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# "…To Represent the Needs of the Residents—Not the Needs of the Outsiders" California's Housing Crisis and the Dilemma of Local Control

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# **"…To Represent the Needs of the Residents—Not the Needs of the Outsiders"** California's Housing Crisis and the Dilemma of Local Control

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# Abstract

This thesis examines the role played by city-level governments in determining the availability of housing within their locale. I propose an overarching hypothesis that features of government which provide greater opportunity for the public to influence their local governments will lead to a decreased availability of housing. This hypothesis is tested over the course of two chapters. First, through an analysis of cities throughout California, the effect of different structural features of government are tested against several dependent variables which measure housing availability in a series of linear regressions. A statistically significant positive correlation is found between the presence of term limits for elected officials, and a city's vacancy rate. While no other hypotheses are confirmed to the degree of statistical significance, several trend in the hypothesized direction, suggesting a need for further research with a larger sample size. Second, the effect of recent efforts by the state of California to coerce cities into increasing housing construction is examined qualitatively. I find that enforcement of these laws will likely induce greater housing availability statewide.

# Chapter 1

## Introduction

*A Democratic Decision?*

In November 2013, residents of Palo Alto, California decidedly voted to block the construction of a 72-unit housing development in their city. The development, which was designed to house low-income seniors, had previously been approved by a unanimous vote by the Palo Alto City Council (Green 2013). Today, the planned site of the rejected housing, Maybell Ave, is lined with single-family homes, many of which have sold in recent years for upwards of $4 million.

Voters in a city participating in a referendum to shift policy to better reflect their preferences is at first glance, democracy in action. The vote to block the Maybell Ave. Apartments was open to all Palo Alto residents, and there is no reason whatsoever to suspect that the final vote count was inaccurate, nor that any group of residents had their vote suppressed or were otherwise unduly influenced to vote a certain way. A deeper look at this process, however, reveals numerous ways that it was deeply *undemocratic*. The costs of California's Housing Crisis are—as the affliction's name suggests—felt by the entire state. This is the case not just due to the estimated economic costs of a constrained housing market, but also indirectly due to the second-order effects of the Housing Crisis including increased poverty, drug use, crime, and

environmental damage to the state (Woetzel et al 2016). Is it then democratic, that approximately 8,500 voters, representing a city of 70,000, were able to hinder the effort of a state of 40 million individuals to address matters of state importance? This process is perhaps *majoritarian*, at least on a micro level, however it fails to be meaningfully democratic when looking at how the term has been historically defined by political thinkers throughout history.

The tension between "democracy", defined in narrow, localist terms, and a broader definition which encompasses the preferences of other stakeholders, is found throughout American history, going back to the debates between Federalists and Anti-Federalists over the proper role of the federal government vis a vis the state government shortly after the country's founding. While Federalists believed that a strong central government could help solve "problems of partial compliance" and improve coordination across localities, Anti-Federalists were skeptical of all centralized power (Follesdal 2018). Throughout the 19th and 20th centuries, the principals of this debate underscored many of foremost issues of politics, including civil rights, commerce, and education. While the term federalism is traditionally used to describe the sharing of governance between states and the federal government, the principles of the debate—over a centralized government versus greater local control—also apply to disagreements between state and local governments.

Defining true "democracy", can be done in philosophical terms, however it is equally important to ground this discussion in the actual features of a government—what structures are more or less democratic than others? Furthermore, when these structures are evaluated on the practical outcomes which they produce—is it worth asking whether more democratic features are always desirable in a government? The Palo Alto example is an example of democracy "working" in the most basic sense, however it failed to achieve a desirable policy outcome

insofar as it exacerbated a severe statewide housing crisis. Is it possible, or desirable, for a more centralized government to solve these problems in cases where they meet significant local opposition? At a more granular level, can structural features of local governments insulate decisionmakers from popular pressure to resist the construction of housing?

The following project concerns itself with this question through the lens of local governments in the United States, more specifically, municipal-level governments in California and the effect of these structural features on these cities' housing supply. This is accomplished first through a quantitative examination of local government structures within California, followed by qualitative case studies of conflict and collaboration between state and local governments within the state.

*Why Housing?*

Debates on democracy, federalism, and distribution of power can be studied through a variety of issues, however housing provides a particularly insightful case study, due to its salience and consequentiality in both current and past political debates. Debates over housing are crucial to understanding racial politics of the 20th and 21st century, as well current political trends, environmental concerns, and economic inequality.

Housing policy was instrumental in shaping the post-World War II racial and political orders in the United States. The growth of working-class populations in large cities across the country in the 1940s, alongside increased civil rights for racial minorities, led to an erosion of white dominance over urban governance, causing white residents of cities to move to suburbs, where they could maintain political control. In these suburbs, land-use regulations were a key tool used by white homeowners to further this aim, even as explicit racial discrimination grew

unacceptable (Trounstine 2018). Many of these attempts at segregation through local land-use laws were linked to fears of the federal government attempting to enforce desegregation against a community's wishes. For example, fear over federally mandated desegregation schools for example led to increasingly restrictive land-use laws to keep minorities out of a city altogether, thus preventing integration (Trounstine 2018). Even in the aftermath of the 1968 Fair Housing Act, which banned discrimination in housing markets on the basis of race and nationality, cities have engaged in economic segregation, which in in practice is often indistinguishable from racial segregation. This segregation takes many forms, including zoning towns and cities for exclusively single-family homes, establishing minimum lot sizes for homes, and constructing onerous building codes for which compliance is costly (Rigsby 2016).

This residential segregation has played a major role in forming contemporary political life in the United States. For one, many of modern conservatism's core ideological tenets are rhetorically linked to segregation-era appeals to white homeowners. As the Civil Rights movement took hold in the second half of the 20$^{th}$ century, segregationists sought to raise the salience of issues such as the protection of private property and homeowners' rights, issues which are of particular importance to conservative politics today. Additionally, segregated cities behave and vote differently than their counterparts. The whiteness of a neighborhood in the 1970s proves extremely accurate in predicting a number of political attitudes among its current residents, with historic whiteness being positively associated with support for Republican candidates in presidential elections. Historic whiteness of a neighborhood is also positively associated with contemporary conservative racial attitudes, such as a belief that the government does too much to help racial minorities, and that home-sellers should be allowed to discriminate

on the basis of race. These results hold true even when controlling for contemporary demographic factors (Trounstine 2018).

The development of the suburbs in the United States as a result of land-use laws also influences contemporary politics in other ways. The geographic structure of suburbs, which often encircle the boundaries of a larger city, has been used by state legislators across the country to erode the political power of urban residents—who tend to be more diverse racially as well as more Democratic than voters in the suburbs—through gerrymandering district boundaries (Astor 2021).

Recently, suburban communities have become especially relevant to elections at the state and national level due to their increasing diversity as well as the national trend of college-educated white voters swinging towards Democrats, both demographic patterns which contribute to these areas becoming especially competitive. In 2020, President Joe Biden's close victory in key swing states was secured through significant gains in historically Republican suburban areas, including Gwinnet County outside of Atlanta, as well as Tarrant, Collin, and Denton counties outside of Dallas (Frey 2020).

Contemporary debates over housing and zoning are also relevant to environmentalism and climate change. Single-family zoning is a large contributor to climate change. Strict land-use laws within suburbs have created cities where residential areas are segmented from office buildings, shops, restaurants, and other locations to which individuals travel (Birenbaum 2021). As such, suburban sprawl is most conducive to car use, rather than public transportation, biking, or walking. Additionally, with the majority of economic activity occurring in urban cores, suburb to city commutes via car remain common (Schwartz 2018). This systemic favoring of car use inevitably leads to higher carbon emissions. The largest source of pollution in the United States

is the transportation sector, of which 58% comes from passenger automobiles (Birenbaum). As such, suburbs zoned for single-family homes are a significant burden on the climate of the entire country.

Land-use laws are also a key driver of economic inequality. The segregation of cities in the 20th century was largely fueled by a desire by white citizens to create public goods—such as schools, infrastructure, and trash collection—which could be excludable to racial minorities (Trounstine 2018). The legacy of this persists today, perhaps most notably in the education system, with public schools in majority-black areas producing worse outcomes for students (Perry et al 2018). While these gaps in quality of service are partially responsible for lower home values in black neighborhoods, evidence also suggests that homes in black neighborhoods are undervalued even when controlling for these exogenous factors (Perry et al 2018). In addition to undervaluing homes, the deployment of land-use laws to entrench segregation has locked lower-income individuals out of home ownership—a key source of generational wealth. This is believed to be a large source of the racial wealth gap in the United States (Sullivan et al 2016).

In addition to the historical and political dimensions to laws around zoning and land-use, these policies are key drivers of restricted housing supply across the country. Numerous studies have linked restrictive zoning laws to higher home prices across a wide range of market conditions and geographic locations (Glaeser, Gyourko, and Saks 2005; Landis and Reina 2021; Ward 2009). This is a matter of national importance. In 2021, housing prices soared across the country, with 80% of metropolitan areas experiencing at least a 10% increase in housing prices (Badger 2022). A wide range of cities including Boston, New York City, and Austin have all been described as having a housing crisis due to high costs, high demand, and not enough supply (Crump et al 2020; Zaveri 2021; Sandoval 2021).

Within California, the housing crisis is especially dire. As of October 2021, the median home price was more than $800,000, with only 23% of households estimated to be able to afford this price. A recent analysis of housing markets across the country found that the three most unaffordable housing markets were all located within California, with San Diego, The Bay Area, and Los Angeles topping the list (Kearns 2022). The human cost of this crisis is tremendous. California has a homeless population of over 160,000. Not only is this the largest homeless population in the country, but it is larger than the homeless population of New York, Texas, and Florida combined (United States Interagency Council on Homelessness 2020). Despite the scope of this crisis, there is little reason to expect the crisis to abate in the short-term, with population growth in the state outpacing new housing units by a factor of 3.2 (Walters 2021).

As demonstrated by the preceding paragraphs, land-use laws and zoning are of key importance due to their relationship to many of the most pressing issues in national politics today. The nature of these debates is thus undoubtably worth exploring at a deeper level.

### *"NIMBYs" and Municipal Decision-making*

Undergirding the nation's housing crisis is the simple fact that there are residents in enough cities and towns across the country who oppose new developments in their community and are willing to dedicate substantial time and energy into achieving their goals. While the exact ideology and tactics of these individuals are not uniform (more detail on this topic is provided in Chapter 2), these constituencies can broadly be described as "NIMBYs"—a term derived from their professed outlook towards new housing: "Not in My Backyard." Through organized campaigns against new housing, agitation at city council meetings, and powerful influence over politicians, NIMBYs have demonstrated extraordinary success in influencing policy outcomes.

This was true in the previously mentioned case of Palo Alto, as well as in countless other anecdotes discussed throughout this thesis. What specific structures within government, however, empower NIMBY policy goals? To answer this question, local government must be considered. At the municipal level, governments can be more or less responsive to constituents in a variety of ways. These structural factors could include the term lengths of elected and appointed officials, the presence of term limits, and whether certain positions are elected or appointed. These are just some of the variables which are given greater attention in Chapter 3.

*Why California?*

Having established the reasons for examining the role of housing in debates between local and state governments, as well as why municipal governments are inexorably linked to housing crises, it is now worth expanding on why the state of California was chosen as an ideal case study for studying this relationship.

California is the largest state by population, meaning that it provides ample observations for both quantitative and qualitative research. Additionally, California is the site of a well-publicized housing crisis in its largest metropolitan areas, a fact that has resulted in numerous initiatives at the state level designed to reform land-use laws, and encourage local governments to construct more housing. These efforts have been the subject of significant pushback throughout the state, leading to several useful case studies for examining the relationship between the state and local governments. Finally, understanding land-use and zoning regulations in California provides valuable insights into the rest of the country. As discussed earlier, opposition to policies which foster more inclusive housing have deep links to both past and present conservative ideology. If California—one of the most Democratic states in the country—

is unable to reform their land-use policies to alleviate their housing crisis—it raises difficult questions at the feasibility of this project nationwide.

*Overview of the Thesis*

The following chapters disentangle local government's role in determining housing supply through several methods. Chapter 2 provides a summary of relevant literature on housing policy and local government structure's ability to effect policy outcomes, influencing the development of an overarching hypothesis. This hypothesis holds that features of government which are more conducive to public input over decision-making contribute to diminished availability of housing.

Chapter 3 focuses on an empirical analysis of the role played by form of government in determining the availability of housing, paying attention to features such as the term length of elected officials, the presence of term limits in city government, and the appointment process for members of a city's planning commission. Chapter 3 finds some evidence for the previously discussed overarching hypothesis; however, the results fail to meet statistical significance in most cases—possibly due to issues of sample size.

In Chapter 4, I broaden the scope of my analysis—looking at not just local governments on their own terms, but with regard to their interactions with the State government. I illustrate that when state oversight limits the autonomy of local government, more housing is constructed. This is done through several case studies from recent years where city governments have clashed with the state government on housing-related issues.

Finally, the conclusion discusses potential policy solutions for housing shortages, with particular attention to house these remediations can improve local form of government, as well as the balance of power between state and local governments.

There can be little doubt that California—along with much of the nation—is poorly equipped to address their housing crisis. This is in large part due to the inability of towns and cities to build enough housing to accommodate rising demand. The following thesis attempts to better understand why so many local governments have been so resistant to new developments, and the ways in which incentives and consequences can be created to change their behavior.

# Chapter 2

## Review of Relevant Literature

On paper, the corner of Russ and Folsom Streets in San Francisco should be perfect for a dense, mixed-income housing development. The location is a ten minutes' walk from a bus and light rail transportation hub, has several coffee shops, bars, and fast casual dining options within a few blocks, and is adjacent to a local park with a community garden and softball field. Developer Paolo Iantorno, aware of the difficulty of building new constructions in San Francisco, took steps to win over the neighborhood's support, including promising new units to tenants in the location's existing building and pledging to make some of the new building's units below-market rate. Nonetheless, the new development found itself stalled, and eventually halted, by the city of San Francisco, whose board of supervisors rejected the proposal, which would have added 63 units to the city's housing supply. The reason for the development's rejection? A community group which protested the building on the grounds that it would cast a shadow over the adjacent park. (Brinklow and Dineen)

The barriers faced by developers and cities to alleviate the housing crisis are well-studied. Neighborhood groups such as the one that derailed the Russ and Folsom development have been proved to be instrumental in their ability to delay and block developments. Less studied has been the role played by the actual structure of municipal governments in setting housing supply. The following chapter summarizes existing research on the sources and

consequences of housing shortages, as well as how previous scholarship has understood the role played by municipal form of government in determining policy outcomes.

## The Sources of Constrained Housing Supply

Existing research on housing shortages have focused on a variety of factors. In particular, government regulations such as zoning laws, and the role of local opposition to new developments from groups across the ideological spectrum have been given attention by research.

### *Land Use Regulation*

A wide body of research exists examining the development of land use regulations and their effect on housing supply and costs. In a systematic review on the effect of land use regulations on housing prices and supply, Quigley and Rosenthal (2005) trace land use regulations to the 1926 Supreme Court case of *Euclid v. Ambler*, which granted broad power to municipalities to zone neighborhoods for specific forms of housing. Throughout the 20th century, this power was used by suburbs as a deliberate tactic to keep home prices high and preserve low-density neighborhoods.

Also discussed as a driving force behind the development of zoning laws in the United States are the 1926 Standard State Zoning Enabling Act (SZEA) and Standard City Planning Enabling Acts, which gave states and municipalities respectively broad power to craft laws regulating land-use through the development of a zoning map which regulates what kinds of buildings can be constructed in any given area (Trounstine 2018 and Schleicher 2013). Together, these laws make flexibility in land-use extremely burdensome for municipalities. Amending a

zoning map requires the support of a planning board, a process which rarely happens (Schleicher). The regulations prescribed by zoning maps can also be modified on an ad hoc basis through court granted "exemptions", as well as through a "variance", which is provided by a municipality's zoning appeal board (Schleicher 1706).

Scholarship has also discussed the racialized history behind zoning laws. In *Segregation by Design* (2018), Trounstine notes the role played by racist ideology in the development of urban zoning laws in the late 19th and early 20th centuries. Supporters of Social Darwinism saw zoning laws as a way to craft a hierarchical society in which "clean" racial and ethnic groups could live separate from those seen as "unclean", who were believed to bring disease, noise, and crime with them, and were thus forced into crowded, poor-quality housing in neighborhoods near factories and slaughterhouses (76-77). Zoning also served as a tool to keep public goods and services segregated. If white neighborhoods could be jurisdictionally separate from majority-minority ones, government programs such as trash collection and firefighting could be reserved for the white neighborhoods, and white residents would not resent their taxes going towards programs for Black or immigrant neighborhoods (78-79). These explicitly racist strategies had to adapt throughout the mid-20th century however, with the Supreme Court banning outright racial discrimination in zoning laws with *Buchanan v. Warley* in 1917 (81-82). In response to this, municipalities justified zoning laws on grounds not unlike many of the contemporary arguments against increasing housing supply discussed later in this chapter. These include preserving the "established character of any locality", protecting the "provision of light and air", and preventing traffic congestion (83).

Trounstine also discusses concerns over property value as a driver of zoning laws. The presence of immigrants or people of color living or working in a neighborhood was seen as a

concern for property owners, who feared the value of their land would depreciate as a result (78). As noted by Trounstine, these zoning laws were constructed and enforced at a local level. A coalition of groups including developers, business owners, and neighborhood groups worked with municipal officeholders to develop zoning laws with the expressed goal of protecting property values (123).

In summary, research has emphasized the degree to which the concerns along racial and economic lines have determined land-use and zoning laws throughout American history. Whether motivated by an ideological commitment to racism, or self-interested insofar as property values, white homeowners have consistently manipulated policy in their favor.

*Local Opposition to Development*

Other research has tied the advocacy of current neighborhood residents against new developments to constrained housing supply. Opposition to new housing has been tied to a variety of ideological orientations, and generally manifests itself through participation in planning board and city council meetings. This phenomenon is described in most detail by Einstein, Glick, and Palmer in *Neighborhood Defenders* (2019), which describes the tactics used by opponents to new developments in the Boston metropolitan area.

Einstein, Glick, and Palmer broaden their scope beyond zoning laws to discuss the groups which manipulate existing laws to delay, alter, and prevent new constructions in their neighborhood. Of note is Einstein, Glick, and Palmer's discussion of the so-called "power of delay" (24). This refers to the process by which groups of "neighborhood defenders" mount both formal and informal challenges to proposed developments with the goal of making construction as burdensome as possible. While stringent land use regulations can often aid neighborhood

defenders in the process of delay, it is by not necessarily a precondition of successful delaying efforts (25). Neighborhood defenders' purport to oppose new constructions for a variety of reasons. While a large body of literature—discussed later in this chapter—has discussed the role of racism in shaping opposition to affordable housing in majority white communities, neighborhood defenders often (though not always) avoid rhetoric which could be perceived as racist when organizing against new developments. Instead, regardless of their true motivations, neighborhood defenders most often oppose the construction of new housing due to concerns surrounding increased traffic, the environmental impact of construction, pedestrian safety, and aesthetics (117).

In their analysis of neighborhood defenders, Einstein, Glick and Palmer also discuss the tactics used to block the construction of new housing. Neighborhood defenders frequently harness their professional expertise to craft arguments against housing. Engineers will argue against the structural integrity or aesthetic merits of a development. Doctors claim that increased traffic will impede the movement of emergency services. Citing the work of Lupia and Norton (2017) on the importance of rhetorical strategies in deliberative democratic settings, Einstein Glick and Palmer argue that this appeal to expertise impedes the democratic process by overpowering dissenting voices (121). In a more direct sense, these "expert" opinions delay new constructions as planning board members often demand further review when faced with well-credentialed opposition.

Litigation also serves as a powerful tool of neighborhood defenders. With many residents of high-income neighborhoods being lawyers themselves, neighborhood defenders are able to harness their knowledge of legal technicalities to challenge the construction of new housing on

procedural grounds. Even if these lawsuits are unsuccessful, they are costly for developers and towns, increasing the likelihood that any given project is delayed (123).

While much of the scholarship on local opposition to new constructions has focused on the centrality of racism and classism, opposition has also come from other ideological impulses. Hankinson (2016) examines anti-housing attitudes among renters, which are often expressed with rhetoric more commonly associated with the political left. Surveying renters in San Francisco, Hankinson found that despite respondents being more supportive of increasing the city's housing supply than homeowners also surveyed, renters largely opposed the construction of new market-rate housing in their own neighborhood, due to the incorrect perception that these constructions will raise the cost of rent or cause the displacement of a neighborhood's prior residents.

*The Consequences of Constrained Housing Stock*

Additional scholarship has engaged with the practical results of zoning laws and other restrictions on new construction of housing. Glaeser, Gyourko, and Saks (2005) cite restrictive zoning laws as a driver behind rising home prices across the country, specifically noting the role played by anti-development residents' groups in lobbying against new developments. Glaeser and Ward (2009) contains similar findings, using an original dataset compiled from municipalities in the Greater Boston area to investigate the role played by land use regulations in rising property values alongside a depleted housing supply. Glaeser and Ward find that high levels of land-use regulations are in fact associated with constrained supply, citing minimum lot size requirements as well as septic and wetlands-related regulations as the most prominent sources of low construction.

Beyond the direct consequence of higher housing prices, restrictive zoning laws are also responsible for many second-order consequences, with implications for climate change, as well as race- and class-based inequality. Neighborhoods zoned for single-family homes are less walkable, and less conducive to public transportation such as buses and trains. As a result, restrictive zoning is responsible for significant amounts of pollution from car use (Tomer et al 2021). The historical legacy of residential segregation enabled by these zoning laws has also served to severely impede the accumulation of generational wealth by Black families (Rouse et al 2021).

## The Role of Local Government Structure in Influencing Policy Outcomes

There is considerable scholarship across political science and economics discussing the role that the structure of municipal governments can play in determining policy outcomes. The structure of a municipality's government can influence the degree to which elected and unelected city officials can draft and implement policy. Municipal structure also can determine who is able to participate in politics, with certain forms of government allowing minority racial and ethnic groups greater power over policymaking. The following section pays closer attention to variations in common forms of government, and their procedural effects.

### *Council-Manager vs. Mayor-Council*

Existing research on municipal form of government has looked at how having a council-manager system as opposed to a mayor-council system affects governance. In a council-manager system, a municipality is governed by an elected city council, who delegate day-to-day administration to a city manager. While municipalities with a council-manager system may also

have an elected mayor, they do not hold the authority traditionally associated with the office. In a mayor-council system, both the city council and mayor are elected by voters and jointly craft policy. Within mayor-council systems, the relative strength of the mayor also can vary. Municipalities which grant greater policymaking power to their mayors are referred to as having "strong-mayor" systems (Coate and Knight 2011).

In analyses of public expenditures, research has found that municipalities with mayor-council governments tend to spend less than those with council-manager governments. These findings aligned with proposed models which suggest that the additional veto power of a mayor over policy would serve as a block on higher spending. This is a result of the fact that in most cities, the city council cannot add items to the city budget after the mayor and other city administrators have submitted it for review—They can only veto proposed spending measures. (Coate and Knight 2011). Scholarship has also noted the policy of mayoral impoundment in cities with strong mayors, which allows an elected mayor to unilaterally block public spending initiatives. (Coate and Knight 2011)

Other research on differences in public spending between mayor-council and council-manager governments have drawn attention to the differing incentives of mayors versus city managers. Whereas mayors are primarily concerned with delivering services to their constituents in order to get re-elected, city managers are not accountable to the public, and instead are focused on advancing their career and reputation by managing a tight and well-balanced budget (Jiminez 2019). While this research does not directly address zoning or land-use, it is possible to draw some conclusions on form of government's role in influencing the availability of housing. Owing to the body of literature on municipal form of government in determining public expenditures, I theorize that in cities where city councils are empowered over unelected

officeholders like city managers, less housing will be built. This is because research on public expenditures has suggested that city managers are more likely to make budgetary decisions that are unpopular yet perceived to be better for a city in the long-term. The construction of new housing would likely work according to the same principles.

*Ward-Based vs. At-Large Elections*

Other research has examined the role of district-based (also known as ward-based) elections for municipal office holders in comparison to at-large elections. In an at-large system, a set number of city councilmembers are elected by an entire city. In district-based systems, the city is divided into set districts, which each individually elects councilmembers. The passage of the 2001 California Voting Rights Act led to many California cities switching from at-large to district-based systems over subsequent election cycles, as it was argued that at-large systems unduly discriminated against ethnic and racial minority groups. (Hankinson and Magazinnik 2021).

The argument that at-large voting leads to adverse outcomes for disadvantaged groups is supported by existing research. Studies have shown that "Locally Unwanted Land Uses", or LULUs, such as prisons or landfills, are more heavily concentrated in low-income and majority-minority neighborhoods when cities use at-large elections. This occurs due to the fact that district-based representation gives greater voice to these neighborhoods, offering them city council representation which can negotiate on their behalf. (Langbein, Crewson and Brasher 1996). At-large elections have also been shown to reduce public spending at the municipal level, a phenomenon theorized to be caused by the greater presence of "pork" in ward-based electoral systems (Southwick 1997). Unlike LULUs, pork refers to desirable spending which benefits a

specific constituency. Applying this theory to housing, I theorize that at-large elections may increase housing supply, as individual neighborhoods lack the direct representation to oppose housing, even if it is a "LULU".

## Local Government Structure and Housing Policy

Turning to housing stock specifically, there is some existing scholarship on the role that municipal structures play in determining supply. Prior research has examined the effect of ward-based elections, political parties, and the relative strength of a municipality's mayor.

### *Partisan Elections and Housing Supply*

Prior scholarship has discussed the relationship between electoral structures at the municipal level and depleted housing supply. Several factors differentiate municipal elections from national ones. Municipal elections are often officially non-partisan, with candidates forced to run without a party label, as opposed to national elections, in which where parties play a large role. Additionally, even when candidates are allowed to run as a member of a political party, the electorate of most cities are overwhelmingly supporters of the same political party (Schleicher 2013). As such, electoral competition at the municipal level is primarily through intra-party primaries. In these elections, the preferences of ordinary voters individually are less important to candidates than those of well-organized interest groups and political machines. Voters in these elections are also less likely to support candidates for ideological reasons, instead taking signals from candidates' race, ethnicity and gender. These municipal elections also tend to have far lower turnout and a greater incumbency advantage when compared to state- and national-level offices (Schleicher 1701-1702). All of these factors contribute to a depressed housing supply, as

the lack of party competition leads a lack of strong party leadership who can resolve the prisoners' dilemma like scenario which emerges when a majority of the population desires a larger housing supply, yet few are willing to support it in close proximity to their homes.

*Districting in Municipal Elections and Housing Supply*

A wide body of literature points to ward-based municipal elections as a factor in constraining housing supply. Research has observed that a municipality switching to ward-based elections reduced the construction of new housing, especially of multifamily units. This took place within the context of the previously discussed California Voter Rights Act, which viewed at-large elections as a source of minority disenfranchisement (Hankinson and Magazinnik 2021). Similar conclusions were reached by research which conceptualized political organizers known as "antigrowth entrepreneurs" who agitate against the construction of new housing in their community. In a survey of municipal clerks across the country, it was found that antigrowth entrepreneurs are significantly more likely to be present in cities which elect their council members using a district-based system (Schneider and Teske 1993). These findings are largely in line with the previously discussed research which has examined the role of ward-based versus at-large electoral systems in influencing delivery of public goods.

Other scholarship which has examined the relationship between electoral geography and housing supply has come to similar conclusions. These findings are supported by the hypothesis that due to negative externalities associated with the construction process such as noise and potential disruptions to traffic, voters will be hostile towards developments in their neighborhoods. In a ward-based system, these voters will have stronger representation than one which uses at-large voting (Mast 2019). Also noted have been the informal practices of ward-

based systems which prevent growth, such as “aldermanic privilege” which traditionally allowed an individual council member to have final say over projects in their district (Mast 2019).

*Mayoral Strength and Housing Supply*

Some scholarship has suggested an explicit link between the presence of a “strong-mayor” and increased housing stock. Considering existing scholarship suggesting that mayor-council systems are more effective in policy administration than their counterparts (Coate and Knight 2011; Jiminez 2019), this should not come as a surprise. Schleicher (2013) synthesizes several previous articles to conclude that mayors are more likely than other municipal-level elected officials to support development.

Other studies have looked at the differences in agendas between city managers and mayors with respect to housing policy. In a study of Florida cities, it was observed that mayors tend to be most responsive to the interests of wealthy constituents, who value the development of single-family homes, while city managers are closer aligned with the interests of developers and construction companies, who tend to be more unqualified in their development priorities (Lubel, Feiock, and De La Cruz 2009). The measurable effect of this phenomenon on housing supply and costs may not be as straightforward however, considering evidence that it may not be in the interests of developers to increase the housing supply, but rather to focus on smaller buildings and expansions to existing homes (Schleicher 2013).

To summarize the existing literature on form of government’s influence on housing availability, evidence shows that several related factors can meaningfully open or constrain housing markets within a city. At-large city council elections, nonpartisan elections, and “strong-mayors”, are all linked to more robust housing supplies at the municipal level. Owing to this

literature, several hypotheses relating to municipal government and housing supply are relayed in the following section.

**Hypotheses**

Drawing on the literature, I propose several hypotheses on how the structure of a municipality's government can influence the availability of housing. These specific predictions follow an overarching hypothesis—supported by the literature—that features of local government which allow the public to wield greater direct influence on policymaking, will lead to less availability of housing. I hypothesize that this is the case at three different levels of local government—mayoral offices, city councils and planning commissions. I also hypothesize that mechanisms which allow the state government to exert greater control over the housing policies of cities will lead to an increase in the availability of housing. My hypotheses are summarized below and described in greater detail in Chapter 3.

With respect to city mayors, I hypothesize that cities with elected mayors will have greater housing availability than those with appointed mayors. This hypothesis is proposed with some uncertainty, as elaborated on in Chapter 3, however it is rooted in the principle that a mayor elected by an entire city will be less responsive to concerns of an individual neighborhood. I also hypothesize that longer term lengths for mayors will lead to increased housing availability. This is because mayors who are elected less frequently will have greater political space to support unpopular developments.

Turning to city councils, I hypothesize that at-large electoral systems will be more conducive to housing availability than their district-based counterparts. This is grounded in the previously discussed research on at-large and district-based electoral systems. I also hypothesize

that term limits for city councilmembers will lead to an increase in the availability of housing. This is because term limits create a period of term during which city councilmembers serve without concern for reelection.

With respect to planning commissions, I hypothesize that in cities where commissioners are appointed by a mayor, more housing will be available than in cities where councils appoint commissioners. In these cities, commissioners should be more responsive to the concerns of the entire city, rather than the smaller constituency of an individual councilmember. I also hypothesize that in cities where planning commissioners serve longer terms, housing will be more widely available, for the same reasons as the previously discussed hypothesis on mayoral term length. Finally, I conclude that when officials—either planning commissioners or city councilmembers—represent a larger number of constituents, there will be greater availability of housing. This is because an officeholder representing a greater number of constituents renders them less responsive to the concerns of small, but highly concentrated, opponents of housing developments.

Finally, I hypothesize that increased influence of the State Government over city-level housing battles will lead to an increased availability of housing. This is based on the principle that state-level officials are least responsive to the concerns of small constituencies such as neighborhoods and towns, and thus are willing and able to override the demands of these groups in order to address housing shortages.

**Conclusion**

The previously discussed case of San Francisco's failure to construct new housing on Russ and Folsom is one anecdote among dozens—if not hundreds—which could have been used

to open this chapter. California's housing crisis is undoubtably one of severe magnitude. Nonetheless, cities across the state have failed to rise to the occasion, with proposed developments caught in an endless series of delays, permit denials, and bureaucratic red tape. Better understanding how local governments contribute to this crisis is foundational to solving it, and thus is the principle concern of the following two chapters. Chapter 3 looks empirically at municipal government, identifying and discussing several features of city governments which impact housing availability. Chapter 4 turns to interactions between the State of California and city governments, analyzing several instances where conflict between the two has transpired over housing-related issues.

# Chapter 3

## General Findings

### Introduction

Through the first months of 2022, the San Jose suburb of Los Gatos has struggled to approve the construction of a 191-unit development for senior citizens. In theory, this development should not be particularly problematic. The proposed location is in the exact same place as Los Gatos Meadows, another retirement community, which closed in 2017. Nonetheless, officials—both appointed and elected—in Los Gatos' government have repeatedly thrown a wrench into the plans of the project's developer. In January, the Los Gatos Planning Commission denied the project on the grounds that the buildings would be too tall, and not enough of the units were allocated for low-income seniors. Even after the developer addressed these concerns however, the Los Gatos City Council ordered the Planning Commission to review the proposal for a second time. Rob Rennie, the Mayor of Los Gatos, used his vote on the city council to join the majority in rejecting the development, and sending it back to the Planning Commission. This vote was made reluctantly, however, as Rennie admitted that he supported the development as proposed, and cast his vote to reject the new housing simply out of a desire to reach a compromise (Kanik 2022).

In this instance, three intertwined positions—the mayor, city council, and planning commission—worked to block, or at least delay, a proposed development, which while admittedly a drop in the bucket, would have helped alleviate the Bay Area's housing crisis. Why

did these officials act in the way that they did, and what role, if any, did the structure of Los Gatos' government itself play in creating this outcome? This chapter attempts to answer these questions, moving beyond this specific scenario to examine form of government across California.

The following chapter discusses general findings from the analyses of form of government's relationship to housing outcomes within California cities. In previous chapters, I have elaborated on my overarching hypothesis, that features of government which create greater opportunities for members of the public to influence municipal decision-making will result in diminished availability of housing. To ascertain this empirically, I look at three different offices of local government, identifying features which render them either more or less responsive to the public, and then analyze their relationship to several dependent variables. First, I look at the role played by differentiation in mayoral office structure on determining housing availability. In particular, mayoral term length, and direct elections of mayors are examined for their role in determining housing availability. I then turn my attention to city councils, looking at the effect of both term limits as well as the ratio of city council seats to a city's population. Finally, planning commissions are examined. This is accomplished by looking at commissioner term length, as well as whether they are appointed by a city's mayor as opposed to the city council.

The analysis yields mixed results. The only statistically significant effect found related to the hypotheses put forward was related to city council term limits. A linear regression showed that there was a positive correlation between the presence of term limits and a city's vacancy rates, which confirmed a previously suggested hypothesis. A handful of effects were also found to move in the direction of the hypothesized relationship, however, did not meet the threshold for statistical significance. These findings are discussed in greater detail in the following section.

## Mayoral Form and Housing Supply

The following section examines the role played by city executives in determine housing availability. I hypothesize that features of government which grant broader latitude to these office holders to act without regard for public opinion will lead to greater housing supply.

### *Measuring Mayoral Form and Expectations for Effects on Housing Supply*

To ascertain the effect of mayoral strength on housing outcomes, two variables were developed to quantify a mayor's relative influence within their city—the length of a mayor's term, as well as whether they are directly elected by the city. In California, nearly every municipal government makes use of the council-manager system—in which an appointed city manager is responsible for overseeing the day-to-day operations of a city. Nonetheless, the independent variables identified are valuable for differentiating the strength of mayors within the council-manager form of government. I use two separate variables to measure mayoral strength. The first is the length of a mayor's term. Among mayors of the cities in the dataset compiled, a slight majority of 53 serve four-year terms. The remaining 56 cities are made up of two groups of 23 cities whose mayors serve one- and two -year terms respectively. No cities in the dataset have a mayoral term length of three years, or any amount of time greater than four years. Among the 68 cities who directly elect their mayors, 52 have a four-year mayoral term, while the remaining 16 have a two-year mayoral term. Turning to the 31 cities without direct mayoral elections, 20 have a one-year term for their appointed mayor, while the remaining 11 have two-year terms.

As with much of the data collected, mayoral term lengths were obtained from the official website of each municipality, or in some cases, their publicly available municipal code or city charter. The variable is summarized in Table 3.1.

The second variable measures how a mayor is elected. The variable is coded 2 if the mayor is popularly elected in an at-large election, and it is coded 1 if the mayor is appointed by city council. Again, this information was obtained from each city's official website or through the city municipal code or charter. Most sampled cities in California (68) directly elect their mayor through regularly scheduled, at-large elections. The remaining 31 cities appoint their mayors amongst city council members. This variable is summarized in Table 3.1.

I predict that cities with stronger mayors—those less bound to the will of constituents—produce more housing. Below are my specific hypotheses:

H1: Cities with mayors who are directly elected will have more housing versus cities where the mayor is appointed amongst city council members.

H2: Cities with mayors who serve longer terms will have more housing than cities where mayors serve shorter terms.

Owing to existing research which links a strong mayor-system to increased housing supply (Schleicher 2013), I suggest that cities which directly elect their mayors will have greater housing supply than those which appoint them. While almost all California cities follow the council-manager format, the research on strong-mayor systems leads me to hypothesize that any municipal structure which formally or informally empowers an official elected by a city at-

large—and thus is less responsive to the preferences of individual neighborhoods or wards—will lead to an increase in housing supply. I add a caveat to this specific hypothesis by acknowledging a countervailing interpretation which is arguably in-line with my overarching hypothesis. I believe that cities where a mayor is elected in regularly scheduled elections will construct more housing because their mayor is responsive to the city at-large, rather than individuals in a specific neighborhood. In the following chapter, I will elaborate on in further detail my hypothesis that the state government encourages the creation of housing because state-level officials are elected by a greater number of people, and thus less responsive to the antigrowth attitudes of individuals in geographic subunits. For this same reason, I believe that a citywide elected mayor will encourage development more than one elected by a ward to serve as councilmember. Nonetheless, it could be argued that the presence of an appointed mayor should lead to a city to construct more housing, because they are elevated to the specific position of mayor by their peers on the city council. This differing interpretation of my overarching hypothesis is logically sound, and worth addressing.

Turning towards the specific length of a mayor's tenure, I hypothesize that longer mayoral terms will lead to an increase in housing supply, as they increase the length of time that a mayor will have before they are held accountable by their voters, giving them greater to support new housing, even if it is unpopular. This feature grants mayors a longer time horizon before they are back on the ballot.

*Methodology: Testing the Effects of Mayoral Form on Housing Supply*

To test the effect of mayoral features on a city's housing market, I run three separate linear regressions. In all three, the key independent variables are the two mayoral design

measures I described above: mayoral term length and method of mayoral selection. I then test how these two measures affect housing supply using three different measures of housing supply: a city's total vacancy rate, the percent of a city's housing units built after 2014, and the number of multi-family housing units in a city as a percentage of the city's total housing supply. A city's total vacancy rate measures what percent of the total housing stock is vacant. The average percent of housing stock that is vacant is 5.9 percent. This variable is summarized in Table 3.1. The percent of city's housing units built after 2014 allows me to gage what percent of existing housing is "newly constructed." The average percent of new housing in my sample is 5.3 percent. This variable is also summarized in Table 3.1. The number of multi-family housing units in a city allows me to gage what percent of a city's total housing supply may be a more affordable option for residents. As the gap in available affordable housing and demand for affordable housing is large in California, this is another way for me to measure how well a particular city is meeting the needs of their residents. The average percent of a city's housing stock that is multiple family housing is 31.8 percent. This variable is also summarized in Table 3.1. All three of these dependent variables were collected from the 2019 American Community Survey (ACS).

Finally, to account for confounding variables, all three of the regressions control for a city's total population size, population growth between 2010 and 2020, and the percentage of a city's population who identified as White. Control variables were collected from the 2019 American Community Survey (ACS), except for population growth, which was calculated from the 2010 and 2020 Censuses. All three of these variables are also summarized in Table 3.1.

**Table 3.1. Summary of Independent, Dependent and Control Variables.**

| | Mean | Std. Dev. | Low | High |
|---|---|---|---|---|
| **Independent** | | | | |
| Mayoral Term Length | 3 | 1.307 | 1 | 4 |
| Mayoral Elec. Type | 1.677 | 0.470 | 1 | 2 |
| **Dependent** | | | | |
| % Vacancy Rate | 0.059 | 0.024 | 0.014 | 0.153 |
| % Built After 2014 | 0.053 | 0.033 | 0.001 | 0.170 |
| % Multi-Family Housing | 0.318 | 0.145 | 0 | 0.787 |
| **Controls** | | | | |
| City Population Size | 224,239 | 418,700 | 84,292 | 3,898,747 |
| % Population Growth | 0.077 | 0.076 | -0.047 | 0.444 |
| % City White | 0.572 | 0.177 | 0.230 | 0.856 |

*Note: Independent Variables were collected for each city in the sample off of city websites and/or city charters. The three dependent and three control variables were collected from the 2019 ACS.*

*Results: Effects of Mayoral Form on Housing Supply*

The linear regressions yield mixed results; which can be found in Table 3.2. The first column of results in Table 3.2 shows what effect the two executive design features have on a city's vacancy rates. If my hypothesis is supported, I would expect that (1) cities with elected mayors would have lower vacancy rates (negative effect) and (2) cities with longer mayoral term lengths would also have higher vacancy rates (positive effect). The logic is that cities with higher vacancy rates must have more housing. While the results show that neither mayoral feature had a statistically significant effect on a city's vacancy rate, both variables produced in the predicted direction. Moving from a city where the mayor was appointed to one where the mayor was elected was predicted to reduce vacancy rates. This result was not statistically significant, but in the predicted direction. In addition, moving from a city where the mayor's term length was shorter to one where the term length was longer was predicted to increase vacancy rates. Again, this result was not statistically significant, but in the predicted direction.

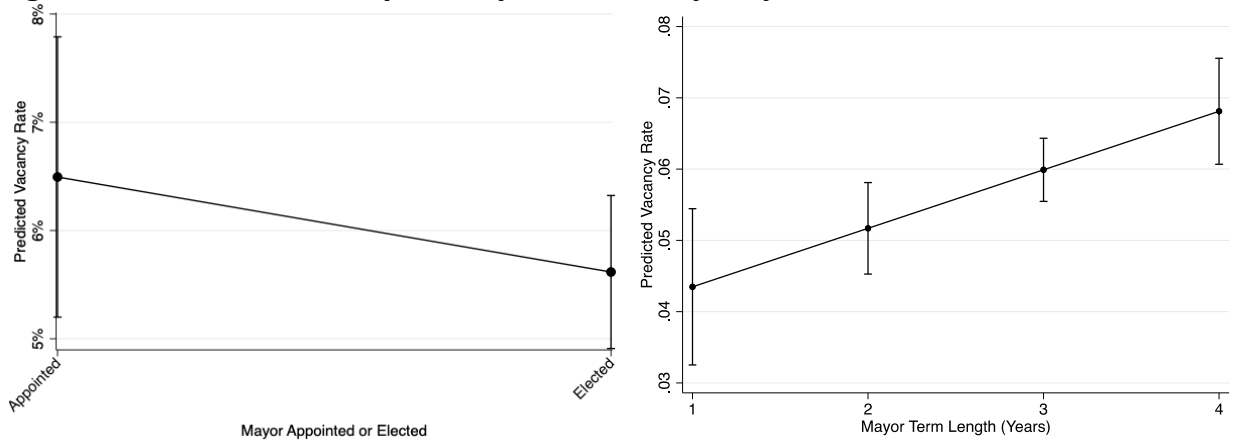
**Table 3.2 Effect of Executive Design Features on Three Housing Outcome Measures**

| | Vacancy Rates | % Housing Built Post-2014 | % Multi-Family Housing |
|---|---|---|---|
| Elected Mayor | -0.009 | -0.005 | -0.077 |
| | (0.01) | (0.01) | (0.05) |
| Mayor Term Length | 0.005 | -0.000 | 0.032+ |
| | (0.00) | (0.00) | (0.02) |
| Total 2019 Population | 0.000 | -0.000 | 0.000* |
| | (0.00) | (0.00) | (0.00) |
| % Population Growth | 0.029 | -0.048 | -0.479* |
| | (0.03) | (0.20) | (0.19) |
| Percent White | 0.050*** | -0.000 | -0.034 |
| | (0.01) | (0.02) | (0.08) |
| N | 97 | 94 | 97 |
| $r^2$ | 0.186 | 0.022 | 0.160 |

*Note:* Linear Regression. DV are three measures of housing, IV are two executive design features of city government.
+ *P < 0.10;* * *P* < 0.05; ** *P* < 0.01; ***$P$ < 0.00

In order to better visualize the effect of these two mayoral design features on a city's vacancy rates, I calculated a city's vacancy rate for cities with different mayoral features while holding all other variables at their mean. In Figure 3.1, I show how a city's vacancy rate is predicted to change as the mayor's design feature changes. In the figure on the left, I calculated a city's predicted a vacancy rate in cities with an appointed mayor versus cities with an elected mayor. The figure shows that on average, a city with an elected mayor will have a vacancy rate that is 0.9% lower than one which appoints its mayor. In the figure on the right, I calculated a city's predicted vacancy rate as a city's mayoral term length increases. The figure shows that moving from a city where the mayor serves 1-year terms to a city where the mayor serves 4-year terms is predicted to increase the city's vacancy rate by nearly 3 percentage points. These results move in the opposite direction of the hypothesis but are not statistically significant. They also are consistent with the earlier discussed possibility that appointed mayors are less responsive to the public than elected ones.

**Figure 3.1 Predicted Vacancy Rate by Whether City Mayor Form**

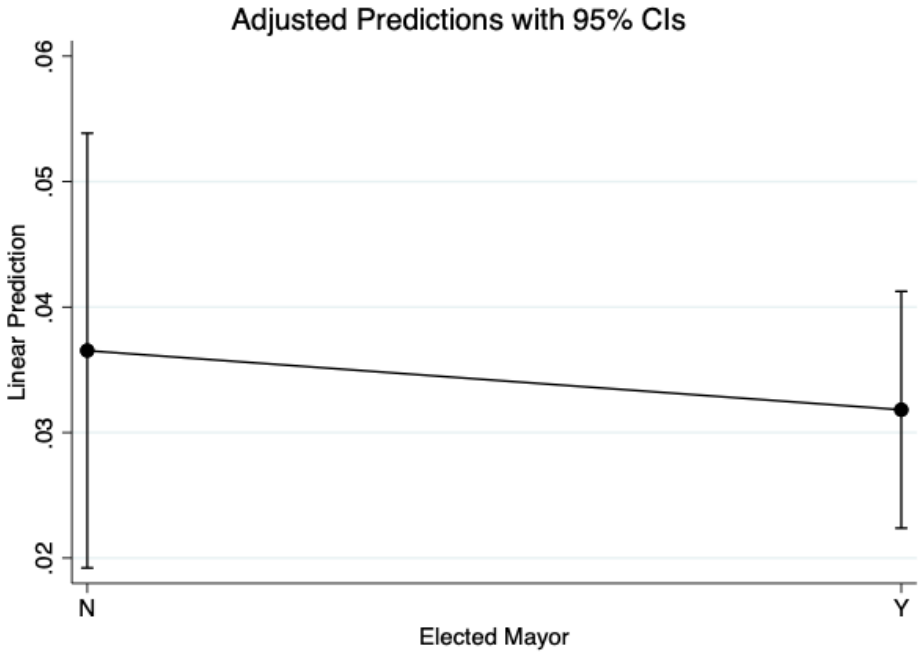



*Note: Results from a Linear Regression, predicted rates calculated while holding all other variables at their mean.*

The results in the second column of Table 3.2 shows the effect of the two executive design features on the percent of a city's housing built since 2014. If my hypothesis is supported, I would expect that (1) cities with elected mayors would have less new housing (negative effect) and (2) cities with longer mayoral term lengths would also have more new housing (positive effect). Neither of the mayoral features had a statistically significant effect on a city's percent of new housing. Moving from a city where the mayor was appointed to one where the mayor was elected was predicted to reduce the percent of new housing; again, this result was not statistically significant, but in the predicted direction.

To better visualize the effect of having an elected mayor on a city's percent of new housing, I calculated a city's predicted percent of new housing in cities with an appointed mayor versus cities with an elected mayor. The figure shows that on average, a city with an elected mayor will have a percent of new housing that is 0.5% lower than one which appoints its mayor. The pattern in Figure 3.2 is runs counter to my hypothesis, but this result is not statistically significant.

**Figure 3.2 Predicted Percent New Housing by Whether City Mayor Form**



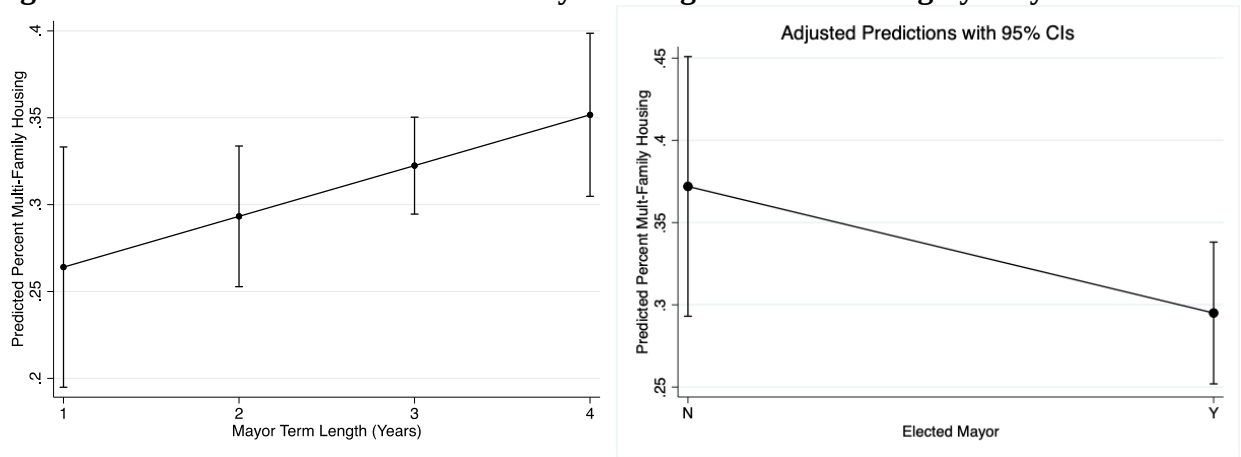

*Note: Results from a Linear Regression, predicted rates calculated while holding all other variables at their mean.*

Finally, the results in the third column of Table 3.2 shows what effect the two executive design features have on the percent of a city's housing that is multifamily. This analysis is informed by the fact if a city is providing enough housing to serve its residents, it should have a reliable supply of multifamily housing. If my hypothesis is supported, I would expect that (1) cities with elected mayors would have more multifamily housing (positive effect) and (2) cities with longer mayoral term lengths would have more multifamily housing (positive effect). Only mayoral term length had an effect trending towards statistical significance on a city's percent of multifamily housing, and both measures produced an effect in the predicted direction. Moving from a city where the mayor was appointed to one where the mayor was elected was predicted to reduce the percent of multifamily housing. This result was not statistically significant, but in the predicted direction. Moving to a city where the mayor serves longer terms is predicted to

increase the percent of multifamily housing; this result is nearing statistical significance ($P < 0.10$).

To better visualize the effect of having an elected mayor on a city's percent of new housing, I calculated a city's predicted percent of multifamily housing in cities with an appointed mayor versus cities with an elected mayor. I also calculated a city's predicted percent of multifamily housing in cities as the mayoral term length increased. The results can be seen in Figure 3.3. The results in the left-hand figure show that moving from a city where the mayor is appointed versus cities with an elected mayor is predicted to decrease the percent of multifamily housing by 7.7 percentage points. While these results are not statistically significant, the pattern is consistent with my hypothesis. The results in the right-hand figure show that moving from a city where the mayor serves one-year term to a city where the mayor serves four-year terms is expected to increase the percent of multifamily housing by about 10 percentage points. This effect approaches statistical significance and is consistent with my hypothesis.

**Figure 3.3 Predicted Percent Multi-Family Housing of Total Housing by Mayor Form**




*Note: Results from a Linear Regression, predicted rates calculated while holding all other variables at their mean.*

*Reflection on Role of Mayoral Form on Housing Supply*

Analyzing the relationship between how a city structures their mayoral office and their ability to construct new housing confirms the overarching hypothesis that structural factors in municipal government which encourage elected officials to be more responsive to voters lead to more housing. This is seen through the positive relationships between governmental features which make mayors less responsive to the public, and increased amounts of housing within a city. While many of the measured variables trended in hypothesized direction, statistical significance was only observed in one instance. This could be the case for several reasons. For one, it is possible that the sample size was not large enough to establish statistical significance. Data on housing availability and form of government was only obtained from 99 cities, and due to missing variables in the census, the number of observations in regressions were as low as 95 in some cases. Furthermore, every city observed was within California. While this was done as a deliberate choice to control for state-by-state variation, it may be the case that not enough geographic and political differentiation exists within a single state to ascertain the viability of the proposed hypotheses.

## City Council Structure and Housing Supply

The next section looks at the role played by the legislative branches of cities—or city councils—in determine housing availability. To restate my hypothesis, I propose that features of government which allow office holders to act with less accountability from the public will lead to greater housing supply.

*Measuring City Council Structure and Expectations for Effects on Housing Supply*

In almost every city within California, The City Council act as the primary decision-making body, regularly voting on key issues relating to housing and land-use. To ascertain the role of city council structure on housing outcomes, three variables were developed to differentiate the structure of city councils within California. The first is whether city councilmembers are elected in district-based or at-large elections. In a district-based election (coded in the dataset as 2), a city is divided into neighborhoods of approximately equal populations, who each elect one councilmember to represent them. In an at-large election (coded in the dataset as 1), city council members are elected by an entire city. This generally takes place through staggered elections, with one or more councilmembers being elected each election cycle. Of the 99 cities analyzed, 27 elect their city councilmembers in at-large elections, where each seat is voted on by the entire city, while the other 72 cities make use of district-based systems. Due to the previously referenced California Voter Rights Act, many of the cities which use district-based elections have only transitioned to this format within the last decade. Additionally, some of the cities which still have at-large electoral systems are in the process of planning a transition to district based-elections. This period of transition adds a layer of difficulty to accurately interpreting regressions which take this variable into consideration. As with much of the data collected, information on city council election structure were obtained from the official website of each municipality, or in some cases, their publicly available municipal code or city charter. The variable is summarized in Table 3.3.

The second variable measures the average number of individuals represented by a given city council member. The variable was calculated by dividing a city's total population (as reported in the 2020 Census) by the number of seats on their city council. As summarized in

Table 3.3, among cities observed, there were an average of 31,658 constituents per city councilmember.

I also looked at the role played by term limits for elected officials in determining housing availability. Like previously discussed variables, the presence of term limits in a city was ascertained through either the city's website, or their municipal code. Among the 98 cities where data was available, 40 had some term limits for elected officials in some capacity, while 58 did not.

Early in the writing process, I had hoped to also observe the effect of city council term length on housing availability. When collecting data on municipal form of government however, it became clear that every city in the dataset elected councilmembers to four-year terms. This made it impossible to study differentiation among cities regarding city council term length, thus the variable was not used in regressions.

I predict that cities with councils which are designed to be less responsive to the public will have greater availability of housing. Below are my specific hypotheses:

H3: Cities with at-large elections will have greater housing availability than those which elect councilmembers by-district.

H4: Cities where there is a greater ratio of city councilmembers to the city's total population will have greater housing availability.

H5: Cities where elected officials are subject to term limits will have greater housing availability.

I propose that at-large elections will be conducive to greater housing availability because this structure of government makes city councilmembers less responsive to specific constituencies of voters. If it is the case that most individuals in a given city desire greater housing availability, yet do not want it in their neighborhood (a phenomenon discussed in the previous chapter), it should be the case that making city councilmembers accountable to a city at-large versus a singular district should grant them greater flexibility to support new constructions. This line of thinking also informs H4, which holds that when city councilmembers represent a larger number of constituents, their city will have greater housing ability.

I also believe that the presence of term limits will increase housing availability. This is because term limits give city councilmembers (and other elected officials) a lame-duck period, where they are not governing in the interest of winning re-election. While it is certainly possible that officeholders in this period will still be interested in public opinion for longer-term political goals, I believe that term-limited elected officials will be more likely to act against the interests of their constituents, and thus support greater housing availability, even if it is unpopular.

**Table 3.3. Summary of New City Council Form Independent Variables.**

| Variables | Mean | Std. Dev. | Low | High |
|---|---|---|---|---|
| Independent | | | | |
| Election Geography | 1.727 | 0.448 | 1 | 2 |
| # Seats to Population | 31,658.38 | 30,440.84 | 12,041.71 | 259916.5 |
| Term Limits | 1.408 | 0.494 | 1 | 2 |
| Council Term Length | 4 | 0 | 4 | 4 |

*Note: Independent Variables were collected for each city in the sample off of city websites and/or city charters.*

*Methodology: Testing the Effects of City Council Form on Housing Supply*

Much like the previous section on mayoral influence on housing supply, the effect of city council structure on housing supply was measured through two separate linear regressions with the same controls applied.

*Results: Effects of City Council Form on Housing Supply*

The linear regressions yield mixed results, which can be found in Table 3.4. The first column of results in Table 3.4 shows what effect the three structural features of a city council have on a city's vacancy rates. If my hypothesis is supported, I would expect that (4) cities with at-large council elections would have higher vacancy rates (positive effect), (5) cities with a greater ratio of councilmembers to total population would also have higher vacancy rates (positive effect), and (6) cities with term limits for elected officials will have higher vacancy rates (positive effect). The regression showed no statistical significance with respect to H3 or H4. Both regressions trended slightly in the opposite direction of the hypothesis; however, these effects were extremely marginal, and not close to statistical significance. The regression did, however, provide evidence to support H5. In order to better visualize the effect of city term limits on vacancy rates, I calculated the predicted vacancy rates for cities with and without term limits. The results can be seen in Figure 3.4.

The results in Figure 3.4 show the predicted vacancy rate when moving from a city without term limits to one that does have term limits. The results show that the presence of term limits in a city was associated with a 1% increase in a city's vacancy rate. This was a statistically significant finding ($P < 0.05$).

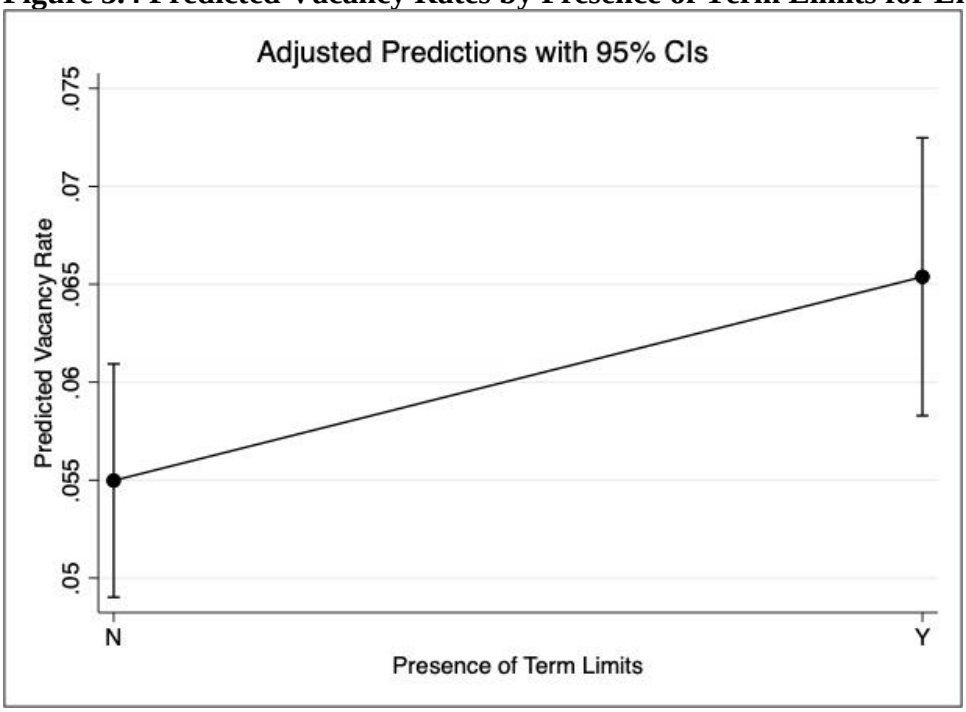
**Table 3.4 Effect of City Council Design Features on Three Housing Outcome Measures**

| | Vacancy Rates | % Housing Built Post-2014 | % Multi-Family Housing |
|---|---|---|---|
| Election Geography | 0.001 | 0.000 | -0.047 |
| | (0.01) | (0.05) | (0.03) |
| # Seats to City Population | -0.000 | 0.000 | 0.000 |
| | (0.00) | (0.00) | (0.00) |
| Term Limits | 0.010* | 0.010 | 0.011 |
| | (0.00) | (0.00) | (0.03) |
| Total 2019 Population | 0.000+ | 0.000 | 0.000 |
| | (0.00) | (0.00) | (0.00) |
| % Population Growth | 0.039 | 0.039 | -0.494** |
| | (0.03) | (0.03) | (0.20) |
| Percent White | 0.049*** | 0.049 | -0.026 |
| | (0.01) | (0.01) | (0.08) |
| Constant | 0.014 | 0.016 | 0.416 |
| | (0.02) | (0.01) | (0.09) |
| N | 96 | 96 | 96 |
| $r^2$ | 0.205 | 0.204 | 0.155 |

*Note:* Linear Regression. DV are three measures of housing, IV are three city council design features of city government.
*+ P < 0.10;* * *P* < 0.05; ** *P* < 0.01; ***$P$ < 0.00

The next dependent variable used to determine the relationship between housing availability and the previously discussed structural features of city councils was the percent of housing in a given city which was built after 2014. This analysis did not produce any statistically significant effects. With respect to H3 and H4, not only was statistical significance was not found, but both independent variables measured were shown to have no noticeable effect at all on the dependent variable up to 3 decimal places. The test of H5 trended in the hypothesized, direction, with the presence of term limits for elected officials being linked to a 1% increase in the percentage of new housing. This effect approached statistical significance (P=0.135). With a larger sample size, this effect may have been significant.

**Figure 3.4 Predicted Vacancy Rates by Presence of Term Limits for Elected Officials**




*Note: Results from a Linear Regression, predicted rates calculated while holding all other variables at their mean.*

Finally, the last dependent variable measured against city council design features was the percentage of housing units in a city which were multi-family. No statistically significant effects were found among these tests, however a positive relationship existed between a city electing city councilmembers in at-large elections and the availability of multi-family housing. On average, in cities where councilmembers are elected at an at-large basis, 4.7% more of their housing supply is multi-family. While not statistically significant (P=0.151), a larger sample size may lead to significance. A positive correlation was also observed between the presence of term limits and the percentage of multi-family housing within a city. A city with term limits on average will have multifamily housing make up 1.1% more of their total supply on average. This

effect, however, was not close to statistical significance (P=0.704). The ratio of city council seats to a city's population produced no observable effect at all.

*Reflection on Role of City Council Form on Housing Supply*

In summary, the examination of city council structure's role in determining housing availability largely produced results in line with the overarching thesis, even if statistical significance was only obtained for one of the hypotheses. The relationship between vacancy rates and term limits was the most notable—and only statistically significant—correlation found in this entire chapter, providing strong support for H5. The positive relationship between the percentage of a city's housing which was recently constructed and the presence of term limits, while statistically insignificant, provides some additional evidence for H5. No evidence was found in support of H4, as the ratio of city council size to population appeared almost completely uncorrelated to housing outcomes in almost every instance. Some evidence was found to support H3, as an increase in multi-family housing was correlated with a city using an at-large system for electing city councilmembers. As this was statistically insignificant, however, more research is needed. As discussed previously, a larger sample, possibly including cities from outside of California, may produce greater statistical significance for many of these results.

**Planning Commission Form and Housing Supply**

The final section examines the role played by city planning commissions in determining housing availability. As stated in the previous two sections, I hypothesize that forms of government which allow office holders to act with less accountability from the public will lead to increased availability of housing. Among the three offices discussed within this chapter,

planning commissions are most directly involved with the process of constructing new housing, approving, or rejecting proposals for new developments. As such, their structure is worth better examining in order to understand the availability of housing within cities.

*Measuring Planning Commission Structure and Expectations for Effects on Housing Supply*

To ascertain the effect of planning commissions on housing outcomes, three variables were developed to quantify the structure of planning commission. First, the mechanisms by which planning commissioners are appointed was coded as a variable. Cities where councilmembers each appoint a planning commissioner were coded 1. Cities where mayors appoint the planning commission were coded 2. Finally, cities where the mayor and council jointly appointed the planning commission were coded 3. In the overwhelming majority of cities, mayors are also members of the city council, and thus would be permitted to appoint one planning commissioner if the commission were council-appointed. In these instances, the city was coded as a 1, as the mayor was not involved in the of the appointment process of all commissioners. Among the 99 cities sampled, 73 planning commissions were appointed by the city council, 22 were appointed solely by the mayor, and 4 were appointed in some process which involved substantive input from both the mayor and council. Further information on this variable is contained in table 3.5.

The second variable developed was the term length of commissioners. Among the 99 cities observed, 79 appointed commissioners to four-year terms, 4 cities appointed commissioners to three-year terms. 2 cities appointed commissioners to two-year terms, and 4 cities appointed commissioners to one-year terms. An additional two cities appointed commissioners to terms of varying length, depending on the nature of their appointment. To

effectively calculate regressions, these two cities were removed from the dataset for the analysis of planning commission structure's relationship to housing availability. Further information on this variable is contained in table 3.5.

The last variable developed was the ratio of planning commission seats to a city's population. This was calculated in an identical process to the similar variable discussed in the previous section on city councils. The average city in the dataset had one planning commissioner for every 32,965.58 residents. Further information on this variable is contained in table 3.5.

**Table 3.5. Summary of Planning Commission Structure Independent Variables.**

| Variables | Mean | Std. Dev. | Low | High |
|---|---|---|---|---|
| Independent | | | | |
| Appointment Form | 1.303 | 0.543 | 1 | 3 |
| Commission Term Length | 3.629 | 0.833 | 1 | 4 |
| # Seats to Population | 32,965.58 | 47,489.49 | 10,617.56 | 433,194.1 |

*Note: Independent Variables were collected for each city in the sample from city websites and/or city charters.*

My hypotheses regarding the role of planning commission structure in determining housing availability are grounded in the previously stated overarching hypothesis that greater constituent accountability of local officeholders will lead to a decreased housing supply. Therefore, I advance three hypotheses in this section:

H6: Cities where the mayor is the sole appointed of planning commissioners will have greater housing availability than cities where planning commissioners are appointed by the city council.

H7: Cities where there is a greater ratio of planning commissioners to the city's total population will have greater housing availability.

H8: Longer term lengths for planning commissioners will lead to greater housing availability.

As with previous analyses of mayoral and city council structure, the relationship between planning commission structure and housing supply was measured through three separate linear regressions with identical controls applied.

*Results: Effects of Planning Commission Structure on Housing Supply*

The linear regressions, which can be found in Table 3.6, did not provide any statistically significant results. The first column of results in Table 3.6 shows what effect the three structural features of a planning commission have on a city's vacancy rates. If my hypothesis is supported, I would expect that (7) cities with mayor-appointed planning commissions would have higher vacancy rates (positive effect), (8) cities with a greater ratio of commissioners to total population would also have higher vacancy rates (positive effect), and (9) cities with longer term lengths for planning commissioners will have higher vacancy rates (positive effect). The regression showed no statistical significance with respect to any of these hypotheses.

A slight negative effect on vacancy rates was observed in the relationship between mayoral appointment of planning commissioners. While this trended in the opposite direction of the relationship proposed by H6, this relationship had a relatively high p-value (P=0.229), and a

small correlation coefficient, with mayoral appointed commissioners being associated with just a 0.7% decrease in vacancy rates.

No meaningful effect was found in the relationship between vacancy rates and the ratio of a city's total number of commissioners to its population, as the correlation remained 0 to three decimal places (P=0.783). This was also the case for planning commissioner term length (P=0.908).

Turning to the second dependent variable—the percentage of a city's housing which has been constructed since 2014—again, no significant relationships were found. A weak, negative relationship was observed between this variable and mayoral appointment of planning commissioners. Mayoral appointment of planning commissioners is associated with a 0.3% reduction in the percentage of a city's housing built since 2014. Due to the high p-value of relationship however (P=0.663), there is little to conclude from this relationship. As with vacancy rates, there did not appear to be any meaningful relationship between a city's percentage of new housing and either the commissioners to population ratio, or the term length of a planning commission. Both coefficients approached 0, with p-values greater than 0.5.

Finally, when looking at the percentage of a city's housing units which are multifamily, no statistically significant relationships could be discerned. Again, a slight negative relationship was observed between mayor appointment of commissioners and the percentage of multifamily housing within a city, with this feature being responsible for multifamily housing taking up 0.9% less of a city's total units. The high p-value of this relationship (P=0.802), however, makes it of little value for evaluating H6. The relationship between the commissioner-population ratio and the percentage of multi-family housing in a city proved miniscule, with a coefficient approaching 0 (P=0.259).

Despite the large number of insignificant relationships observed, a positive relationship between commissioner term length and the percentage of multi-family housing in a city was observed. This is in the expected direction. In order to better visualize this effect, I calculated the predicted percent of multi-family housing in cities with various commissioner term lengths while holding all other variables at their mean. The results can be seen in Figure 3.6.

**Table 3.6 Effect of City Planning Commission Structure on Three Housing Supply Measures**

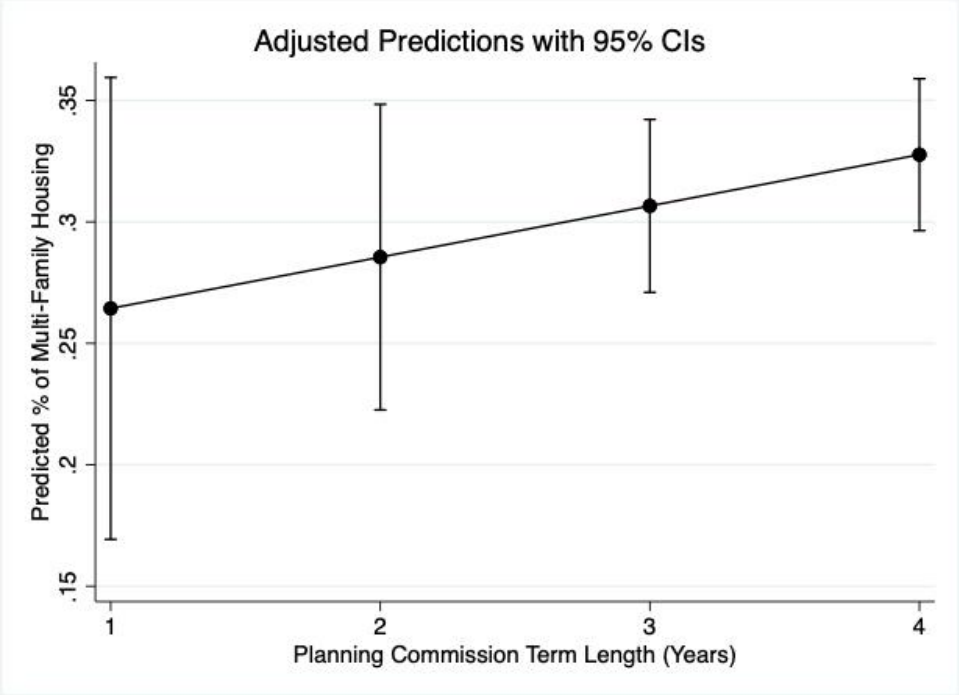
| | Vacancy Rates | % Housing Built Post-2014 | % Multi-Family Housing |
|---|---|---|---|
| Commission Appointment | | | |
| Appointed by Mayor | -0.007 | -0.003 | -0.009 |
| | (0.01) | (0.01) | (0.04) |
| Jointly Appointed | 0.007 | -0.020 | 0.042 |
| | (0.01) | (0.02) | (0.07) |
| # Seats to City Population | -0.000 | 0.000 | 0.000 |
| | (0.00) | (0.00) | (0.00) |
| Commission Term Length | -0.000 | 0.000 | 0.021 |
| | (0.00) | (0.00) | (0.02) |
| Total 2019 Population | 0.000 | 0.000 | -0.000 |
| | (0.00) | (0.00) | (0.00) |
| % Population Growth | 0.030 | -0.052 | -0.512** |
| | (0.03) | (0.02) | (0.20) |
| Percent White | 0.046** | 0.003 | -0.049 |
| | (0.01) | (0.02) | (0.08) |
| Constant | 0.031* | 0.034 | 0.276** |
| | (0.01)_ | (0.02) | (0.08) |
| N | 92 | 92 | 92 |
| $r^2$ | 0.180 | 0.400 | 0.167 |

*Note:* Linear Regression. DV are three measures of housing, IV are three planning commission design features of city government.
*+ P < 0.10; * P* < 0.05; ** *P* < 0.01; ****P* < 0.00

The results in Figure 3.6 show that as a city's commissioners term lengths increase, the predicted percent of city's housing which is multifamily is also predicted to increase. A one-year increase in commissioner term length is associated with a 2.1% increase in the proportion of a city's housing which is multifamily (See Figure 3.5). While this is not a statistically significant

relationship (P = 0.229), it trends in the direction of H8, indicating the possibility for a larger sample size leading to statistical significance.

**Figure 3.6: Effect of Increased Planning Commission Term Length on Percent of City's Housing Which is Multifamily**




*Note: Results from a Linear Regression, predicted rates calculated while holding all other variables at their mean.*

*Reflection on Role of Planning Commission Structure on Housing Supply*

Compared to City Council and Mayoral structure, planning commissions provided the fewest relationships which could assist in rejecting or confirming any specific hypothesis. No usable evidence—either for or against—was provided with respect to H6 and H7. The relationship between the amount of multi-family housing in a city and planning commissioner term length trended in the right direction, yet was not statistically significant, therefore H8

cannot be conclusively accepted. With a larger sample size, it is possible that statistically significant evidence for H8 could be put forward.

**Concluding Remarks**

Based on the preceding regressions, two elements of government form stood out as appearing to have the strongest effect on the construction of new housing. Those are increased length of mayoral term, as well as term limits for elected officials. Among sampled cities in California, 25 had mayors which serve four-year terms, as well as term limits for elected officials. Another 15 cities had mayors who only serve one-year terms, and do *not* have term limits for their elected officials. The remaining cities were somewhere in between, having certain governmental features which rendered them more hospitable to robust housing needs, and others which made the construction of new housing more difficult. While no statistically significant difference in housing supply was observed between cities which appoint their mayors and those which elect the position, it is worth noting that every city where mayors serve a one-year term also appoints the office from the city council, while all of the cities with four-year term mayors elect the position.

It is also notable that the cities with the features which are most conducive to a robust housing supply include some of California's largest, which have been the recipients of substantial media attention for their exuberant housing prices, large homeless population, and slow permitting process. This suggests that other factors may play a far more important role in allocating a city's housing supply at a municipal level, or perhaps that state and federal laws drive housing supply to a greater degree than municipal policy. To examine this further, the next

chapter takes a deeper dive into the permitting process of California's largest cities, with a particular attention to how city-by-city variation can drive differences in housing supply.

**Table 3.7 Cities with the Least and Most Optimal Governmental Design Features for Robust Housing Supply**

| Cities with most optimal governmental features for robust housing supply | | Cities with least optimal governmental features for robust housing supply | |
|---|---|---|---|
| Anaheim | Oxnard | Burbank | Temecula |
| Chula Vista | Sacramento | Citrus Heights | Thousand Oaks |
| Fremont | San Diego | Concord | |
| Fresno | San Francisco | Corona | |
| Hawthorne | San Jose | Fullerton | |
| Los Angeles | San Leandro | Glendale | |
| Menifee | San Marcos | Hesperia | |
| Merced | Santa Ana | Indio | |
| Modesto | Santa Barbara | Jurupa Valley | |
| Oakland | Santa Clara | Lake Forest | |
| Oceanside | Stockton | Santa Clarita | |
| Sunnyvale | Torrance | Santa Monica | |
| Vallejo | | South Gate | |

# Chapter 4

## The City-State Conflict over Housing

### Introduction

While the previous chapter found mixed evidence to support my expectation that local government form can impact housing developments, this chapter will examine my hypothesis at the state level. The focus of chapter 3 was on how the design of local governments impacted a city's ability to build housing. I anticipated that cities with government design features that inhibited constituent/resident influence on outcomes (i.e. less democratic design features) would have more housing. The evidence in Chapter 3 suggests that the role of municipal government structure plays in impacting the availability of housing may be less impactful than previously hypothesized.

In this chapter, my focus shifts to the role of state government. Specifically, I ask how the scope of state level oversight and regulation on municipalities can limit municipal autonomy to impact housing outcomes. While my focus in this chapter has shifted from the local to the state level, my hypothesis remains the same: Elements of government which are more voter responsive lead to a more constrained housing market. For this chapter, this means that when state government create statewide regulation over housing, municipal governmental form will have less of an impact on housing outcomes, because they are constrained by the state. In this chapter, I attempt to qualitatively assess this hypothesis through an examination of the role played by the state government in housing policy within California. I examine the attempts at

top-down reform by the state, and these efforts' efficacy in light of local opposition. I propose an overarching argument that in recent years state level regulations can and do limit California voters' ability to impact housing outcomes, meaning that in California, local governments' ability to prevent new housing, regardless of local government form, can be constrained.

To illustrate this finding, I conduct a series of case studies of cities in California that are either resistant to state oversight or compliant. In the first category, I examine closely the case of Huntington Beach. In this case, the city reneged on its promise to build more housing largely because of backlash from the councils' constituents. But, in the face of a state lawsuit, the city backdown and complied, building more housing despite resistance from residents. I then look at three additional cities that follow similar patterns: Encinitas, Pasadena, and Woodside. I end my analysis with an examination of what appears to an exception to the rule, the city of Emeryville. This final case serves as both a success story and an example of a city that willingly complies with state oversight. All four of these cases help illustrate how less voter responsive features of government, such as top-down state mandates and oversight, can lead to greater availability of housing even when local municipalities are resistant to new construction.

In the following sections, I begin with an overview of RHNA, California's rule around providing housing for cities. It serves as one example of the how state regulations force local governments to act against the preferences of their constituents, thus limiting their impact on housing outcomes. Next, I examine the case of Huntington Beach, which demonstrates the ability of state regulation to work around local opposition to development. I then examine the case of Emeryville, which serves as a rare example of a city successfully meeting housing goals. I end the chapter with a reflection on my findings.

**California's RHNA: State Oversight on Local Government**

One strategy utilized by the State of California to increase the supply of available housing units is the Regional Housing Needs Assessment (RHNA) Process. While this process involves input from both local- and state- level stakeholders, it is most accurately described as a top-down process which is not designed to be responsive to voters. The RHNA is a measurement created by California's Department of Housing and Community Development in collaboration with Local Councils of Government which gives cities benchmarks for how much housing they should aim to construct over a given period. These measurements are based on population forecasting done by the state's Department of Finance. Cities are then tasked with producing documents known as Housing Element Updates every five years, which delineate their progress on meeting RHNA goals, and identify impediments and opportunities in their objective to construct new housing (Osterberg).

In theory the RHNA should be an example of a process which is not directly responsive to voters, especially on a local level, as the housing goals are primarily created by state agencies rather than local governments. In practice however, several methods exist for local governments to circumvent the RHNA recommendations due to weak enforcement mechanisms and an easily abused appeals process, delineated in the following paragraphs.

*The Enforcement Challenge*

In recent years, the state of California has stepped up its efforts to enforce RHNA compliance. While these efforts are in their early stages, many of these policies aim to strip power from municipal governments to block housing, which may prove effective in the long-term. Since 2019, the California Attorney General's Office has harnessed enforcement powers given by State Assembly Bill 72 (Housing Accountability Act) to threaten—and in one case,

file—lawsuits against cities out of compliance with their Housing Elements. This process has taken place in the city of Huntington Beach, pitting widespread local opposition against the state Department of Justice.

**RHNA in Action: The Case of Huntington Beach**

The wealthy Orange County city of Huntington Beach was the first municipality targeted by the State, with Governor Gavin Newsom directing Attorney General Xavier Beccara to sue the city for noncompliance with RHNA. Huntington Beach was sued for modifications to a planned redevelopment known as the Beach and Edinger Corridors Specific Plan (BECSP), as seen in Image 4.1. While Huntington Beach had pledged in their Housing Element to use this redevelopment to construct more housing units as directed by the RHNA, the city had reneged on this plan (*California Department of Housing and Community Development v. City of Huntington Beach*)

It is here that the tension between voter responsive features and robust housing markets can be seen. Huntington Beach refused to rezone the BCSP due to a unanimous vote of the elected City Council in March 2016, which took place amidst intense and widely attended protests against the construction of new housing within Huntington Beach (Mellen 2016). During public comment prior to the City Council's vote on new housing, 39 individuals spoke in opposition to complying with the state's demands for increased development, while only two spoke in favor (City Council/Public Financing Authority and Special Meetings of the Successor Agency and Housing Authority City of Huntington Beach 2016). Throughout public comment, Huntington Beach residents opposed to the developments frequently relied on popularist rhetoric,

casting themselves as defenders of democracy standing up to an undemocratic state government. Selected excerpts are listed below in Table 4.2.

**Table 4.2 Negative Public Comments Made at Huntington City Council Meeting in Response to State Oversight**

| Public Comment Quotes |
|---|
| "You were elected to protect our property, quality of life, and culture No one in Huntington Beach wants Huntington Beach to look like Santa Monica or downtown Long Beach" |
| "Fight the Southern California Association of Government ( SCAG), fight the State of California, the unelected boards and commissions" |
| "It is up to you, the people elected to serve us, the community, to roll up your sleeves and take a stand against SCAG and the lobbyists who are pushing a destructive agenda" |
| "Many of us are done with non -elected governmental agencies deciding how we are going to run our cities, our lives and our way of life" |
| "Jerry Barry spoke to ask the City Council to represent the needs of the residents — not the needs of the outsiders, the non -elected number crunchers" |
| "The people of Huntington Beach voted for the Councilmembers because of their faith in you, and it is now time for you to have faith in the residents who will be behind you regardless of the consequences that Sacramento is telling us." |
| "Those voting in favor of this item will be remembered at election time" |

In the case of Huntington Beach, mechanisms conducive to public input in the construction process led to less housing. While the City Council was no doubt aware that the City would face consequences from the State should they not meet RHNA goals, they unanimously voted to block development due to pressure from constituents. While Huntington Beach does have term limits for their elected officials, they are allowed to run for re-election at least once, and may serve more than two terms if they are non-consecutive (City of Huntington

Beach, California 2022). These features encourage elected officials to make decisions which will help them win re-election, even if they do not benefit the city.

In this case, the vote to block new housing proved costly and meaningless. In January 2020, Huntington Beach acceded to RHNA prescriptions. Some local officials claimed this decision was unrelated to the ongoing lawsuit from the state, but rather to qualify for a state grant to address homelessness. In reality, the decision to develop affordable housing in Huntington Beach was made following significant losses in the city's budget, and officials on both sides of the housing debate noted the role played by the lawsuit in the decision to construct affordable housing. Amidst the Planning Commission vote to permit the new developments, Commissioner Pat Garcia invoked a localist argument while opposing the new housing, stating "If the state's running everything, what do they need the City Council for? What do they need any of us for… it's a paradigm shift. They're now electing local officials in Sacramento." (Collins 2020). This Huntington Beach case provides valuable insight into the hypothesis that mechanisms of government which enable greater public participation in politics also lead to a depressed housing supply.

At the same time, this case reveals how greater state enforcement power can render local form of government irrelevant, a point illustrated by Commissioner Garcia's comments. Any city government with

**Beyond Huntington Beach: Future State Legal Action against Cities**

Since the lawsuit against Huntington Beach resolved in the State's favor, the California DA's office has targeted other cities who are failing to meet housing goals. In many of these cases, the tension between public input in housing decisions leading to less construction, and

state authority encouraging more construction can be observed. There have been several new cases. These include: Encinitas, Pasadena, and Woodside.

*Encinitas*

In the recent case of Encinitas, an affluent beach community north of San Diego, State Attorney General Rob Bonta has alleged that the city's refusal to approve a 277-unit apartment complex violated the Housing Accountability Act. This refusal took place amidst a mobilization of community groups in Encinitas who opposed the developments (ostensibly on grounds of fire safety). While the City's Council and Planning Commission were both responsive to the interests of these residents, they made this decision to block the development undoubtably knowing that they were placing the city at risk of State legal action, as the city has been sued multiple times in recent years over their failure to accommodate affordable housing (Layne 2022 & Shrikishan 2016). As with Huntington Beach, the ongoing case of Encinitas reveals the tension between local public opinion (against more development), and the less responsive state government (pro-development).

*Pasadena*

Other legal action taken by the state has targeted cities in violation of other housing laws—including the recent slate of zoning reforms signed by Governor Gavin Newsom which aim to create a more robust housing supply throughout the state. These enforcement actions, as well as local responses, further demonstrate the previously discussed hypothesis that greater involvement of the state government in housing-related disputes will lead to increased growth.

The city of Pasadena is in the early stages of a battle with the state government over an ordinance unanimously passed by the City Council which designated large swaths of the city "landmark districts" to be historically preserved, making new constructions increasingly difficult (Bermont 2021). The State of California has argued that this ordinance is in violation of The California HOME Act (SB 9), which allows for the creation of duplexes in areas zoned for single-family homes. While SB 9 allows for local governments to craft narrow restrictions on duplex construction if these developments would pose a legitimate threat to the public health or safety, the State Government has viewed Pasadena's ordinances as a deliberate attempt to escape compliance with state law (Struhar).

*Woodside*

Like the maneuvering of the Pasadena City government, the Bay Area community of Woodside has attempted to evade compliance with state housing laws, with its elected city council utilizing an unorthodox strategy to fight new construction—declaring their entire jurisdiction a Mountain Lion habitat in order to block the construction of duplexes. After just one week however, the city backed down from this plan after facing significant scrutiny from the State government—with Attorney General Bonta threatening legal action—as well as the public writ large, receiving critical media coverage and social media backlash (Cramer and Yuhas 2022). This anecdote reveals the limits of anti-growth public opinion. The City Council of Woodside—and presumably the constituents whom they represent—opposed the construction of duplexes in their city limits. Nonetheless, negative public opinion, expressed through informal channels, potentially influenced Woodside to withdraw from their plan. This suggests that mass outrage from outside of a community may serve as a deterrent from local majorities enacting

especially egregious anti-housing policies. Nonetheless, it is difficult to extrapolate large-scale trends from the Woodside case, due to the town's small size and extreme wealth.

*The Moral of the Story*

The cases of Pasadena, Encinitas, and Woodside provide further evidence to the idea that at a municipal level, greater public influence over government can lead to less availability of housing, while empowered centralized governments at a higher level can induce increased availability. The three discussed cities all attempted to use majoritarian features of their local government in order to delay development, however these measures were prevented by new laws passed by the state which target noncompliant cities. This provides support for my hypothesis that features of government which limit the ability of the public to influence decision-making will lead to increased availability of housing.

## The Emeryville Exception

While the cities discussed in the previous sections, as well as many others, have harnessed local opposition to prevent the construction of new housing units, there are some cities which have bucked this trend, drawing attention for their ability to meet housing benchmarks set by the state. The city of Emeryville is one such location, having earned coverage in local media for its ability to construct new housing at a fast pace without many of the constraints seen by its neighbors in the Bay Area (Dineen 2021).

Emeryville's form of government does not provide much insight as to its success in meeting the housing needs of its growing population. Their mayor is appointed amongst city council members rather than being directly elected by the city, which in accordance with the findings of Chapter 3, suggests a higher predicted vacancy rate, and thus a more fluid housing

market (City of Emeryville, CA). This is not enough, however, to explain all of city's success in constructing new housing.

One possible explanation for Emeryville's ample housing supply may be the city's embrace of SB 35, which expedited the housing approval process for cities which were falling behind RHNA numbers. While Emeryville qualified for the SB 35 approval streamlining process, it has since made significant progress in constructing housing, and according to their city manager, is on track to construct 50% *more* housing units than allocated (Dineen).

While SB 35 may explain the mechanisms behind Emeryville's success, what is less clear is why they have been able to excel in an area that so many other Bay Area cities are struggling through. What factors have led Emeryville's city council and planning commission to be more pro-development than their counterparts in the region? One possible explanation may lie in how the city's transportation policy. Emeryville has received attention locally for its prioritization of bike and bus lanes throughout city limits (Swan 2022). Given the frequent attention given by anti-housing advocates to the possibility of new developments leading to increased traffic and less parking, it may be the case that these concerns are less prominent in a city more orientated towards non-automobile transit. Emeryville also benefits from being a city of primarily renters, rather than homeowners, meaning that the incentive to block new developments to increase one's home value is less salient for residents of the city. In Table 4.4, I compare the percent renter versus homeowner in Emeryville versus the four resistant cities described in the early section of this chapter. Table 4.4 shows that Emeryville is an outlier. A greater percentage (give value) of its residents are renters compared to the other cities discussed in this chapter, which have resisted state-set housing goals. If this is the case, it would suggest that the phenomenon described by Hankinson of "renters behaving like homeowners" is not necessarily ubiquitous.

**Table 4.4. Percent of Emeryville Residents that are Renters/Homeowners Compared to Resistant Cities**

| City | Percent Renter | Percent Homeowner |
|---|---|---|
| Emeryville | 29.9 | 70.1 |
| Huntington Beach | 56.6 | 43.4 |
| Pasadena | 42.0 | 58.0 |
| Encinitas | 63.8 | 36.2 |
| Woodside | 87.0 | 13.0 |

*Note: Data collected from the US Census 2020 ACS*

Finally, the possibility exists that Emeryville's success is at least partially random. With many cities and towns across California have worked to outmaneuver the state government through various strategies, it should not come as a surprise that there may be some cities where residents are genuinely supportive of constructing new housing, and elect officials who feel similarly. This phenomenon is by its nature, impossible to empirically test, and thus would not advance or challenge the overarching hypothesis put forward on the relationship between localized public opinion and housing supply.

## Conclusion

While Chapter 3 looked empirically at the role of popularist electoral features in determining a city's housing supply—finding limited evidence to support my hypothesis—Chapter 4 examined the hypothesis through qualitative observations in a series of cases in which cities have conflicted with the state over housing policy, as well as one instance in which a city government has acted in line with the interests of the state government. These observations indicate that local public opinion does often (but not always) conflict with the priorities of the state government, and that features of government which empower state elected officials to

override officials elected at a local level are effective in increasing housing supply. Despite this, the discussed cases represent some of the few times these statewide enforcement mechanisms have been utilized. These laws are new, and the extent to which California will deploy them going forward remains to be seen. Robust and consistent enforcement of these laws may lead to an increase in housing availability across the state, but if it proves unpopular enough, it has the potential to trigger a backlash against the state government, possibly even leading to a rollback of the legislation. Studying the effects of these statewide laws should undoubtably be a priority of future research on housing.

What policies then, should California and other states implement to effectively solve housing crises? What is the proper balance between the interests of communities with the interests of elected officials at the state level? The following Conclusion Chapter attempts to answer both of these questions, providing several policy recommendations for both local and state governments, as well as expanding on the introduction's discussion of conflicting interpretations of democratic outcomes in the construction process.

# Chapter 5

## Conclusion

### Introduction

In March 2022, Governor Gavin Newsom delivered the annual State of the State Address before California's State Legislature. In his speech, Newsom touted the progress made by the state in addressing California's housing crisis, telling legislators:

> Just a few years ago, California lacked any comprehensive strategy. No accountability and no meaningful state resources to solve the problem. But that's all changed. In just three years, we not only have a comprehensive plan, we're also requiring new accountability and providing unprecedented investments for cities and counties on the front lines (Newsom 2022).

While Newsom's allusion to California's new housing enforcement mechanisms was apt, he also risked overstating the process made by the state in meaningfully addressing the housing crisis. San Francisco, for example, must construct over 80,000 new units of housing between 2023 and 2031 to meet their RHNA (Association of Bay Area Governments 2021). This requires an average of 10,000 new units per year. During the ten-year period between 2010 and 2020 however, San Francisco only built an average of 3,784 housing units per year (San Francisco Planning Department 2021). For one city to almost triple the rate of new constructions is astronomically ambitious. This process is of course not limited to San Francisco. Cities across

California will be faced with the uphill battle of constructing enough housing to meet demand, a task which that has clearly not been fulfilled in years prior.

What features of government, then, can best facilitate this process? Earlier, I hypothesized that mechanisms of government which provide greater opportunity for public input in the construction process would result in less housing development. Chapter 3 found some—albeit limited—evidence of this on a municipal level, and the case studies from Chapter 4 suggest that this may be the case with respect to state-local conflict over the RHNA and other enforcement mechanisms for cities who fail to meet housing goals. These findings are summarized in the follow section, as well as in Table 5.1.

**Summary of Findings**

Chapter 3 provided one statistically significant finding in support of one of my hypotheses. This hypothesis (H5) held that cities in which term limits existed for elected officials, there would be greater availability of housing. This was found to be true, as term limits were linked to a statistically significant increase in a city's vacancy rate.

Chapter 3 also produced several results, that while not statistically significant, approached significance, or trended in the hypothesized direction. A positive association between term limits for elected officials and higher amounts of new construction in recent years. This offers further support for H5. Another hypothesis supported by statistically insignificant findings was H2, which held that longer term lengths for mayors would increase the availability of housing. No meaningful evidence was found in support of the other hypotheses advanced in Chapter 3.

**Table 5.1. Summary of Empirically Tested Hypotheses**

| Hypothesis | Summary | Evidence |
|---|---|---|
| H1 | Cities with mayors who are directly elected will have more housing versus cities where the mayor is appointed amongst city council members. | Not Supported |
| H2 | Cities with mayors who serve longer terms will have more housing than cities where mayors serve shorter terms. | Supported; Statistical Significance Approached |
| H3 | Cities with at-large elections will have greater housing availability than those which elect councilmembers by-district. | Not Supported |
| H4 | Cities where there is a greater ratio of city councilmembers to the city's total population will have greater housing availability. | Not Supported |
| H5 | Cities where elected officials are subject to term limits will have greater housing availability. | Supported; Statistical Significance Reached |
| H6 | Cities where the mayor is the sole appointed of planning commissioners will have greater housing availability than cities where planning commissioners are appointed by the city council. | Not Supported |
| H7 | Cities where there is a greater ratio of planning commissioners to the city's total population will have greater housing availability. | Not Supported |
| H8 | Longer term lengths for planning commissioners will lead to greater housing availability. | Supported; Statistical Significance Approached |

Chapter 4 provided evidence for the qualitative, overarching hypothesis that greater democratic influence over the decision-making process is responsible for reduced availability of housing by discussing instances of the inverse situation—where top-down intervention from the state government has induced greater availability of housing. Due to the recency of these interventions however, the possibility exists that this statewide action will be unevenly or infrequently enforced. Bearing the findings of Chapters 3 and 4 in mind, the following section provides recommendations for policies at both the state and local level which have the potential to spur new construction.

## Policy Recommendations

Due to scale and urgency of California's housing crisis, cities and the state government must take significant steps to facilitate the construction of new housing units. Chapters 3 ad 4 provided evidence that majoritarian features of local governments—which give voters more frequent and more direct access to the policymaking process—can act to inhibit the availability of housing. They also demonstrated that under the right conditions, it is possible for state governments to override local governments who are not making good-faith efforts to accommodate growth. Considering this, effective policy changes should focus on reasonably curtailing the ability of majorities within individual cities to delay or block developments without due cause. Additionally, the ability of the state to exert greater influence over the permitting process in local governments should be bolstered.

### *Reform Delaying Mechanisms*

In Chapter 2, I referenced what Einstein, Glick, and Palmer have described as the "power of delay," or the process by which opponents to new housing can make the process of gaining approval for a development so onerous and expensive that the project is abandoned. This tactic has been utilized in several of the anecdotes discussed over the course of this thesis. In California, one key mechanism for this tactic is abuse of the 1970 California Environmental Quality Act (CEQA). CEQA allows for any individual or group to file a complaint against a proposed development if they argue that it would negatively impact the environment. No evidence is required to file such a challenge, and challengers have the right to remain anonymous when filing CEQA complaints. If a CEQA complaint is filed, a developer must produce an Environmental Impact Report, which is costly and takes significant time (Hernandez et al 2015).

Despite the benevolent motivation behind CEQA, in recent years the law has largely devolved into a tool to prevent new developments for reasons completely unrelated to the environment. CEQA was used to block or delay housing in the previously discussed examples of the Maybell Ave Development in Palo Alto as well as the Senior Homes in Los Gatos (Kanik 2022; Sheyner 2013). If CEQA remains in place without significant reform, opponents to new housing can continue to derail developments with the power of state law on their side. The recently implemented state laws discussed in Chapter 4 are undoubtably steps in the right direction of curbing bad faith efforts to delay new housing, yet do not directly address CEQA, which leaves a powerful arsenal in the hands of anti-growth individuals and groups.

*Conduct Further Research on the Effects of Term Limits and Term Length for Citywide Officials*

As Chapter 3 provided evidence that both term limits and longer term lengths for municipal officials may induce greater availability, these policies should be further researched. Existing evidence points to term limits increasing the influence of lobbyists and unelected administrators in government, as elected officeholders are less experienced and more deferential (Moncrief and Thompson 2001). For the purposes of this paper, this may be a positive outcome, as it could encourage city councilmembers to mount fewer challenges to state authority on housing. Theoretically, this could also empower anti-housing constituencies, as they could more effectively lobby officeholders to support their policy aims. Universal term limits would no doubt also have an impact on issues unrelated to housing. Given the policy's apparent empowerment of lobbyists, it is possible that term limits may increase corruption at the level of local government.

Turning to term lengths, further research is also needed, especially due to the lack of statistical significance in the results. Even if future scholarship were to identify a statistically significant relationship between increased term lengths for officeholders and greater housing availability, negative externalities would still need to be considered. I have argued throughout this thesis that greater public influence over local government results in worse outcomes with respect to housing availability. Nonetheless, limiting the ability of individuals to participate in the democratic process by making elections less frequent is a radical step, and means that badly-performing officials will remain in their positions for longer durations of time. Additionally, it is likely that any large-scale attempt to increase term lengths for officeholders would be met with significant skepticism by the public, due to the perception of this change being a power grab on the part of incumbents.

Both discussed policy changes merit further inquiry, as they are by no means conclusively shown to impact housing outcomes and may carry other negative consequences. Nonetheless, the State of California should explore the possibility of implementing universal changes to cities' form of government such as the policies discussed.

*Continue to Empower the State Government to Target Noncompliant Cities*

Chapter 4 demonstrated the ability of the State of California to force the hand of cities out of compliance with their RHNA goals and other state laws, leading to increased housing availability. These efforts have come about due to state legislation passed in recent years, and have only been implemented a handful of times, despite the widespread resistance of cities to constructing new housing. If the State Government wishes to be successful in their efforts to incentivize cities to meet housing goals, they should ensure that the agencies tasked with

implementing this program are well-resourced. In November 2021, Attorney General Bonta announced the creation of a Housing Strike Force, an office dedicated to both enforcing state laws on housing, as well as working with the state legislature to implement further regulations which would encourage growth (State of California Department of Justice 2021). If the Housing Strike Force remains well-supported, with adequate financing and personnel, it has the potential to be an extremely powerful tool for improving housing outcomes within California.

The policy recommendations I have put forward are all likely to increase the availability of housing within California through changes to state laws and municipal form of government. Nonetheless, many policies which may result in positive outcomes with respect to housing, can arguably be described as undemocratic. Is this the case? If so, what conclusions can be drawn about the viability, and desirability of these policy changes? In the following section, I conclude my thesis by briefly addressing these questions.

**Housing Debates and the Question of Democracy**

As discussed in the Introduction, features which enable the public to influence housing policy within their city or town can lead to reduced availability of housing. This was the case in Palo Alto's 2013 referendum, and perhaps more indirectly, is the case in any instance where an elected city council blocks the construction of new housing. Does the evidence provided in previous chapters suggest that solving California's housing crisis requires sacrificing democracy? This is not necessarily the case. While city councilmembers and mayors are elected to their positions, so are California's Governor and Attorney General. These statewide officials are elected based on their qualifications and platforms and have just as much—if not more—popular legitimacy to govern and enforce the law than their counterparts at a local level. In the

Introduction, I suggested that it is profoundly undemocratic to allow residents of just one city to prevent a solution to a crisis of statewide importance.

This dilemma is unmistakably an example of a collective action problem. The environmental, economic, and quality-of-life effects of California's housing crisis are felt by the entire state. Nonetheless, at a local level, few individuals are willing to make sacrifices to alleviate the crisis. Previously, I have mentioned the centrality of concerns over property values in opposition to less restrictive zoning code. This drives opposition to local housing, with homeowners fearing depreciated home values if multi-family housing is constructed in their neighborhood. Regardless of whether these concerns are grounded in reality, it should be the responsibility of statewide elected officials to solve this collective action problem by curtailing the ability of homeowners to act in their perceived self-interest by denying the availability of housing to the rest of their community.

In Chapter 4, I quoted Huntington Beach Planning Commissioner Pat Garcia, who while criticizing state oversight of the city's housing policy, opined "If the state's running everything, what do they need the City Council for?". Garcia's statement was irresponsibly hyperbolic, but also ironic, as Garcia was arguably making a case for the opposite scenario, in which city councils of wealthy suburbs can bypass state authority, rendering state governments useless. It is not the case that city-level governments should not exist. It is the case, however, that on issues which the entire state has a stake in, and which bear tremendous implications for the long term environmental, social, and economic health of the state, individual cities should not be given the ability to interfere with the priorities of state-level elected officials.

California's housing crisis certainly qualifies as such an issue. While many of the specific hypotheses I have put forward were not conclusively demonstrated, the overarching argument

that greater public control over policy at the local level serves as an impediment to the creation of a durable housing supply. At a state level, California has elected officials who appear willing to meet the challenge of the housing crisis. Nonetheless, they face significant difficulties, as local governments remain largely inhospitable to development thanks to the influence of NIMBYs and other anti-development constituencies. Whether these obstacles can be surmounted remains to be seen. What is certain, however, is that meaningfully addressing California's housing crisis will require tremendous political will, and an ability on the part of policymakers to rethink the proper relationship between state and local governments.

# Works Cited

"Attorney General Bonta Launches Housing Strike Force, Announces Convening of Tenant Roundtables Across the State." *State of California - Department of Justice - Office of the Attorney General*, State of California - Department of Justice - Office of the Attorney General, 3 Nov. 2021, https://oag.ca.gov/news/press-releases/attorney-general-bonta-launches-housing-strike-force-announces-convening-tenant.

"California Homelessness Statistics." *Homeless in California Statistics 2019. Homeless Estimation by State | US Interagency Council on Homelessness*, United States Interagency Council on Homelessness , 2020, https://www.usich.gov/homelessness-statistics/ca/.

"Council Members: City of Emeryville, CA - Official Website." *Council Members | City of Emeryville, CA - Official Website*, https://www.ci.emeryville.ca.us/382/Council-Members.

"Elected Officials." *City of Huntington Beach, CA - Elected Officials*, 2022, https://www.huntingtonbeachca.gov/government/elected_officials/#:~:text=The%20residents%20of%20Huntington%20Beach,more%20than%20two%20consecutive%20terms.

*2020 San Francisco Housing Inventory*, San Francisco Planning Department, Apr. 2021. https://sfplanning.org/sites/default/files/documents/reports/2020_Housing_Inventory.pdf. Accessed 10 Apr. 2022.

Astor, Maggie. "How the Suburbs Have Changed Gerrymandering." *The New York Times*, The New York Times, 2 Dec. 2021, https://www.nytimes.com/2021/12/02/us/politics/suburbs-gerrymandering-republicans.html.

Badger, Emily. "What to Expect in This Wild Housing Market." *The New York Times*, The New York Times, 21 Jan. 2022, https://www.nytimes.com/interactive/2022/01/21/upshot/home-prices-rising.html.

Benedict S Jimenez, Municipal Government Form and Budget Outcomes: Political Responsiveness, Bureaucratic Insulation, and the Budgetary Solvency of Cities, Journal of Public Administration Research and Theory, Volume 30, Issue 1, January 2020, Pages 161–177, https://doi.org/10.1093/jopart/muz020

Birenbaum, Gabby. "How to End the American Obsession with Driving." *Vox*, Vox, 12 Sept. 2021, https://www.vox.com/22662963/end-driving-obsession-connectivity-zoning-parking.

Brinklow, Adam. "SF Supervisors Reject 63-Unit Soma Development over Shadow Concerns." *Curbed SF*, Curbed SF, 10 Apr. 2019, https://sf.curbed.com/2019/4/10/18304717/shadow-housing-sf-park-supervisors-vote-reject-nimby.

Coate, Stephen, and Brian Knight. 2011. "Government Form and Public Spending: Theory and Evidence from US Municipalities." American Economic Journal: Economic Policy, 3 (3): 82-112.

Cramer, Maria, and Alan Yuhas. “California Town Says Mountain Lions Don’t Stop Housing After All.” *The New York TImes*, The New York Times, 7 Feb. 2022, https://www.nytimes.com/2022/02/07/us/woodside-mountain-lion-housing.html.

Crump, Sarah, et al. “Fixing Greater Boston's Housing Crisis Starts with Legalizing Apartments near Transit.” *Brookings*, Brookings, 14 Oct. 2020, https://www.brookings.edu/research/fixing-greater-bostons-housing-crisis-starts-with-legalizing-apartments-near-transit/.

Dineen, J.K. “It's One of California's Most YIMBY City Councils - and One of the Few Surpassing Housing Goals.” *San Francisco Chronicle*, San Francisco Chronicle, 10 Dec. 2021, https://www.sfchronicle.com/eastbay/article/The-city-that-is-happy-to-cast-shade-How-16683334.php.

Dineen, J.K. “One Housing Project in SF's Soma Finds Itself Falling in the Shadows.” *San Francisco Chronicle*, San Francisco Chronicle, 9 Apr. 2019, https://www.sfchronicle.com/bayarea/article/One-housing-project-in-SF-s-SoMa-finds-itself-13751424.php#photo-17194138.

Einstein, K., Glick, D., & Palmer, M. (2019). Neighborhood Defenders: Participatory Politics and America's Housing Crisis. Cambridge: Cambridge University Press. doi:10.1017/9781108769495

*Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031*, Association of Bay Area Governments, 16 Dec. 2021. https://abag.ca.gov/sites/default/files/documents/2021-12/Final_RHNA_Allocation_Report_2023-2031-approved_0.pdf#page=28. Accessed 10 Apr. 2022.

Follesdal, Andreas, "Federalism", *The Stanford Encyclopedia of Philosophy* (Summer 2018 Edition), Edward N. Zalta (ed.), https://plato.stanford.edu/archives/sum2018/entries/federalism/

Frey, William H. "Biden's Victory Came from the Suburbs." *Brookings*, Brookings, 9 Mar. 2022, https://www.brookings.edu/research/bidens-victory-came-from-the-suburbs/.

Gittelsohn, John. "California's Median Home Price Seen Topping $800,000 in New Peak." *Bloomberg.com*, Bloomberg, 7 Oct. 2021, https://www.bloomberg.com/news/articles/2021-10-07/california-s-median-home-price-seen-topping-800-000-in-new-peak.

Glaeser, E., & Ward, B. (2006). The Causes and Consequences of Land Use Regulation: Evidence from Greater Boston. Journal of Urban Economics, 65(3), 265-278. doi:10.3386/w12601

Glaeser, Edward, L., Joseph Gyourko, and Raven E. Saks. 2005. "Why Have Housing Prices Gone Up?" American Economic Review, 95 (2): 329-333.

Green, Jason. "Voters Reject Affordable Senior Housing Project in Palo Alto." *The Mercury News*, The Mercury News, 5 Nov. 2013, https://www.mercurynews.com/2013/11/05/voters-reject-affordable-senior-housing-project-in-palo-alto/.

Hankinson, M. (2018). When Do Renters Behave Like Homeowners? High Rent, Price Anxiety, and NIMBYism. American Political Science Review, 112(3), 473-493. doi:10.1017/S0003055418000035

Hankinson, M., & Magazinnik, A. (2021). The Supply–Equity Trade-off: The Effect of Spatial Representation on the Local Housing Supply. 1-34. Retrieved October 13, 2021.

Hernandez, Jennifer, et al. Holland & Knight, San Francisco, CA, 2015, pp. 1–140, *In the Name of the Environment: Litigation Abuse Under CEQA*.

Kanik, Hannah. "Los Gatos Council Sends Proposed Senior Community Back to Planning." *Silicon Valley*, Silicon Valley, 7 Apr. 2022, https://www.siliconvalley.com/2022/04/07/los-gatos-council-sends-proposed-senior-community-back-to-planning/.

Kearns, Patrick. "San Diego Passes San Francisco as Least Affordable City in the United States -." *OJO Labs*, 19 Feb. 2022, https://www.kusi.com/san-diego-passes-san-francisco-as-least-affordable-city-in-the-united-states/.

Landis, John, and Vincent J. Reina. "Do Restrictive Land Use Regulations Make Housing More Expensive Everywhere?" *Economic Development Quarterly*, vol. 35, no. 4, Nov. 2021, pp. 305–324, doi:10.1177/08912424211043500.

Langbein, Laura I & Crewson, Philip & Brasher, Charles Niel, 1996. "Rethinking Ward and At-Large Elections in Cities: Total Spending, the Number of Locations of Selected City Services, and Policy Types," Public Choice, Springer, vol. 88(3-4), pages 275-293, September.

Layne, Tigist. “Encinitas in Hot Water – Again – after Rejecting Housing Proposal. State Says No More. .” *Voice of San Diego*, 30 Mar. 2022, https://voiceofsandiego.org/2022/03/30/encinitas-in-hot-water-again/.

Lubell, M., Feiock, R.C. and De La Cruz, E.E.R. (2009), Local Institutions and the Politics of Urban Growth. American Journal of Political Science, 53: 649-665. https://doi.org/10.1111/j.1540-5907.2009.00392.x

Mast, Evan. 2020. "Warding Off Development: Local Control, Housing Supply, and NIMBYs." Upjohn Institute Working Paper 20-330. Kalamazoo, MI: W.E. Upjohn Institute for Employment Research. https://doi.org/10.17848/wp20-330

Mellen, Greg. “Huntington Beach Council Says 'No' to Adding Low-Income and High-Density Housing.” *Orange County Register*, Orange County Register, 7 Mar. 2016, https://www.ocregister.com/2016/03/07/huntington-beach-council-says-no-to-adding-low-income-and-high-density-housing/.

Moncrief, Gary, and Joel A. Thompson. “On the Outside Looking in: Lobbyists’ Perspectives on the Effects of State Legislative Term Limits.” *State Politics & Policy Quarterly*, vol. 1, no. 4, 2001, pp. 394–411, http://www.jstor.org/stable/40421440. Accessed 15 Apr. 2022.

Newsom, Gavin. “Governor Newsom Delivers State of the State Address 3.8.22.” *Office of Governor Gavin Newsom*, CA.gov, 9 Mar. 2022, https://www.gov.ca.gov/2022/03/08/governor-newsom-delivers-state-of-the-state-address-3-8-22/.

Osterberg, Annelise. “Furthering Fair Housing through the RHNA Process in California.” *Terner Center for Housing Innovation*, University of California, Berkeley, 25 May 2021, https://ternercenter.berkeley.edu/research-and-policy/furthering-fair-housing-through-the-rhna-process-in-california/.

Osterberg, Annelise. “Furthering Fair Housing through the RHNA Process in California.” *Terner Center for Housing Innovation*, University of California, Berkeley, 25 May 2021, https://ternercenter.berkeley.edu/research-and-policy/furthering-fair-housing-through-the-rhna-process-in-california/.

Perry, Andre M., et al. “The Devaluation of Assets in Black Neighborhoods.” *Brookings*, Brookings, 9 Mar. 2022, https://www.brookings.edu/research/devaluation-of-assets-in-black-neighborhoods/.

Quigley, John M. and Larry A. Rosenthal. “The Effects of Land-Use Regulation on the Price of Housing: What Do We Know? What Can We Learn?” (2005).

Rouse, Cecelia, et al. “Exclusionary Zoning: Its Effect on Racial Discrimination in the Housing Market.” *The White House*, The United States Government, 30 Nov. 2021, https://www.whitehouse.gov/cea/written-materials/2021/06/17/exclusionary-zoning-its-effect-on-racial-discrimination-in-the-housing-market/.

Sandoval, Edgar. “How Austin Became One of the Least Affordable Cities in America.” *The New York Times*, The New York Times, 27 Nov. 2021, https://www.nytimes.com/2021/11/27/us/austin-texas-unaffordable-city.html.

Schleicher, D. (2013). City Unplanning. The Yale Law Journal, 1670-1737. doi:10.2139/ssrn.1990353

Schneider, M., & Teske, P. (1993). The Antigrowth Entrepreneur: Challenging the "Equilibrium" of the Growth Machine. The Journal of Politics, 55(3), 720–736. https://doi.org/10.2307/2131997

Schwartz, Hart. "Fuel Implications of Suburb-to-Suburb Commuting." *The Fuse*, 29 Jan. 2018, http://energyfuse.org/fuel-implications-of-suburb-to-suburb-commuting/.

Sheyner, Gennady. "Citizen Lawsuit Aims to Stop Maybell Project." *Palo Alto Online*, Palo Alto Online, 2 Aug. 2013, https://www.paloaltoonline.com/news/2013/08/02/citizen-lawsuit-aims-to-stop-maybell-project.

Southwick, Jr. Lawrence. "Local Government Spending and At-Large Versus District Representation; Do Wards Result in More "Pork"?" Economics and Politics 9 (1997): 173-203.

Srikrishnan, Maya. "Years of Defying State Affordable Housing Law Gets Encinitas Sued, Again." *Voice of San Diego*, 16 Mar. 2022, https://voiceofsandiego.org/2016/03/09/years-of-defying-state-affordable-housing-law-gets-encinitas-sued-again/.

Struhar, Matthew T. "Notice of Violations of Government Code Sections 65858, 65852.21, and 66411.7." Received by Victor M. Gordo, *Office of the Attorney General*, 15 Mar. 2022, https://oag.ca.gov/system/files/attachments/press-docs/AG%20Letter%20to%20Pasadena%20re%20SB%209%20Urgency%20Ordinance.pdf. Accessed 4 Apr. 2022.

Sullivan, Laura, et al. "The Racial Wealth Gap: Why Policy Matters." *Demos*, 21 June 2016, https://www.demos.org/research/racial-wealth-gap-why-policy-matters. Accessed 8 Apr. 2022.

Superior Court of the State of California. *California Department of Housing and Community Development v. City of Huntington Beach; City Council of Huntington Beach*. 25 Jan. 2019, https://voiceofsandiego.org/wp-content/uploads/2019/01/HCD-v-HB-complaint-FINAL.pdf. Accessed 4 Apr. 2022.

Swan, Rachel. "Meet the Bay Area Mayor Who Wants to Persuade You to Get Rid of Your Car." *San Francisco Chronicle*, 30 Mar. 2022, https://www.sfchronicle.com/bayarea/article/Meet-the-Bay-Area-mayor-who-wants-to-convince-you-17029894.php. Cramer, Maria, and Alan Yuhas.

"California Town Says Mountain Lions Don't Stop Housing After All." *The New York TImes*, The New York Times, 7 Feb. 2022, https://www.nytimes.com/2022/02/07/us/woodside-mountain-lion-housing.html.

Tomer, Adie, et al. "We Can't Beat the Climate Crisis Without Rethinking Land Use." *Brookings*, 16 June 2021, https://www.brookings.edu/research/we-cant-beat-the-climate-crisis-without-rethinking-land-use/.

Trounstine, Jessica. *Segregation by Design: Local Politics and Inequality in American Cities*. Cambridge University Press, 2019.

Walters, Dan. "California Housing Crisis Both Wide and Deep." *CalMatters*, CalMatters, 7 Dec. 2021, https://calmatters.org/commentary/2021/12/california-housing-crisis-both-wide-and-deep/.

Woetzel, Jonathan, et al. "Closing California's Housing Gap." *McKinsey & Company*, McKinsey & Company, 24 Oct. 2016, https://www.mckinsey.com/featured-insights/urbanization/closing-californias-housing-gap.

Zaveri, Mihir. “New York Has a Housing Crisis. How Would the Mayoral Candidates Fix It?” *The New York Times*, The New York Times, 13 June 2021, https://www.nytimes.com/2021/06/13/nyregion/affordable-housing-nyc-mayor.html.