness. cew25@cornell.edu



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