

The Tragedy of the Commons: A Podcast Exploring Solutions to the Housing Crisis in California

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by

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Table of Contents	Page #
• Introduction	1
• Episode 1 Script: Missing Middle Housing	4
• Episode 2 Script: Group Living, Part 1	21
• Episode 2 Script: Group Living, Part 2	45
• Episode 3 Script: Final Thoughts with Dave Amos	55
• References	74
• Appendices	78

## **Introduction**

Affordable housing has become increasingly inaccessible across the United States, particularly in California. The high cost of living in coastal regions exacerbates a crisis that has plagued the state for over 50 years (Walters, 2021). A 2015 study by the Legislative Analyst's Office said California should have been building at least 70,000 more units a year from 1980 to 2010 to avoid extreme housing cost increases (Walters, 2021). Because of its long history and far-reaching span, California's housing crisis is a complexity that affects individuals at most income levels. Accordingly, opinions on solving the crisis vary among each public.

A popular solution is increasing the amount and scale of housing, however barriers, such as single-family zoning, exist at the state and local level. While statewide legislation is working to counteract municipal zoning codes, local opposition is rampant. Because of this pushback and the slow pace at which housing reliant on individual action is built, today's housing shortage will not be solved by statewide legislation alone. Additionally, many are suspicious that the legislative push for housing is fueled by economic incentive rather than inclusivity. This includes low to very low-income individuals not convinced by pro-housing's "trickle down" economics (Meronek, 2018). In a 2015 study, the University of California Berkeley's Urban Displacement Project found "no clear relationship or correlation between building new housing and keeping housing affordable in a particular neighborhood" (Meronek, 2018). Additionally, the researchers predicted that it would take "50 years for market rate development in California to make additional housing available to people who earn less than 50 percent of the median income" (Meronek, 2018).

Outside of the quantitative shortage the housing crisis qualitatively involves accessibility and communication. Podcasting is a media format able to streamline information. By nature, the medium is multifunctional (i.e. enables multitasking), and by virtue of technology podcasts are becoming increasingly accessible (Huth, 2016). Additionally, a 2016 study at UC Berkeley found that listening to narrative stories akin to podcasts can stimulate multiple parts of the brain (Huth, 2016). These aspects characterize podcasting as a medium fit for exploring complex topics conflated with accessibility and communication. The podcast *The Tragedy of the Commons* explores California's housing crisis and its potential solutions. The podcast is formatted to be accessible to those not yet familiar with urban planning jargon and will include a transcript.

Two existing podcasts, WYNC's *Radiolab* and YIMBY Action's *Infill*, informed the format and the content of the podcast respectively. WYNC's *Radiolab* is an investigative journalism series hosted by journalists Jad Abumrad, Lulu Miller, and Latif Nassar (WYNC Studios, 2022). Each episode explores complicated subjects in science, legal history, or global matters by intermixing conversation bits with sound design and music (WYNC Studios, 2022). Episodes start with the host, one of the journalists, conversationally sharing a story with a colleague, another journalist. Once the subject is introduced, the conversation is broken up with audio clips (interview sound bites, prerecorded narration, sound effects, music etc.) to explain what the journalist discovered about the subject. *The Tragedy of the Commons* mirrors this format. Each episode consists of a student host, a city planning major, sharing the findings of her research on a proposed solution California's housing crisis with her peer, an engineering major. Similarly, the conversation is interrupted by audio clips and sound bites until the conclusion of

the episode, which ends back at the conversation. This is to keep the listener engaged and to build a narrative per episode.

YIMBY Action's *Infill* informed the content (i.e., topics, study area) of *The Tragedy of the Commons*. *Infill* is a pro-housing podcast featuring interviews, panel discussions, speeches, and more on local politics and urban policy (YIMBY Action, 2022). The YIMBY (Yes In My Backyard) movement calls for the elimination of barriers against increasing housing density to solve the housing shortage. While the podcast's focus on housing justice remained constant, the perspective often shifts. Through interviews with senators, YIMBY housing element coordinators, reporters, bloggers, and locals *Infill* explores many sides of the same coin to give listeners well-rounded takeaways (YIMBY Action, 2022). *The Tragedy of the Commons* borrows this approach in attempting to include all stakeholders' opinions on each housing crisis solution.

By taking influence from these successful podcasts, *The Tragedy of the Commons* aims to inform the average listener on the complexity of California's housing crisis and its proposed solutions.

## **EPISODE 1: Missing Middle Housing**

**Delaney:** All right. So, yeah, this is like an anecdote that has to do with--oh my god, what happened?

**Kira:** Every time I wear anything I spill food on it.

**Delaney:** Oh no. You may just be able to wash it.

On January 21 of this year, Gavin Newsom, the governor of California, triumphantly tweeted out, California created 25% of the nation's new jobs last month. But before we celebrate, the question we have to ask ourselves is, did California also create 25% of the nation's new housing? The answer? Definitely not. The Tragedy of the Commons is a housing podcast aimed at exploring solutions to the housing crisis in California. My name is Delaney Faherty, I'm your host, and I'm about to introduce my friend Kira

**Kira:** Hello.

**Delaney:** who helped me record this podcast.

**Kira:** Hi, I'm Kira, I am one of Delaney's friends we met at Cal Poly, I'm about to graduate as well.

**Delaney:** And Kira doesn't know anything about city planning, which is my major. Kira studies

**Kira:** Interactive art and engineering.

**Delaney:** And to start off this podcast series, I wanted to begin with missing middle housing, which is a concept that is going to be explained later on in the podcast, one of the proposed solutions to the housing crisis that people are really exploring right now. And so, in this podcast, I'm going to talk about all of the things that I think are good with missing middle housing and the things that are not so good with missing middle housing. And Kira is going to help me do that. And I'm going to go back and forth between the conversation that I have with Kira, where I tell her what I learned and she responds and ask questions, and audio clips of me going on the soapbox about these concepts. So, without further ado, here it is. I hope you like it.

**Kira:** So, I don't really know anything about middle housing, but I'm excited to learn.

**Delaney:** Okay, okay. She's excited to learn cool. Okay, so do you know what the tragedy of the commons is?

**Kira:** I have definitely heard that word. I'm going to guess does have to do something with France?

**Delaney:** It does not have to do with France, but it sounds like it would do it for have to do France. The tragedy--or even I can do a French accent. The tragedy of le commons.

**Kira:** Is there a book written about it?

**Delaney:** There's definitely a book. It's like an economics concept, though.

**Kira:** I've taken four economics classes. Two in high school two in college. Yeah,

**Delaney:** I've taken zero economics classes. No, I literally, like, took a women and gender studies class at a different college, and like it transferred over is my economics credit. I don't know how. I don't know. I like should take economics, honestly. So, the first city and regional planning class that I took, we actually talked about the tragedy of the commons on the first day. And I had no idea what it was. And like, the professor was, like, "you know the tragedy of the commons, you all know," and I was like, no, but I like didn't say that out loud. And he's like, "okay, I'm going to like, refresh your memory for those of you who like, need it." And I was like thank God. And so, he wrote the statement on the whiteboard, he wrote out 'the tragedy of the commons', and then he wrote like a circle below it and labeled it the commons. And he was like, "imagine this is an open pasture, and anyone is like, free to like graze their cows on it." And he drew like three different cows and three different owners on the property. And he drew like smiley faces on like, the owners of the cows, because they were all happy, they didn't have to, like, there was no regulations to like, get in the way of them grazing their cows. And he was like, "the benefits are enjoyed by each individual, but the impacts are also equally shared. So, what's stopping one of the cow owners from introducing like five more cows and the other cow owners?" and then he drew like a bunch of different cows on like, one side of the circle to like,

show that basically. And then he continued, and he like, finished, and he was like, “eventually, like the cows would over graze the land. And that would lead to depletion of resources for everybody.”

And then he drew like frowny faces on all of the, all of the, you know, cows and the farmers and he was like, “this is all to show the importance of like, why we have laws, why we have regulations, you know, because it's to protect the resources that are otherwise going to be exploited by the individual,” if that makes sense. Does that make sense?

**Kira:** Even more specifically, like shared resources, like community resources in a way, but then preventing not Everybody suffering? Right?

**Delaney:** Yeah. Like the, the goal of law and like, restrictions basically, is so that, you know, one person has to take advantage of other people's shared resource, I guess. And I remember like, at first, I was like, that's weird. Like, I don't think people are like, like that inherently like that. And like, is that really like a good analogy? Is that like an overgeneralization or whatever? So yeah, I was like, really upset about it for a little bit. And I was like, “I think people should just be able to do whatever they want with their land.” And like, “everything should be a shared resource and stuff.” Like I was like, “why don't why did barriers need to exist,” in that sense, I guess. But obviously, that's, you know, thinking very surface. And it also just, like really makes sense. You know, when you think about like, capitalism, obviously, is the system where individuals are incentivized to, like, take as many resources for themselves as possible, to make their own individual wealth. And so, if this is the framework that we're working in, we can't have

this like shared resource because everyone's incentivized to take advantage of that resource, you know. So that's why you have to have laws in a society that has this system that works within the system.

Anyway, I was trying to come up with my senior project. And I was like, thinking about this concept. Because you know, housing is kind of when you think about the housing crisis, it's kind of like the misuse of space, like, there's a lack of resources, which is like the houses, right? And the commons, so to speak, which is just like, land has been overrun with like expensive, single family housing developments. And these like sprawling wealthy neighborhoods have, like, over time depleted the resources, which I said is the houses from the land or the commons. And so, you know, how do we how can we regulate the misuse of public space in this way, but within the bounds of society, which is capitalism? So, in this podcast named 'The Tragedy of the Commons', I set out to kind of like explore the ways lawmakers and like advocates and academics have tried their hand at like solving the housing crisis. And I'm about to explain to Kira what I learned about missing middle housing, like, how I got interested in it, and like why I'm making this podcast, but first, I'm going to explain what the housing crisis is in California and where it came from.

So, what is the housing crisis? Well, unfortunately, it's not news, not in California anyway. And some argue it began in San Francisco in the 50s, with the first anti-growth opposition to freeway development in the city. Ironically, the anti-sprawl gusto behind this movement went from stopped sprawl to stop everything. Next, in 1978, the infamous prop 13 kept property taxes, making new housing costs more in services than it does in taxes. Coupled with the persistent

labor and construction shortage following the Great Recession in the buyout of 10s, of 1000s of homes by private equity firms, new housing in California, overtime, exclusively translated to luxury housing. Bringing us to today where the middle and lower classes are kept out of the housing picture. Basically, this is all to say there's just like a lot of barriers that like are now in the way of people being able to like, have housing that's not super expensive.

**Kira:** I missed why the private equity firms are the ones to have these houses in the first place. Like why are they the middleman?

**Delaney:** They're these corporations that buy it can buy like 10s of 1000s of houses at one time, as opposed to like one person, you know, like they just have more power in that way. And so, they're buying these like multiple houses, and then selling them for a lot of money. And this is just like led to a lot of the housing that's available now to be unaffordable for like a lot of for even like middle class people.

And as we know population in California is exponentially growing. According to the 2020 census, California added 3.2 times more people than housing units over the last 10 years. And with the way that cities are expanding, and housing development is lagging, we can only assume that this issue will grow. But thankfully, over the years, experts, advocates, and academics alike have dedicated themselves to finding ways out of this pickle. However, there is contention as to which solution is the best solution to the housing crisis, like which solution best addresses affordability, or which solution best addresses racism, and which solution best addresses environmental concerns? And is there one solution that addresses all the above? The answer is

not so simple. And this podcast is determined to emphasize this, showing that the issue is multi-fold and will require many solutions.

I was just trying to see like, what missing middle housing like looks like, you know what I mean? Like what like, yes, there's this missing middle housing, but how do we get more housing to be built for the middle and lower classes, basically? And like, is that going to solve the housing crisis? You know?

**Kira:** So, you're asking me?

**Delaney:** No, no, no, I'm just I'm just, it's a rhetorical question. No, I'm not asking you to—sorry, I'm just trying to explain like what the podcast is about, so you have context. I'm just trying to give you context right now. It's actually not even about like, what's causing the crisis that I'm exploring in this podcast. It's like solutions to the crisis. And so, one of the solutions--

**Kira:** Solution based

**Delaney:** Solution based. Yes. Kira. Yes.

**Delaney:** So yeah, so I was just trying to give you a context for like, what has created this, like lack of housing, and there's a variety of solutions, like there's no one silver bullet that's going to solve this crisis. And it's not like, this housing style is going to solve like all of the inequity that people are facing when it comes to like being able to afford a place to live. That's not true, you

know. So it's just one part of this, like, bigger solution, which is going to take like a bunch of little solutions. But yeah, like going into the podcast, I was like--because I like found out about missing middle housing. And I was like, "oh my God, this sounds like the perfect solution", because which I haven't even explained to you really what the actual housing thing is, and I'm going to get into that. Maybe I should do that right now actually. Yeah, okay. Sorry. So, let's see. Okay.

Today, we're going to be talking about one of the many solutions to the housing crisis, missing middle housing. So, missing middle is a term coined by Daniel Parolek, who is an architect, the founder of Opticos design, and co-author of the book missing middle housing. And in this book, he describes missing middle as, quote, "a range of multi-unit housing types compatible and scale with single family homes that helped meet the growing demand for walkable urban living, respond to shifting household demographics, and address the need for more housing choices at different price points."

So, like picture a three to four story house, and each floor a different resident lives on. So, like one family lives on the first floor, one family lives on the second floor, and so on and so forth.

The theory is putting more multifamily housing and circulation that looks like single-family homes will satisfy both those who enjoy the single-family aesthetic, and those in need of housing at a lower price point. And this is because people in opposition to higher density, argue that it will ruin neighborhood character, which is another way of saying the white picket fence style development of suburban neighborhoods as the houses are still small. It's not like a whole

apartment complex. It's just like a three to four family home. And some people are like, "oh I don't want apartments in my neighborhood." You know, it's like, I want my neighborhood to feel like a neighborhood instead of like a city, I guess.

**Kira:** So, some of the older houses I've been in--like Quinn's house in San Francisco that was originally made to be like one of these four family homes. And I've I feel like they were at once more common and now less so. Is that true?

**Delaney:** Yes, that's really true. And that was that's actually how I started off my research was like, how did it how did it like get to a point where that's not a thing anymore? And how is it something that we like kind of all as a society miss, like we know this style of housing and we see in older houses but like why isn't it a thing anymore? And Daniel Parolek actually talks about this in his book. The first of many arguments for missing middle is that it provides a housing style that we know and we miss so there's a history of duplex triplex fourplex, etc. that I didn't know about prior to going on this housing rabbit hole and it dates back to the 1800s.

What we now know is granny flats which are defined as self-contained living spaces, located on the grounds of a single-family home evolved from dour houses. These detached or attached units were intended to accommodate the widowed queen or the Dowager so if the Queen was widowed, she would then live with her daughter and whoever her daughter marries on a separate unit on the property, because women couldn't own property at that time.

**Kira:** Is it connected to dowry?

**Delaney:** Yeah. So, dowry is like the thing--it's like the thing that you pay to like have, you know, have like, property over a woman basically, which is really, really fun. We love that.

By the 19th century, dower houses were coined granny flats. Well, no, it is really weird. Like granny flats. Why is it called that?

**Kira:** It's the hatred on the elders that we have in America,

**Delaney:** You get like condemned to this little space, and we're going to call it a granny flat, you old person and the practice of communal living continued into the early 20th century.

But a housing boom followed the end of World War II, to accommodate returning soldiers and their growing families. And so, they suddenly had to, like, give families bigger spaces, I guess. And so just like, there's like, there's just like a demand for like that sort of housing style in the market, instead of like these multifamily properties that were less like family centric, I guess.

**Kira:** Probably, like smaller in size, too. So yeah, it didn't accommodate the family style at the time. Right, right. Okay.

**Delaney:** And as a result, postwar architecture focused on single family housing that conformed with the newly minted Euclidean zoning. Euclidean zoning, in just like simple terms is zoning based on like the type of use. So like, you're not going to see like a warehouse in like a

residential area, you know what I mean? Like, it's in a neighborhood, there's houses, and those are residential units and stuff. And like, in a city's downtown, there's like retail, you know, like the zoning is just like, the allocation of land based on like, the type of like building that, you know, the jurisdiction wants to see. So, anyway, that's what the Euclidean zoning is. And that's why you have neighborhoods separate from like retail spaces separate from warehouses and stuff.

**Kira:** And why did Euclidean zoning come into style?

**Delaney:** So, I don't know a ton about the history of Euclidean zoning, in detail, but what I kind of have learned from school is, it started out as like a separation of uses because you wanted to have your home away from your workplace, and you wanted to have warehouses away from, you know, neighborhoods, and it was sold as protections against, or I guess, for safety and welfare of the community in that sort of thing. That's how it kind of was marketed towards people at the time. And if you think about like the World War II era republican motherhood type families where you have like your own plot of land, and like having your family live there, and like, the woman takes care of the house, and the man like, goes and does his like work in a neighboring city. It's this whole idea of like separating the family from the workplace. And also, just like the value of land, you know, like, you've made it if you have like your own plot of land, and like, the bigger the land, the more you've made it, and the more you can separate yourself from people, the more you've made it.

And once the newly minted Euclidean zoning was introduced, the prohibition of ADU development followed, and the pre 1940s duplexes fourplexes and courtyard neighborhoods suddenly began to vanish. Yeah, this is just like all to say that there's a history there is a history of these houses. And that's why you, you know, are familiar with them, probably. But you don't see these new developments in the same way.

**Kira:** Can I ask a question, it might be a bit of a tangent, but did the Euclidean zoning affect the walkability of cities?

**Delaney:** Yes. 100%. And this segues to one of the main arguments behind missing middle, which is Euclidean zoning has led to the reputation of a housing style that we know, and we miss and zoning must be altered to accommodate housing styles that lead to more walkable, affordable communities. But people are very critical of this, and there's a lot of reasons why there's, you know, critiques with it.

And when I first started looking into missing middle, I was like, “that sounds great.” Like, “get rid of zoning and get rid of that's the barrier, right? And like, why even have that, you know, without like--what's the point of that if it's just causing all of these issues that we now have, which is like the lack of housing and then also like, these racist old zoning laws? And after looking into it, I can say I'm still a supporter of it, but I have like a more nuanced take, which is like, it only kind of addresses this one issue, which is that we need more diverse housing styles. And it also addresses that there's a lack of middle-class housing.

**Kira:** I'm curious what the dissenting opinions were on abolishing Euclidian housing.

**Delaney:** Yes. Okay. I will get into that very, very shortly. I can get into it now, but I was kind of like--okay, I'll do it. So, part of what makes Parolek's approach so interesting is that he is consistent in steering clear of terms and ideas normally associated with affordable housing, like density or multifamily or upzoning, in order to appeal to the demographic missing middle is targeted toward affordable housing has become like a bad word, basically. Because there's not like a lot of incentive to build affordable housing, because housing as it is, is just expensive no matter what kind of a salad what kind of housing it is, basically. Yeah, yeah, exactly. They don't make enough money with affordable housing.

This tactic has inadvertently led critics to consider missing middle housing a non-comprehensive approach to the housing crisis, as it only focuses on one part of the puzzle, which is private development. And so, the way that missing middle is going about getting around that label of affordable is calling it 'attainable housing' and like specifically marketing it for middle to upper middle class people, think like senior citizens who are looking to like to downsize their houses after like, their families have left are looking for more like a multifamily housing style, or like think of a set of parents who are looking to have their kid like live on their property, but like not in the house, like in an additional unit on the house.

**Kira:** So, who exactly does it not address? Like, I get it obviously doesn't help out poor people. But if we're talking about middle housing specifically, can you clarify who exactly it's not including?

**Delaney:** Well, that's--I'm saying it doesn't include poor people. Yeah.

**Kira:** So, you just want a more fully encompassing solution rather.

**Delaney:** Yeah. Like, it's not just like, obviously, missing middle is very specific to the middle class and stuff. But missing middle comes from this like larger umbrella of like, anti-Euclidean zoning, pro housing movements, I guess, which are all kind of concerned with like, solving the housing crisis. So, it's like one of these—it's one of these parts of like, these other movements that are that are aimed at solving the housing crisis, and they're all like pro housing movements. But I think I think there's a mistake made with how much that can actually solve these greater inequities, I guess.

And missing middle critics are quick to point this out. In review of missing middle housing published in the Journal of planning and education and research, Connor Cordingley says that missing middle Housing works within "popular filtering theory". And this theory is that private markets will eventually provide low-income housing through the process of deterioration of high-income homes. And in the context of missing middle this means that median income multi-unit homes will eventually filter down into the low-income sector. Additionally, by making housing more affordable for the middle-class subsidies may be freed up for low earning renters and buyers. So, essentially missing middle could work to relieve pressure on housing markets experiencing displacement, which indirectly aids affordability by keeping people in their homes and all of this sounds fine, but the timeline seems hefty for those playing the waiting game.

You have to put yourself in the citizens shoes because some people are like, who cares about, you know, like those laws. Yeah, it needs to come undone and stuff but like I need housing now like that takes forever this the legislative process is just like really long term, you know.

Cordingley expands on this, in his critique. Cordingley writes, quote, “Parolek’s framing situates missing middle housing as a means of appeasing concerned NIMBY homeowners, by preserving neighborhood character with inoffensive built forms, while glossing over the ways in which such concerns have been used to prevent disadvantaged groups from accessing housing.” He expands on the point by saying what we all know quote, “formulating this issue as being the symbol a version of well-off suburbanites coded in the book as community members to certain built forms, sidesteps the reality that often objections to more affordable development are not so much about the building's architecture as they are about the people who will be occupying it.”

**Kira:** Are you are you concerned with the fact that if we put this solution into play and people are saying, “oh wow, like middle housing is being fixed,” then people forget about all the poor people? It's almost like it's two overarching in an effort to dismiss and almost hide away certain like fallacies, and then because has it's been fixed people aren't going to invest time and money anymore into this issue? Is that it?

**Delaney:** Yeah, that's exactly right. Yeah, yeah, that was way better than I was trying to-- that's exactly what I was trying to get at.

**Kira:** I'm, I'm curious if there's people out there who, like, I wonder, are the laws going to come first or the housing and like, which? Because I feel like it's usually a cycle back and forth cycle, but right now, is there an opinion about that?

**Delaney:** I think a lot of people within planning share this opinion, it's like the laws come first. Because you have to undo the barrier first, and then the housing will be a lot easier to create, you know. And that's a very linear way of thinking of it. But it's, I mean, it makes sense. You know, I guess that makes sense for planning, because it just takes there are so many rules and regulations to housing. So, it makes sense that in planning laws tend to come first. The whole thing is interesting, too, because the class was focused on like teaching, teaching, why environmental laws are important and why laws need to exist and stuff. So that doesn't happen. But now we're at this point of, like, we're talking about, like Euclidean zoning, where that's a law that's like, is not doing that, you know, is not regulating productively, but it's regulated in a way that we're suffering from, you know, so there's some, there's a whole other discussion of like, the rationale behind laws and stuff that you kind of have to explore, like, it's not just the laws that are obviously going to, that are going to solve everything to like, it's not simple like that, you know,

**Kira:** It's like, which ones are the right laws actually implement? And how you distinguish those.

**Delaney:** Yeah. And it just goes to show that like, a law that's like, and I kind of explored this later on in the podcast, but like, banning single family zoning is not like a blanket solution to, to making these shared spaces available. You know, it's like, that's one part of it. But then how do

you create these houses that are like in the, in the development style that will promote this sort of living and stuff? And like, how do you get low-income people into those houses? Like what's going to prevent people from just like, who have a lot of money, like buying up those new properties? So, the free market does just need a lot of regulation so that we can like have this like more shared market, which is so interesting. So, we have a lot to talk about, but like anyway, that's where we're starting. And yeah, can't wait to get into it.

**Delaney:** I'm looking forward to it. Thanks, Kira.

And so, the conversation continues. We really just scratched the surface. And, like I hope what was clear from the podcast, missing middle housing is in no way a save all solution to the housing crisis. It doesn't pretend to be, and that's why in the following episodes, we're going to explore the alternatives that need to come with it. Again, I'm Delaney Faherty. Thanks for listening.

## **EPISODE 2, Part 1: Group Living**

*(intro music)*

**Kira:** You can have my plants for sure.

**Delaney:** I would love that. Yeah, I would. I'm obsessed with plants. Okay, are you ready to start? Okay, I'm here again with Kira.

**Kira:** Hello.

**Delaney:** Yeah, we're just going to, hop right back into it. Okay, so last week we talked about Missing Middle housing. And we kind of scratched the surface on Euclidean zoning and the way that single family housing has kind of dominated the market. And this week, we're going to touch on the same subjects. But we're going to introduce this new subject and kind of go more in depth about Euclidean zoning's history and the reason why it should be abolished in my opinion. Kira, do you have anything to start off?

**Kira:** Yes. Can I just get a very quick recap on Euclidean zoning? Yes, just a very--I remember like, generally, but....

**Delaney:** Yeah, so simply put Euclidean zoning is the allocation of uses based on what the city wants to see. So, it's like residential areas are in the residential areas, and retail areas are separate from the residential areas and industrial warehouses are separate from these things.

After the last episode, I did my research and remembered that Euclidean zoning came from the Supreme Court case decision *Euclid vs. Amber*, which is where the Euclidean moniker comes from. And this was the 20s. This was a time where *How the Other Half Lives* just came out, which depicted the lives of the tenements in New York and how poorly things were going for people in crowded areas. There's more context to it, which is what we're going to talk about today.

But the way it was sold to people was, “we're going to protect you better with this zoning because we can better map out cities and make it more appropriate for how we think citizens should live based on their health, welfare and safety.”

And so Euclidean zoning ostensibly came from humane purposes, for example, to mitigate the public health outcomes that occur when residents are located too close to polluting industries, or to ease the negative social effects of crowded tenements. So yeah, so today we're going to talk about group living.

Group living as defined by *Law Insider* is a group living arrangement in which the individual or family lives in a room or rooms of their own, but which contains common dining facilities and where decisions concerning the use of common areas for social events are shared among the

individual residents. And you're probably familiar with like co-ops and like Co-living and stuff. There are actually a couple co-ops in SLO and one of them I'm going to talk about today. What do you know about The Establishment?

**Kira:** There are some crazy parties. Aside from that, I've been there once. It's a really cool area. Yeah, really cool house. I know that it used to be like a wh\*re house. Yeah, a brothel. And that's why it's set up the way it is with like, all those individual rooms and like kind of a long hallway. So, I feel like that actually has an effect on the way that they work together. Like as a community. Yeah. I would love to live in something like that at some point.

**Delaney:** Yeah. I feel like a lot of people feel that way. Like I feel like especially if you are kind of looking for housing that's like inexpensive and you have a career path that--like let's say you're an artist

**Kirsten Dirksen:** Are you able to--is it cheaper to live here? So therefore, does that affect your lifestyle? Are you able to do more art because you can work less?

**Establishment Tenant:** I found that living here lets me just explore what I can do as a person. So, something that's been very welcoming like this allows you to explore yourself, figure out who you are.

**Delaney:** Like obviously, you don't make a ton of money as an artist, right? But you want to live in a space that like allows you to, to do your to do your job and like live your life the way you want to live it. And by doing so, like you need somewhere that's like

**Establishment Tenant 1:** Affordable like this.

**Delaney:** And also, that has some sort of community,

**Establishment Tenant 1:** And to be with people you actually like. It's like a dream come true.

**Delaney:** where you can connect with other people who are artists.

**Kirsten Dirksen:** Do you do art? Are you?

**Establishment Tenant 2:** Yeah, I do. Yeah. And I think the beauty of this house too, is a lot of times, you can kind of get some momentum and energy going on certain things like, you know, get other people in on what you're doing.

**Delaney:** And I think that's why The Establishment works so well, because it allows people to, like, connect in these ways that maybe you wouldn't be able to, in a setting of like, single family homes, because there's not as much community. And there's also just the prices to live, there are just so crazy that like, you wouldn't be able to do your job as an artist without taking on like a second job and stuff. And then you wouldn't be able to focus on your art as much. Like it

actually can affect so many aspects of your life, if you live your life as a creative, you know. So yeah, we're going to talk about that later. But yeah, so group living, co-living--there's a long history of group living regulation in the United States.

And because it's so long, here's a quick version of it. So, in the 1920s, you needed to live with your family, but your family was defined as the people that you cooked with. This was a very general definition, the people that you cooked with could obviously be anybody, like your friends, your family, whatever. It was just a very loose definition at the time.

But in the 1970s, it became stricter, and the family was redefined as those who are blood related or related by marriage. And then in 1977, it was determined to be unconstitutional to enforce a nuclear family and extended family could always live together.

So, it was really back and forth, you know, it was like, "this is what the family is, and we're defining what this is, but it's just the people that you cook with." And then it went more intense with that, which is like, "the family is a blood related relative, or by marriage." And then it went all the way back and said, "this is unconstitutional. You don't need to enforce this." So it's very much a sin wave of regulation.

**Kira:** Why did they originally enforce that rule? What was the benefit?

**Delaney:** I think the reason why they enforced this rule is exactly what the 1977 unconstitutional ruling took away, which is that it was trying to enforce this nuclear family style of living, which was just like, extremely sought after, at the time.

Like we talked about, in the last episode, the nuclear family was a product of the 50s, post war sentiment, which was to focus on the family and to focus on growing the family and to remove the family from what shouldn't be affecting the family, which is kind of these dark areas, maybe normally associated with cities. So, idealizing the family and all these ways, and using zoning to do that--that was kind of just like the whole agenda. It seemed like the reason why this law took away the enforcement of the nuclear family was because the law in the first place that like wanted you to live with your family, was to garner that lifestyle and garner that type of living situation.

**Kira:** What happens if you go to college? Do people do that.

**Delaney:** No, no it's interesting, too, because you know how SLO has a law that's like, no more than five people can be signed on a lease? That's because people in SLO don't want these like, big houses of college students living together because of noise. And all of the reasons older people don't want younger people living together is because they're younger people, and like, older people want their space and stuff. So, it's like, it's from the same vein. And I think it is also like a federal law. So, it's like the states probably had different decisions and stuff.

Group living today, however, is different and refers to people living together, but not in a related way.

So, like, people who are roommates or whatever, that's group living, or people that are in a halfway house, like that's group living. And there are many legal issues at play, such as familial status, limiting space requirements, which is another way of saying group homes cannot be situated near each other, and contradictions between state and local laws.

**Kira:** So currently, there's rules that group homes cannot be next to each other? Yeah, that's, that just seems so odd to me. That doesn't make sense.

**Delaney:** And Kira is right. This doesn't make sense. So, we have to think about where this actually comes from. And many, if not most, planners agree that it comes from place of prejudice. In order to kind of talk about why this is a thing and why there's so many restrictions when it comes to group living, and why so many people are an uproar about getting rid of single family zoning we have to talk about the prejudice against protected classes. And as defined by California's fair housing laws, the protected classes are race, color, national origin, religion, sex, familial status and disability, just like federal law. Additionally, California outlaws discrimination in housing because of a person's source of income or sexual orientation. And so, this is actually the perfect time to talk about the racist history of Euclidean zoning, which is actually been better referred to as exclusionary zoning because of this blatantly racist history, Many citizens across the United States oppose getting rid of single-family zoning or upzoning.

So, zoning obviously is like, 'oh, this area needs to be residential homes' or whatever. But another part of zoning is like, 'these residential homes can only be one story,' or like, 'these residential homes have to be above 5000 square feet,' you know. And so, there's like requirements that come with zoning of like, how the houses should look like. And upzoning is like taking low density, which is like a one-story home, that's like 5000 square feet, and putting that surface area of the home like upwards. Instead, it would be 1500 square feet and two stories, it's just like increasing the height of the building and like lessening the space, it takes up.

**Kira:** Upzoning puts limitations on the height? Or it usually like encourages certain heights?

**Delaney:** It encourages certain heights like it, it takes away these like specifications that are like 'nothing can be above one story,' you know, yes. It's also a zoning law. So, it's kind of like convoluted in that way. But it's like it's to take away the restrictions that single family zoning causes. Yeah, works against it. Yeah. Okay, so I'm going to skip a little ahead, because I want to talk about Cupertino, California.

But before we get into that juicy stuff, we're going to talk about racism. Okay, so the underlying reason behind like, all of these restrictions that come with single family zoning that is like it needs to be one story, it needs to look like this, there can't be, you know, two homes that are multifamily next to each other, where that all comes from goes beyond like preventing housing aesthetics.

And as we kind of touched on in the first episode, these laws are keep the status quo and keep the other out. And I can say this because this is where zoning was born from. I don't know if you're familiar with the term redlining. Are you? Okay? Yeah.

So, for those who don't know, redlining is a term coined by sociologist John McKnight in the 60s. And it describes how the federal government used to draw red lines around black and brown neighborhoods across the United States and recommend that white homeowners do not invest in these areas.

And there's this book called *The Color of Law* by Richard Rothstein. It kind of blew up like in the early 2000s. Still, people talk about it a lot to this day with that, but that kind of like brought this discourse about racially motivated policy tactics to the mainstream. And that's probably why you're familiar with it. And it also kind of just, I mean, in 2020, I feel like everyone was talking about it, because people are trying to bring attention to like, what these systemic issues are, you know, that cause racism to proliferate. And one of these things is like, just the way that space is mapped out. Like it's like spatial segregation.

Rothstein details the federal housing policies in the 40s and 50s, that segregated black neighborhoods from white neighborhoods, and makes clear the consequences of these policies that proliferate to this day. So that's all to say that, like the way that space was allocated exists to this day, and that's, that's what ends up being like this *de facto* segregation. And so, in order to get rid of that, you have to kind of take away of these restrictions that are from that time period.

Yeah, the laws don't explicitly mentioned race, but they continue to let segregation exist because they haven't been changed way.

**Kira:** Wait which laws are you talking about now that continue? Because I don't think redlining it doesn't still exist. Correct?

**Delaney:** I'm saying that like, zoning was born from redlining. Yeah. And so, like current zoning was informed by redlining. And those have those current zoning laws haven't changed all too much.

For example, in the Bay Area. Currently, the more single-family zoning is in a neighborhood, the whiter it is. Yeah. And so, what's also what's interesting is like even in areas where like multifamily housing is legal, there are cities that have like restrictions against different parts that would make a multifamily house impossible. So even in areas where multifamily living is legal, they could have different things like height restrictions to prevent multifamily houses from still being built. So even if it's like multifamily housing is legal right, it would be like the building cannot be two stories tall though, you know, so it's like it's legal but like, you can't actually do it, you know.

In Cupertino, California, even though some areas are zoned for multifamily houses, the city code prohibits buildings over two stories to be built in these areas. And there's also like parking requirements written into zoning codes.

Again, in Cupertino, developers have to set aside two parking spaces in each unit of a multifamily house, which overall discourages developers from building multifamily projects because of the expenses. Most single family lots must be at least 5000 square feet each. In starter homes, which are small homes for recently married couples are usually around 1000 to 500 square feet. So, there's all these ways that jurisdictions are trying to ban multifamily housing without actually banning multifamily housing.

**Kira:** I don't know if you said this, but when did these regulations against multifamily housing, when were they set in place?

**Delaney:** States have different laws. On a federal level, like obviously multifamily zoning is not illegal, but state by state? It could be you know, and in California, it was just recently, as of this year, single family zoning was officially abolished at the state level. For those familiar, this was a result of SB 9, passed earlier this year. Now, every jurisdiction that's zoned for single family can have a non single family setup, if that makes sense. Like, there can be more than one unit and stuff so things are slowly happening as time goes on. But like I said, even if it's legal in California, in these specific cities, they could still have these like laws that like make that legality not even possible, you know?

**Kira:** It's feasibly impossible

**Delaney:** Yeah, feasibly. That's a good word. Yeah. What do you think the biggest barrier is to changing zoning laws?

**Kira:** Good question, yeah, let me think. I feel like some, like white politicians just don't want it change? Like certain larger corporations, maybe like want to have specific areas like cut out just for themselves? I feel like money's always an issue. Maybe people are making less money somehow by allowing multifamily housing?

**Delaney:** Okay, those are all good answers. Honestly, there's like not really one specific thing that you can say. But the general consensus, and you can, you can kind of assume this just because of like, how projects get denied in cities, the consensus is that it's the people that live in the neighborhoods are the ones who get in the way of these projects, because they are the ones who are voting against these proposals, or like suing the city for having these proposals and stuff. Yeah. So, it's interesting. And it's honestly, like, it's hard to be mad at that. Because it's like, that's cool. Like, it's like Citizen Action, I guess. But then it's like, like, I don't know why I see that side of it. But like, yeah, that's--

**Kira:** That's why I think it's surprising because in so many other cases, citizens don't have any say, but now suddenly, when there's something that's actually good and more provides more equality to people, there's a say, and it's not possible. So, it's like, what other what else is happening behind the lines? Who else is motivated to actually keep these things in practice?

**Delaney:** Yeah. And it's, even though I'm saying that and like that is true. To some extent, it's hard to be like, they're the reason you know, but the thing that people talk about is in the thing

that happens in at a local level is that often the wealthiest like whitest residents, and there's a word for them. They're called NIMBYs.

NIMBY stands for Not in My Backyard. And in the planning world. It's used to describe people who are usually existing residents in a neighborhood, especially the whiter more wealthy residents who are in opposition to new housing development that is often denser or more affordable, near their homes. Housing advocates reserved the term NIMBY for residents with privilege seeking to preserve that privilege, not for residents who oppose development for other reasons like gentrification or displacement. And the sort of community opposition that comes from NIMBYs in the permitting stages frequently leads to increased costs and delays in housing projects that could have been affordable. And many developers don't want to deal with this.

It feels like crazy to villainize people in that way, because I don't think that's entirely what's going on. But I also know people don't like change. And I do understand property being very-- people are just territorial about their property. So, it's weird to think about why they would do that, you know, because it's like, "oh my god, like you're opposing this great thing!" or whatever. But it's like, for whatever reason, I think we can all kind of understand it. That's not to say that it's right. Like, I'm just trying to think about, like, I'm going to put myself in their shoes, because I don't even think they think they're being racist, you know, or like--

**Kira:** I mean, personally, I think they kind of do. I think also, there's like a big thing about schools--I like I kind of grew up in a in a rich area with a lot of surrounding richer cities. And Rich people are super picky about who their kids go to school with. And they only want the

nicest richest kids for their child to be friends with. So, I think that there is an underlying aware motivation to which they may deny it comes from racism, but it's still there. And it's there's an awareness, I think.

**Delaney:** Yeah, yeah, no, that's probably--I'm just trying to cut them some slack. But I like I think you're super right. They're not the only barrier, I want to emphasize that. Yes, the individual person who has these unsavory motivations, whether that be like, "oh, I don't want these people around me, because they're this way," whatever, whatever. That is a problem. But it's also coming from this, like, greater system that like needs to be fixed. And you really can't put all of the blame on the individual. I don't think that that is totally the solution, because these racist ideals and these exclusionary motives are kind of encouraged by the system that we operate through.

And until people become aware of these systemic issues that kind of play into this, or aware that their actions are influenced by the greater systems, people are going to continue to do it and not realize that it's wrong and genuinely think it's coming from a place of bettering their communities. And I don't think that everybody in this category is that not self-aware, I think that people are self-aware and justify the reasons behind opposition and whatnot with other things to kind of disguise that self-awareness. And that's where this whole idea of neighborhood character comes from, and so on, and so forth. And this is a whole other conversation. But I do think that this idea of, "this land is the land that I own, and that I have rights over, and I'm going to need protections for," comes from this delusion, that land does belong to people in that way. It comes from this delusion that people, especially these white wealthy folks, own this land when it was

never their land to begin with. But again, this is not the conversation that we're having here. I think that that is a topic that we can't fully explore in this podcast, unfortunately. But I do think that that sets the basis for like, where all of these ideas come from and why they're flawed, even if it feels for the person who believes that that is coming from a place of truth.

But regardless of the intention behind people's motives to oppose development that is denser and is more affordable, cities have to deal with this. Cities have to find creative solutions to teaching people and highlighting the positive sides of what this development will bring to your community. And many people are setting great examples in this area. And that's what you have to do to like, get these sorts of things passed where the biggest opposition is the community members. It's like, you really just have to like--you have to do a ton of public outreach, and you have to convince them this is the best thing for the city.

**Kira:** What are their main selling points? Like why is it better for everybody?

**Delaney:** I'm about to get into that. So, at the APA National Planning convention in San Diego, I attended a conference called "Mythbusting affordable housing: Publicly Slay the Boogeyman", and there were three panelists: Elizabeth Esposito, a project manager at Avangrid. Megan Jouflas, a senior planner in the lower Connecticut River Valley Council of Governments. And Elizabeth Dixon, who is a senior planner at Dude K. These women introduced a case study in the suburb of Weston, Connecticut, which is in Fairfield County or the suburb of the Gold Coast. It has a small population with about 10,000 people, the median income was around 270,000, the median age was around 50 or 47.6, and the demographics were 95% white. They proposed to

introduce “Rivercog”, a regional housing plan currently before these women came in their regional housing approach is not mandated in Connecticut in the mandates for town specific housing plans that do exist are vague. So, in order to change this, the proposal would include voluntary board members that would oversee “Rivercog” and involve the community members in a collaborative and consensus-based approach to affordable housing.

So, there was a variety of public meetings held in which Esposito had to convince community members that this plan was something that they should adopt and should allocate in the suburbs of Connecticut, which would essentially mean them accepting that housing would be something that the community is focused on creating and focused on increasing in their area. So, it's like convincing them to accept that their community is going to change and that this is something that they want.

And they explain how they were able to do this in the presentation, which can be summarized as diplomatic ways to host community meetings. So that you change people's minds and reframe it in a way that shows the positives, and doesn't focus on the negatives, which is what they're inclined to focus on.

And one of their talking points was that like, “many cities in America are facing like a continued loss of young people.” So, like populations are aging, and you need young people to like, work sh\*tty jobs, like that's just how it goes, like you need a working class, and you need people to contribute to the economy, because when you're a certain age, you're retiring, or you don't want to work in the service industry. You know, it's like, the way that capitalism works is you have to

have these people who work at different levels, otherwise, the local economy, like totally fails, and everything plays into like how cities operate. And you have to have diversity, in order for it to operate in those ways. Like this will actually help communities stay in the place that they currently are at for longer when it comes down to sustainability. Because otherwise, the community is going to have to change drastically in a very negative way in which because there aren't enough young people to support the local economy. Businesses don't want to be in this area, businesses go out of business, and then no businesses take their place. And then the community is left in a state of peril, and people start to move out of it. So, a lot worse will happen a lot faster, unless these changes are made that require immediate action. But it's all about reframing it for the long term and in a positive way. And in order to actually change people's minds, you do have to like approach them in these diplomatic, compassionate ways. Believe it or not.

Another thing they were talking about is like how to fund affordable housing projects. Because as we talked about in the last episode, affordable housing is as expensive to build as non-affordable housing. So, in order to make these projects actually happen, you have to rely on like government funds. And so, these women were just like talking about how you needed like a diversity in sources of funding to make affordable housing projects in your community, more possible

**Kira:** Diversity in where the money is coming from. Is that what you mean? Yeah, why do you need diversity? If you're getting the money, you have the money, right?

**Delaney:** So, the way that the way that those projects are financed is through federal grants and like federal assistance, and like local assistance, there's this thing called a Low Income Housing Tax Credit. The Low Income Housing Tax Credit, quote, "provides a tax incentive to construct or rehabilitate affordable rental housing for low income households." The LHITC subsidizes the acquisition, construction and rehabilitation of affordable rental housing for low and moderate income tenants and quote, "was a part of the 1986 Tax Reform Act, and it's been modified or updated many times. And the way that it works is the federal government issues tax credits to state governments and state housing agencies then award the credits to developers who make affordable rental housing projects, then these developers sell the credits to private investors to obtain funding, then once the housing project is in operation, investors can claim the lighting over a 10-year period."

And this is great that this exists. But the meaning behind like a diverse source of funding is instead of just relying on like this federal assistance of funds, you should also rely on these like local regional sources of funding because that funding goes back into the community. And that's like another selling point to tell people who would otherwise oppose the development. Like there's this thing called the regional housing trust fund, which are distinct funds established by city, county or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing and increase opportunities for families and individuals to access decent, affordable homes.

Most importantly, Housing Trust Funds systematically shift affordable housing funding from annual budget allocations to the commitment of dedicated public revenue.

So instead of like, “oh, we only have this much money to give because this is the amount of money that we have allocated for this project this year.” And like there might be one year that it's like a lot of money, one year that there's no money, and this and that it's like it's a yearly thing. Instead, it's like--there's this committed public revenue that's like every single year has to be the same amount of money dedicated to affordable housing. And there's no fluctuation in that. And instead of going to the federal government, this finances regional housing projects. And so that's why it's important not to just like take the funds from federal government, but like, regional government stuff.

**Kira:** This might be a bit of a tangent, but I was just curious about, like to community housing in SLO. Does SLO have any regulations on Community Housing? And is like The Establishment or Upham House, which is another one, are they somehow getting around any regulations that prevent it for some reason, or is SLO supportive?

**Delaney:** So, the way that The Establishment gets around it is that each individual room has its own lease. This is from--

**Kirsten Dirksen:** ...the 1890s. But it wasn't like a boarding house was more of a hotel?

**Establishment Tenant 2:** Yeah, I believe it was actually a hotel, and then morphed into various types of boarding houses. Typically, if there's like a couple that lives here, they have they rent separate rooms, you know, they'll probably like actually cohabitate in a certain way. But they

have to rent two rooms. It's like a single occupancy lease. So, we never have like a couple sign a lease here.

**Delaney:** And so, like each think of like, each of those as like its own, each room has its own individual apartment.

**Establishment Tenant 3:** Technically, legally, they can't be considered apartments, because then you have to have some sort of kitchen facility.

**Kira:** And nobody--I mean, obviously, I feel like someone in the city is aware of this. They're just letting it happen?

**Delaney:** People are aware of it. And like even the mayor has like talked about and be like, "oh my God, we need to have more projects like this! This is such a cool way of living." And she's super supportive of it. It's the way that it's passed down is like it has been grandfathered. Over the decades in the 70s. It was converted into this like co-living area.

**Establishment Owner:** Yeah, this is good. I'd moved out from Santa Monica Canyon in the 70s. I saw in the paper 19 room fixer upper.

**Kirsten Dirksen:** Did you consider trying to make it into apartments or something?

**Establishment Owner:** I mean, no.

**Kirsten Dirksen:** You wanted to do 19 rooms?

**Establishment Owner:** I wanted to do 19 rooms.

**Kira:** Can I ask you another question about the establishment? When they're built at different times, depending on when they're built, they follow different, like zoning regulations? Do they follow those regulations until they're demolished? Or until somebody else buys them?

**Delaney:** So, when it was a hotel, it had these different requirements as hotels have different zoning requirements than houses. Yeah.

**Kira:** Because it was a hotel.

**Kirsten Dirksen:** But there aren't that many single occupancy hotels here.

**Establishment Tenant 3:** I mean, yeah, that's kind of a holdover from it being like a boarding house zoned for communal living. Yeah.

**Delaney:** But this is all really interesting, because it's actually for sale right now. It's literally being put in this jeopardy where you know, someone could buy it and just turn it into apartments and stuff.

**Establishment Tenant 4:** She can boot everybody out and gussy it up and make a bed and breakfast out of it and then be worth so much money. I'm done. When instead, she has decided to keep it as I'll call a safe haven. That's not price. This is still the most affordable place to be in town. And in attracts the creative, the kooky, and it gives them a place to be.

**Kirsten Dirksen:** Communal living, so was that your idea from the beginning?

**Establishment Owner:** Yeah.

**Kirsten Dirksen:** Why was that?

**Establishment Owner:** My son had died. Yeah, I think that was three months before I got this. I was having a really hard time he was 19. And he was this kind of person; he loved a lot. So, he was just the kind of person that would be in here. It was that kind of people. People you like. It was actually people who I like. The kind of values that I like.

**Delaney:** The people that are living there now are the people who've lived there in the past are like trying to get this crowdsourcing going so that people get enough money to purchase the place so they can continue to have it the way that it currently is. And they're doing it in this cool way where it's like if you if you give money to it, you can invest in it and you will be you will earn that money back eventually through rent or whatever, like you become this like, co-op landlord, I guess it's kind of interesting.

But the downside of like zoning codes like San Luis Obispo that prevent, you know, multifamily housing establishments is that something like the establishment, which everyone acknowledges even if you don't want to live that way, it's like, "oh, that's cool that people are doing it like that," the downside of the zoning codes like that is that even when something like this is allowed to exist, and like, kind of find this loophole, the zoning code is not set up in a way that's like sustainable--or that's not sustainable in it of itself. Like, because there's no protections that the zoning has allowed for those establishments to exist, something like this can happen, which like someone can buy the property, and then just turn it into, like, whatever they want. And so, I think that just goes back to what we were talking about in the first episode, which is like, you know, there's a difference between the right regulations and the wrong regulations. I mean, it's very abstract to talk about it like this. But like, there is so much importance that regulations play and like, the absence of them is not great. And the abundance of them is not great. You know what I mean? Like, depending on what kind of regulation it is

**Kira:** Unproductive vs productive. I was trying to live in a multifamily housing, which requires you to dress up. Like it's a pirate week, so everybody has to wear pirate clothes the next day, or it's like clown week and everybody--yeah, like in an old house that's just part of the co-op or whatever is dressing up. And then I would manage it. It'd be an art house. That was my dream. But no, I don't know if it's possible. You're slowly educating me and just making me more sad, which is nothing new, unfortunately.

**Delaney:** Well, no, now you're going to know how you can do it. You know, now you're like, "they're individual apartments. We're all going to live in this warehouse, but they're separate

rooms, and they're separate leases." And couples you can't live together. So now you know exactly what to do. I'm just like telling you how you could do it. That's so cool. I would live there.

**Kira:** Yeah, I was like going through old houses in Santa Cruz. And there's some really cool house that used to be hotels basically. And I had this whole vision. Yeah. Okay, you're welcome in. I accept

**Delaney:** *(laughs)* Thanks Kira.

## **EPISODE 2, Part 2: Group Living**

**Delaney:** Yeah, so some cool things are happening around the US where people are trying to like, finally make co-living and like group living more of a possibility. So maybe you go should go to Denver Kira. And this is like a very small step. But I think the fact that it happened, like shows that this sort of change is possible. So, in Denver, Colorado, they are trying to remove the prejudice against group living and make it making it more accessible. So, as of 2018, it was illegal to have two unrelated persons living together in a home. Isn't that crazy? Like, and people probably do the thing of like, "okay, that's the rule, but like, we're not going to tell anybody, and we're going to have five people live in one place."

**Kira:** So, this was up until...?

**Delaney:** This is like, up until 2018. This was a thing. Isn't that crazy?

**Kira:** Especially for Denver. I feel like they're very forward thinking.

**Delaney:** Yeah, I don't know how close Boulder is to Denver. But it's like, there's a college nearby and stuff. And like, there's a lot of young people, and young people need roommates because they can't afford, they can't afford--they can't afford it. So, it's just really a crazy outdated law. So, they're trying to get rid of that. So, the amendment of Denver's zoning code created exceptions for like specific situations and like it ended up being--I'm not talking about everything that went into like getting to this place on purpose because it was like a really long

and drawn out battle to get even to this new amendment. And the amendment says, "residents are allowed to live with up to five adults in households where not all residents are related."

**Kira:** I actually don't know what that means. Can I read it? Where is it? Residents are allowed to live with up to five adults in households where not all residents are. Okay. Okay. So, it's specific to adults to us. Yeah. Okay. I was thinking of myself as a child. So, I was like, "I have to live with five adults?"

**Delaney:** *(laughs)* Like, wait it doesn't talk about children? Why am I not represented? I'm a child. So, the whole process of them getting to this point involves using the Fair Housing Act.

And again, California's fair housing laws, our tenant protections against discrimination because of race, color, national origin, religion, sex, familial status, disability, etc, any arbitrary characteristic. So, the Fair Housing Act was created in 1959, and Denver reference to the amendments to the Fair Housing Act that were passed in 1988. These amendments expanded the Fair Housing Act to protect seven classes, one including disability. In order to like push forward with this amendment, they had to reference the Fair Housing Act and the amendments from that time.

So, the law existed in the first place that was like "no more than two unrelated people can live in the same house," because they didn't want halfway houses. The Fair Housing Act Amendments expanded for disability, like we previously said, and alcoholism is a disability. So, the zoning

code amendment was to remove this discrimination against a protected class, which was currently working to keep halfway houses out of neighborhoods.

And so, the way that the city used, the Fair Housing Act was being like these people are protected classes, you can't use zoning to discriminate against those people, you know, to prevent them from living in a house. And by doing so, they were able to amend the zoning code to what it is now, which is residents are allowed to live with up to five adults in households where not all residents are related.

**Kira:** So, they use the fair amendment to basically disprove, or prove that there was something wrong in the current--

**Delaney:** Yeah.

**Kira:** Okay.

**Delaney:** Yeah. Now, other cities can like look to Denver as an example, like, let's say SLO wants to do that. Now there's like precedent, basically, which is cool. And then another thing that like, the city did, so like I was saying earlier about how it took a really long time for--or took a lot of--like, there was a lot of steps that Denver had to take to get that law into effect, because there was a lot of community opposition. And so, the way that the city was able to, like, engage with citizens and kind of convince them to accept this ordinance, is they there was a lot of different steps to it; they did a lot of community engagement. Something that was like

specifically pretty interesting that I feel like they did was that they provided like this fact sheet at a public hearing, and it was kind of like a "Question and Answer" type facts sheet. So, one column would include common misconceptions and questions that citizens might have about the zoning changes. And the next column would include data that shows the truth behind what these changes will actually bring to the community, which was often a lot less intense.

**Kira:** Did they actually then convince the citizens? Oh, that's cool. So, they actually got approval from and like encouragement. Yeah, that's impressive.

**Delaney:** Yeah, super impressive. So, one of the misconceptions was, "we've heard that these rules will increase density 150%," and the column next to it with the fact said, "this is very unlikely, because data from 40 cities across the US show that the average household size is two to three people, even cities that allow five or more unrelated adults to live together." And so for the people who live with up to five roommates, in total current rules make their living situations legal, but zoning codes do not make people who otherwise would not have moved in with roommates do so. And I think that's what people are afraid of. They're like, all of a sudden, like, all these houses around me--you're going to have all these other people coming into the city that I don't know, when in reality, they're just like, legalizing what's already there. And like, yeah, eventually, more people will come to the city, but it's crazy how little that will affect you. You know, that's like, that's kind of what they're trying to show.

**Kira:** So, communal living, encourages that more? Is that what you're saying? Or are there like rules? I get what you're saying, but I don't--I'm a little confused how the communal housing helps that.

**Delaney:** So, co-living, that is affordable housing by nature. When you think of a ton of people splitting the rent for something, it's like it's going to be way cheaper. So, the connection there is just like co-living is affordable housing, and how do you get affordable housing to happen? It's through these--it's through these processes.

**Kira:** So, you're explaining like how ways to help this happen? Okay, yeah, I once watched a documentary, I forget where it was, maybe Sweden, but apparently there's like a bunch of communal living. And it's like, way more of a thing there. And this documentary was attributing, like national happiness to more communal living, I thought is super cool.

**Delaney:** I bet that's true.

**Kira:** It was an NPR documentary like it was legit.

**Delaney:** (*laughs*) It was legit, it was NPR. You should watch this video--I was watching this video that this woman made that was touring The Establishment. This woman is Kirsten Dirksen. And this video is where all of these audio recordings came from. It's on her YouTube channel, where she explores different ways that people are living eccentrically whether that's in tiny homes, or communes, or co-living styles, anything, and she was like interviewing the people that

lived there, and then like having them talk about why they love it so much. And like everybody was in love with the place like people who were older, were like, I'm going to die here. And--

**Kira:** How old are they?

**Delaney:** I mean, the guy was like, 60 or something. And he's like, "I'm going to live here until I die." And I was like, "damn, like, yeah, you definitely do love that place if you're talking about like that." And it just, it was cool too, because it's like, they were talking about all of the benefits of like living with this many people like you don't have to necessarily buy like 15 spices for yourself. *(laughs)* You could all share the same spices, like really small things like that. But I was like, yeah, that's so true.

And when you think about shared space, and you think about the adaptable reuse of shared space, it really lets you appreciate how things get passed on in the things that people do for this space. There's this outdoor-- they're showing this part of The Establishment and it's like this outdoor tub that's like enclosed by all these grape vines and stuff. And it's like, it has full plumbing and it's like gorgeous. And it's like this own little like green oasis that you get to just like go into if you want to. And like somebody did that, you know, somebody bought that tub, somebody set up that plumbing and like planted all those grape leaves and stuff, and they're no longer there. But they did that for the person who's going to live there next. And like, that's what community is, you know, you're taking care of the future generations. That's why I think single family zoning is like so opposite. And it's because it's like, "this is the thing that I want right

now. And this is the thing that's going to make me happy right now.” And there's no consideration of like the future generations and how it's going to affect people and stuff.

**Kira:** And I feel like the community living, yeah like encourages recycling and reusing. Like, all the things that we seem to be straying away from, and that's causing us issues like environmental issues are diminished with, like that mindset is diminished with communal living. *(beat)* If there's a tub with grape vines, I'm down.

**Delaney:** *(laughs)* Alright, well, that's all I wanted to talk about today. So, do you have any final words?

**Kira:** Do I have any final words? I mean, I have one question. So initially, you're saying that in Denver, they, they had these rules, because they didn't want like halfway houses and stuff? Like, obviously, there are going to be people who still don't want that being built up next to them, or like a company, like they just spent all this money building this brand-new building for this company. And now someone just comes in and can build this like halfway house? Yeah, it just seems like there's less reliability in the building plans. How our people going to deal with that is do you see that as like an issue at all?

**Delaney:** Like, reliability in...?

**Kira:** Like, because now there's now there's no zoning. So, you can't say this is just like, a high-end corporate area. Or this is like, more of the family area where there's going to be a school.

What if suddenly, like now there is a halfway house, like right next door to the elementary school? Like for builders, or contractors...yeah, it seems less reliable, because there aren't these rules set in place that create this, for sure future of what that area is going to look like. So, do you see there being like, issues around that? In the future?

**Delaney:** Yeah, I think, I think definitely there will be like...there's definitely going to be issues. And I don't think that like getting rid of zoning as a whole is the answer. The answer to me is like being even more specific with zoning, like, "this area can have these houses that are multifamily. And it has to have two kitchens or something or like things that like will create the exact thing that you want to have in your neighborhood." You know, there's this thing that's happening right now with ADUs, additional dwelling units which is just like another unit on your property. So, in California, now you can like add an ADU as long as it's like a certain square footage. There's a couple different like rules and regulations. So that people build what they want people to build, which is like other homes that they can rent out to people, right? Even though that is what's happening. Sometimes people are looking at that law and being like, how can I make more money?

Like spacing requirements, you have to like set back your property a certain distance from the sidewalk, and at us because this law is so new, they don't have the same regulations. And so, developers are now like, "I'm going to call this an ADU and make it take up the maximum amount of square footage. So now it has no setback from the sidewalk, it has no open space. And now I can charge so much more money for this thing." So, in order to prevent that from happening, you have to have additional regulations that are like, "we're amending the zoning.

And now we're going to say that it has have to have this amount of setback in this amount of this and this amount of that.” So yeah, that's all to say that like the answer is not entirely getting rid of these. Once you get rid of something, you have to add more to it to make sure people do what you actually want them to do. And don't take advantage of the situation.

That being said, zoning is not going to make a city what it is, and I do kind of trust... maybe this is a naive thing to say, but I do think the power of citizens is still really important. So that still needs to exist. Like I think that's another check on these expansions of zoning and stuff. That being said, like I think capitalism is flawed in that way and capitalism and democracy is flawed in that way where it's like the two things kind of get in the way of each other because democracy literally requires people to participate, but because of capitalism, you can't, you know. You literally are so consumed by working and like making your way in the world and stuff; how are you supposed to know about these projects that are happening that you could have denied or could have could have approved? Because you're working all the time to stay alive? I mean, that's a whole different conversation. But--

**Kira:** So basically, like getting rid of these zoning regulations, takes away the power from this bigger system and gives it more so to the people and allows the communities to decide more so what they want in their area.

**Delaney:** Yeah, I would say so. But I also, I also think, I think it's both things, I think it's like, every community is different. Every community has different needs. Every citizen has a right to voice their opinion, and make sure those needs are met as best as possible. But there are larger

things that we as a society, there are larger things that we kind of have to care about. And one of those things, and this is the whole gist behind this podcast is like people have nowhere to live. And that's affordable. And like, you may want your community to be this like tight knit, low density area where it's only people that you're familiar with, maybe you genuinely think this is the best thing for me and my community. But there is a larger thing at stake, which is like, everywhere is expanding, there needs to be more housing, there's not enough housing, especially in California. So, it's like everywhere is going to have to get a little bit more dense, so that we can all survive. So, you have to listen to the community. But you also have to keep these larger things in play in mind. And that's what the government is kind of there for. That's what they're supposed to be there for at least is to kind of like remind the community have the bigger picture, but also to serve them.

**Kira:** That make sense, yeah. So, it's just, it's like the reality is there are more people and they need housing. And it's either going to be given to the to the rich and others are going to be excluded or it's going to be equally like offered to all okay. Thanks, Delaney. For hosting me, having me on this podcast today. Here at 1am on your bed. It was a pleasure. Love your office.

**Delaney:** Yeah. Thanks Kira. Thanks for coming on, thanks for talking with me, and yeah, I'm going to say goodbye. Bye-bye.

### **EPISODE 3: Final thoughts with Dave Amos**

**Dave:** I felt terrible. I was doing podcasts are getting interviewed for podcasts. And the reason I have a new one of these is because I--I knew I had to be in my office, I couldn't be in my studio at home. So, I brought the USB mic. I'm like, "okay, I'll have good audio for this podcast." It turned out to be broken and they didn't know it. And it ruined the whole talk like an hour. It ruined the whole thing. I felt so bad. I went home, and like re-recorded every single answer. Like, like, I like to listen to myself, and then just say it again. So bad.

**Delaney:** *(laughs)* Good for you. That's really nice of you to like, re-record.

**Dave:** And I'm also a little nervous because I'm at like, 20% of my air pods. Because I've been teaching for like three hours straight. So hopefully they hold out. Otherwise, it's going to be computer mic.

**Delaney:** That's fine. All right. And we're recording. Okay, cool. Okay. Hi, everyone. Welcome back to the tragedy of the commons. This is Dave Amos, and he's my professor. So, I am kind of like breaking the fourth wall here, but before I kind of get into that, do you want to introduce yourself?

**Dave:** Yeah. So, I'm Dave Amos. I'm a professor in the Department of City and Regional Planning here at Cal Poly San Luis Obispo. I'm also the producer of City Beautiful a YouTube channel all about cities and city planning.

**Delaney:** Cool. Yeah. And so, Dave is my advisor for my senior project, which is the podcast that you're listening to now. And I have him on here today to kind of give me like an expert's opinion on what he thinks about what I've said so far, and like what his takes are on the housing crisis, and like all of this and that because I don't know anything really. I just am a student.

**Dave:** You're underselling yourself.

**Delaney:** I know less than then Dave knows. So, what are your initial thoughts--you've obviously review the episodes that I've seen your way so far. And so, I'm assuming you've kind of familiar with how I'm presenting the information and stuff. And I'm just curious, like, what your initial thoughts are? Like, what are your feelings, your critiques or any, like strong opinions that you have so far if there are any?

**Dave:** Yeah, so I enjoy them. I like I like the format of you talking to your friend about these issues. For me, it feels a little bit like, like, you're reaching a different audience than say, I would reach it with the YouTube channel. Like, it feels very much like a Gen Z podcast, in a really good way. Like, like, I don't know, like, you are not my sort of demographic, but I can imagine that, like, younger folks was, would find this, like, especially compelling I find it compelling too but like, especially compelling to hear peers, essentially talking about the California housing crisis in a way that I find fairly accessible to novice audiences or people who are not planners, right. So that's why I'm excited about the project generally and your, your, how you've done it so far, specifically. So yeah, I don't know. I think it's good. I think that we need to have more people, especially young people talking about this, especially in California, because this is the

reality that everyone's living in. And I think a lot of young people are entering the rental market or you know, maybe at the point where they want to buy a house and then they're confronting this crazy reality that is California. And so, this is a timely podcast, for sure.

**Delaney:** Thank you for saying that. Yeah. Yeah. Because like, you know, in the future this is going to be our housing market in and like, what is that going to look like? And we're the ones who are kind of going to be directly affected by it in the same way that you're directly affected by it. But like, it's going to look different in, like 10 to 20 years.

**Dave:** Yeah, it's amazing. Because I'm a, I'm a millennial, I'm an elder millennial who, like just bought--

**Delaney:** Elder millennial (*laughs*).

**Dave:** Yes, an aging, gran millennial who just bought a house. So, I sort of have first-hand experience dealing with this market. And it is insane. Right now, it's a rough market if you're trying to get into it. But now I feel like, "okay, well, like I'm in now." But it took me many decades to get there. And I know that for Gen Z, it might even the odds might even be longer that like homeownership will be even harder to achieve. I was recently seeing a stat that from a, from a master student that California needs to build 180,000 new units a year to keep up with demand, and we're building about 80,000. So, every year is 100,000 unit gap and what we need, and that's going to pile up and for folks who are your age and you know, trying to again, find housing, it's going to get harder and harder every year.

**Delaney:** Yeah, definitely. Good news. Great news. Lots to look forward to in the future (*laughs*). Kind of picking up where I left off at the end of the episode previous to this one. I think Kira asked me something like something about, like, where the power should be when it comes to like, who makes the decisions of-- how do the people in like the government balance these decisions that are made about like, the use of space and the use of land? And I think I remember I said, like, "oh, there should be a balance", you know, "people should have power," in some sense. There should be like "small r" republican government working so that people can make these democratic decisions themselves, and they have some individual power. But the planner's job or like, the government's job, more generally speaking, is to like, oversee that power. And check it in the way that like systems of government are meant to check like individual behavior. And I think I stand by that conclusion, but I guess I'm, like, worried about how much-- it just goes back to like, how much interference, I guess, should like the public side of things have on like private markets in communities, because in the way that like the pro-housing movement is arguing for, or like the anti-exclusionary zoning movement, is we're taking away these like, zoning restrictions, so that there is more, I guess, like, private, agency? And what do you see is like the trajectory of that, I guess?

**Dave:** Yeah. So, I think the challenge of the housing market and why we have a crisis is because they're are all of these different actors, all with their own agendas, public, private, homeowners in the neighborhood, who may or may not be NIMBYs. And wouldn't be great if it was just a matter of like, our governor was anti housing, we can just elect a new governor, and there'd be more housing, right? Like there's just not that level of silver bullet answer in terms of who has

power and like who's controlling the power or sort of keeping us from having more housing, or lowering housing prices, and however else the policy mechanisms that may be. So, the challenge, I think is, and that's why planners are sort of right in the middle of it, is balancing all of these interests, right. You have the development community, working in concert with local governments, and that's how housing gets produced primarily, right, it's particularly through the private market with, you know, varying levels of influence from planners and local policymakers.

Increasingly, in California, we have also, you know, we've encouraged public input in planning decisions, which has led to many great things but also led to sort of obstruction of new housing, right. That's a that's a challenge, too. And I think one of those challenges is, we all sort of think-- everyone in California, I think, probably agrees that we are in a housing crisis, housing prices are high, and maybe not the same percentage, but still a very large percentage think that adding more housing would help. But the problem is, there are folks who if you add more housing in their neighborhood may not support it but support it generally, right. That's the essence of nimbyism, right, "not in my backyard, and in your backyard." So that's, that's, I think one of the struggles that we're facing is, and there's many struggles. I don't want to just blame everything on NIMBYs either. But we're talking about, like, who has power and things, right. Recently, folks who have been long standing members of the community have used the increase in participation that we've been seeing in planning to defend sort of their individual interests against sort of like a larger goal.

**Delaney:** Yeah, definitely.

**Dave:** So, I don't know if that answered your questions, but

**Delaney:** That's okay. That was that was a good explanation of like, what's going on right now. It's interesting because you have these, like, NIMBYs or whatever. And those are very real people, like they exist everywhere. But it's weird. I think the thing that's weird for me is like, how much blame is like put on these individual people. Where it's like, yes, they are using their, you know, participatory power to influence their communities in these negative ways, so to speak, when it comes to the housing crisis, but I, I guess the villainization of these individuals is not really helping the progress process that much? I don't know. Like, I don't think that the characterization of them is really doing anything to solve anything other than scapegoating these people and then saying, they're the reason that this housing is not being built, and we need to take the power away from them as if like, they're the sole arbitrators of the housing crisis, you know? So, it's like, I think the narrative needs to shift a little bit, but I don't really know how. And I'm like, curious what you think about that, like, what do you think about all that discourse and stuff?

**Dave:** Yeah, I mean so part of it is how planners do outreach on these issues. Typically, folks who are sort of class or classified as NIMBYs are well-resourced individuals who have a lot of time to attend meetings. So thinking about how we do outreach as planners to make sure that we hear from a wide cross section of the neighborhood, that, you know, when we're sort of dealing with things like up zoning, let's say we're, you know, the, the city wants to upzone to allow for more units, you know You might have NIMBYs who are against that, but is everyone in the

neighborhood against it? Or is it the sort of most vocal against it, and, that they are not representative? So, it's about making sure our outreach is appropriate.

And unfortunately, there are communities where there are certain wealthy enclaves where they have historically been pretty united in their opposition to new housing. And this is in California comes from-- we've seen this when the regional housing needs allocation process. So, when the state government says we need to have, you know, this many million new housing units in this in eight years, divided by the region's divided by the cities, and then you know, a city like, you know, Palo Alto, or, you know, Marin County, communities get their allocation and are pretty much universally against it. So that's where like, and I don't want to villainize them, because you understand where they're coming from. They're coming from a position of like, I mean, they're in a grea-- they're a great place, like they have, you know, their neighborhoods are the way they want it. And then why change? Why ruin a good thing? Right, potentially, it was, is there thinking? So, I mean, on one sense, I get that it's, it's like a selfish instinct, but it's an instinct, I think all of us have, like, I think that there some terrible, you know, human beings, they are just being human beings. So, I think that's part of it is like, I mean, they can be wrong, in some ways, or like, are against sort of, you know, like, contrary to what we want to have happen, but you can understand where they're coming from, at the very least.

**Delaney:** Yeah. Do you have any like recommendations--when you're doing outreach and kind of giving more credence to--or maybe acknowledging that you that these people have more time and more resources to attend these meetings and like be more vocal about these things, what are your recommendations for planners who are trying to reach out to the public and take in their

considerations to their planning process, but not giving as much value to these NIMBYs so to speak?

**Dave:** Yeah, I mean, the traditional form of outreach and planning has been a community workshop, right; 6 pm, at the library with some light snacks. And today, I think planners are more aware that they need to go where people are, and we have the ability to know what the makeup of the community is right? So, when we do a meeting like this, we can tell that this, this group is not the same as sort of what the census says is here. So, if we're doing workshops, that's fine. But then we need to augment that with like, well, who was missing from this room? And how do we find out where they are, and so to get their opinion, and that might be, you know, online resources can work, that can be helpful. Somebody can, like, you know, do a survey on their phone in five minutes. You know, they don't have the time for an hour and a half workshop, that can be a way to do it. People are busy. You know, you have tabling events, where you just go to a grocery store in town, right? A grocery store is a pretty good equalizer. I mean, there's different types of grocery stores, but like, you know, your pretty standard grocery store, you going to see a wide cross section, and you can table there and get opinions. So that's, that's the way to do it is going to where people are, after you sort of recognize what the makeup of the community is to ensure that you're, you're reaching everyone. Got it?

**Delaney:** Yeah, that's a good point. That's a really good point. Okay, in the last episode, I talked with Kira about like the workarounds that people are kind of able to do to, either to like avert these regulations, these zoning codes, or whatever. So, like, for instance, the co-op in SLO, The Establishment, you know, everyone goes on a single lease, and that's how they're able to have

this group living situation, like kind of through this, like, legal loophole, so to speak. And that's not exactly what it is, but it's like, kind of a frame to put it in. And so, we kind of acknowledged this from like, a housing perspective is like a good thing, because then there's more people who have housing, you know, that's more affordable. But then you have people on like, the flip side, using SB 9, for instance, to, like, maximize the space of the ADU so that they can expand generational wealth or for luxury purposes, like they're using it to as a second home or like a to make a profit for like, the wrong reasons. But like, how do you recommend that, like, we regulate these, things that people are bound to do, I guess, to skirt around the regulations that we put in place to create more housing for people who need it?

**Dave:** That's a great question. I don't know have a great answer here. I mean, I think people have been trying to, you know, in terms of group housing, fit more people into a small space not designed to that for a long time. I mean, I, I think back to my undergraduate days, we had 12 people in our house and the code said we could only have nine in it. You know, so if there's somebody from Ithaca, New York coding forces, listening, I'm not going to tell you the address. I'm sure people are still doing it. So, you know, that that's, it is I mean, that is what it is, I mean, obviously, in terms of group housing, these regulations--they're really different reasons for the regulations. I think some of the ones that you mentioned in the podcasts are really good. I mean, there are health and safety concerns, right? You don't want to over stuff a house for fire code stuff. I don't know. And then it gets in terms of SB 9, you know, how people's because there's two different ways to look at this. I mean, there's the cities who are trying to skirt the state regulations to let there be less housing. Right, and then there's the people who are trying to take advantage of the law for profit sake, I mean, I don't know if that's necessarily a bad thing, if

they're actually bringing more units onto the market, like, so I don't. I don't know. I'm trying to make a link here and the way that you did and I'm not getting there. But anyway, I mean, they're both very complicated. And I understand what you're saying about regulations, and how do you how do you make regulation work to ensure that there's more housing on the market? I think I mean, loosening up generally, I think is a good thing. And compared to where we are now, we're pretty tight. So, it's a pretty well-regulated market. And again, for good reasons. There are health and safety concerns, obviously, but we could be looser, and I think, as we know, is actually a step in the right direction. And if they're sort of folks abusing it to build more housing or more luxury housing, I'd rather have that abuse I guess then like cities abusing it to ensure that there's no housing coming out of it. Yeah.

**Delaney:** That's a good point. Yeah. Because it's at the end of the day, there is more housing and that's kind of the goal.

**Dave:** It's not the state's job to say that it's got to be a certain type of housing or for certain group of people like you know, we almost don't want the state to do that and to step back.

**Delaney:** So, is it maybe like on these municipalities to like, to kind of weed through and have these more specific laws, local laws or whatever that help create that sort of housing?

**Dave:** I don't know. Yeah, I mean, I'm a little bit--I'm evolving my own thinking on the role of local government and housing production as a result of that result of the housing crisis, honestly, because when we leave it to cities to do housing policy, sometimes we end up in situations like

Sacramento, who are leading the way statewide in terms of like they've already sort preliminarily agreed to allow for units on any single family lot in this in this city, which is ahead of where SB 9 even gets basically. So, there are cities innovating, which is great. But there are many more cities, I would say, trying to subvert state mandates or state, you know, goals around housing, to limit the supply. And at some point, I mean, I understand that there are folks who call for local control, and the global control is the way to go. But then part of me is like, well, maybe the state can control of some of this. If it's an actual statewide issue, they need to step into local issues. And we only have to look as far north as Oregon, where they have a far more centralized state planning system. That still, you know, there's still obviously local input, but they have statewide planning goals. And then cities must submit their planning documents or regrowth boundary documents to the state and the state can say, "no, you didn't do a good enough job, you didn't provide enough room for housing, or you didn't, you know, consider this if we have these 19 goals." And they have to hit all the goals, the state goals.

So, there are different models for how to how to do this, and how the state and local governments can start to interact to solve these problems. And I think we're at a point in California where we might need to be thinking about alternatives to what the status quo is. Yeah. And don't get me started on regional planning, which has its own sort of, you know, way to think about it and sort of its own mess in California. So anyway, the one thing I will say about California is that I think we're willing to try new things. We're very--we're not allergic to regulation, or passing laws to solve problems, for better or for worse. So, I think that, you know, I'm optimistic that we'll figure out answers to some of these problems. But yeah, it's going to be a long road travel.

**Delaney:** It's going to be the long game.

**Dave:** Yeah, exactly.

**Delaney:** So, there's a point in the podcast where I like, kind of critique the "Yes, in My Backyard Movement," because it promises more than it actually does. And I know, it's specific in being like, "we're just trying to create more housing and make that process easier." And Kira said this this really well by saying there's like fallacy to that how much it's actually doing for people who are lower income and who, you know, aren't benefiting from these systems of capitalism? So, I'm curious, like, what your take is? Do you like do you see validity in that? Or do you think that it's just helping the process in one way, and which will eventually lead to this like domino effect that like what we said will help things and like the long term? That sort of thing?

**Dave:** Yeah, that's a good point to be made, or a good thing to think about. Now, for the housing crisis, there's no silver bullet, there's no one answer. So YIMBYs don't have all the answers. And I think that having YIMBYs in response to NIMBYs as a whole is a good thing. But I think that they're not immune to critique. So, I think you're on the right track there. I will say also that, you know, going back to NIMBYs, there are there are certain instances where I think nimbyism makes sense if you're an ethnic enclave, and you're sort of like--there's a culture there that you try to preserve, because it's very important to your, you know, to the identity of a community, then it's like yimbyism isn't always the right answer there, or it's got to be tempered with a lot of community outreach, and organizing and things like that, and really be, you know, coming from

that community as opposed to from the outside. There's a tendency of sort of, kind of, quote, unquote, urbanists, and I don't even like to use that for myself, because it's kind of a cringy title to be fair like, you know, like male middle class and white kind of a thing. So, so just being aware of those biases that come into play, when you're when you're sort of promoting YIMBYism that there might be communities where that, you know, YIMBYism needs to either take a different form or something like that.

So, and I mean, if you're talking about the, you know, capitalism, you know, I don't know--like, I'm working on a video right now so it's like on the top of mind about, like, should the US bring back public housing as like a policy choice? And, you know, when I was doing the research for that video, it's fascinating the debates, because I don't--I would consider myself to be like, fairly amenable to the idea of expanding public housing. Like there's such, again, such a housing crisis, that we need to have all hands-on deck, like every option on the table. But there's lots of really cogent arguments from folks who care a lot about solving the housing crisis that say that public housing actually is not a great use of dollars. Like, of course, if we have a limited pot of money to spend on helping people find housing, public housing is a long-term expensive solution. That would, you know, it would take a while we're in a crisis means immediate action. You know, so there's that issue. And then, you know, and then also, you know, you need almost like, the same problems that you deal with NIMBYs in the private market would still be there with the public market, like NIMBYs are still going to come out in force against like, maybe even more so. "You're trying to build public housing? Oh, no." So, it's a challenge. Again, no easy answers here.

**Dave:** Yeah, yeah. I'm going to switch onto my computer mic my sorry.

**Delaney:** No, it's okay (*laughs*)

**Dave:** Can you hear me now?

**Delaney:** Yeah.

**Dave:** I'm sorry. They made it a half hour through this. I couldn't keep them running longer.

**Delaney:** For listeners, Dave's AirPods have died.

**Dave:** So, I'm going to try to speak really close to this microphone.

**Delaney:** Yeah. So that's exactly right. Like, I think that they're still going to exist, and they're probably going to be stronger in the in opposing these things. And I think it's a symptom of just the way that our society works. There's this and he's like this Director of Urban Public Affairs at this university, and he is super critical of anti-exclusionary zoning. And one of one of the arguments that he made that I think was like, actually pretty interesting.

**Dave:** What's his name?

His name is David Ambrosio. So, he was just like, critiquing this mindset, I guess because he was looking at it from a sense of like, “alright, we're doing all these things that work within the system of capitalism, that are supposed to appease these private interests. And we're like, bending over backwards to do that, like this is how capitalism works.” So, it's like, you can't really solve it that much but like, the way that we're incentivizing like more affordable housing, currently is like, you know, density bonuses, so you know, giving more power to these private developers. Like, just adding to this power that they already have, so like, why are we giving them this? Is it okay to acknowledge that power? Do you have to do that in the form of like, appeasing these, these interests because that's how the society works, and that's how things get built? Like, are we just going to like, be okay with that being the solution? And like, he was just, he's just very critical of like, all of this because at the end of the day, it's still just trying to, like, make private developers do the things that we want to do, but they're ultimately not going to build affordable housing, if it's the same price as like non affordable housing. So why are we so obsessed with like, making them the star of the, like, conversation, I guess I'm just curious what you think about all of that?

**Dave:** Yeah, that's, that's an interesting point. And what are the role of developers in any community in terms of capitalism? So, there's, I have a few thoughts on this. I think, first of all, if we as a society want to decide that housing is a human right, and that we should pay more in tax dollars to basically ensure that every person has a safe, comfortable home to live in. That's great. I mean, that's a whole different outlet that is the non-capitalist, that is like a socialistic view of how we should provide housing. And if that is the way that we want to go, I'm all for it, like I want everyone housed well. Is that politically going to happen in the near future? Probably

not. We are probably going to be stuck with capitalism, for better for worse, and will need the private market to build housing for the near future, at the very least. So then, then we get to the role of developers. Yeah, like, do we? Do we need to appease them? Like, are they like, why do they have so much power in this? And I guess, my thought is, in some ways they do. And in some ways, they actually don't. We do impose quite a few restrictions on what they can build. And if they were, if there were no regulations, they would build a lot more than what they are building today. So, regulations work, they respond to regulations and incentives. If they were truly all powerful, the local governments would have no ability to control them. And in fact, we have quite a quite a few tools to control development. So, I don't know I don't necessarily consider them to be all powerful.

And also, yes, they want to make a profit. And I don't know if the profit motive is necessarily a bad thing. It is capitalism, right? It is what it is. But like, that's their job. Their job also is then to find out where, what is the market for housing, and how can they provide a product? And right, how are the developers talking about housing as product, which is a sort of strange way to think about it for planners, but how do they provide a product to the market that will sell it make them a profit, so they use that money to go build more housing in, in that sense, like you do kind of want to encourage profit for a developer, like you don't want them to go bankrupt because then nobody's building housing in the private market under capitalism.

So, I don't know. It's just funny to me like that, like sometimes planners who are progressive and want to build more housing have a strange bedfellow. And that libertarians, like the "Reason Foundation" are very anti-zoning, because they think they want small government, and they want

the private market to take over and in, in sort of build housing to the maximum extent possible. So in some ways, you get these weird, weird triangulations, that people who are actually maybe opposed to more regulation and want the private market to build more, even if you might sort of also be amenable to socialism, because the ultimate goal here is more housing, or, you know, in more affordable housing, and that may happen just by providing more units, which would sort of just be achievable by loosening the leash of private developers. So, a complicated situation, I'm going to say that for every answer complicated.

**Delaney:** And it's the right answer. That's just a complicated situation. So yeah, that makes sense. So to end, is there a city or state in the US or like abroad, or whatever that's like doing it right? Like where can we look to for examples for housing crisis solutions? If there are any, like that you can think of?

**Dave:** I want to start by saying, this is a California focused discussion. And I think it is within California has grasped to solve this crisis. I don't think it is impossible for us to do it. I like to think about how much progress has been made in the last five to 10 years. It's been it's been amazing. The five or 10 years when I was doing land use planning in California, you know, eight or nine years ago, we couldn't touch single family zoning. It was a third rail, we could never propose there would be anything different. And now it's almost common knowledge that this is one of the biggest hang ups that we're dealing with, and that we need to propose and pass--we have passed legislation to essentially end single family zoning in California.

So, in the span of 10 years, we went from like, “don't touch it” to “now it's gone”, essentially. So, things are moving fast. It reminds me of climate change, in some ways, things are moving the right direction. Is it fast enough, right? Because the these--these twin problems are accelerating in terms of challenges. But we at least that now acknowledge that there's a problem and are trying to find solutions. So, in that sense, I'm actually fairly optimistic or at least hopeful that California can do it. Now, yeah, they're like--I mentioned Oregon as a possible example of something that somebody to emulate where there's a little bit more state control, to break through some of these barriers, because we acknowledge that housing is actually a statewide problem.

And though housing provision happens at the local level, and housing regulation happens at the local level, we need to think more statewide about this. I think that's probably a good way to think about it. I didn't touch on this, but California has a regional--I may have touched on it in passing--planning model that I am hopeful for the in that cities or regions of California have to plan for housing, land use and transportation altogether in a Sustainable Community Strategy. I think that planning strategy is great, but the regions themselves don't have the teeth to actually do anything to make the local governments enforce those plans and build more housing, near transit and things like that. So, we have some pieces in place, what we need is more money, and more of an impetus from the state to see these goals actually met. So hopefully, we're heading the right direction. And help is not too little too late.

**Delaney:** Well said. Well, I think that's everything that I had to ask you today. Thank you for coming on to the podcast. Thanks for giving your expert opinion and for being my advisor on this podcast. And it's been really fun, and yeah!

**Dave:** Yeah, you're welcome. Again, great job. And, you know, remember me when you're podcasting for NPR someday.

**Delaney:** I will not. I will forget everybody when I get famous. Great. Okay. Thanks, Dave.

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