

Obama's housing guidelines spell trouble for Americans

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I haven't written much about urban planning lately, but that's not because the problem of overregulation has gone away;. In fact, the Obama administration is doubling down with a publication released in September entitled the Housing Development Toolkit.

Here is what the first two paragraphs of this document says: "Over the past three decades, local barriers to housing development have intensified, particularly in the high-growth metropolitan areas increasingly fueling the national economy. The accumulation of such barriers – including zoning, other land use regulations and lengthy development approval processes – has reduced the ability of many housing markets to respond to growing demand."

"The growing severity of undersupplied housing markets is jeopardizing housing affordability for working families, increasing income inequality by reducing less-skilled workers' access to high-wage labor markets, and stifling GDP growth by driving labor migration away from the most productive regions. By modernizing their approaches to housing development regulation, states and localities can restrain unchecked housing cost growth, protect homeowners and strengthen their economies."

Before I continue with this introductory statement, keep in mind that when the administration uses the word affordability, it actually means subsidized. Also recall that there has been tremendous pressure on cities of all sizes, but especially larger cities, to adopt form-based codes and other zoning policies that typically include the adoption of codes that create urban growth boundaries that always eventually lead to higher land costs. These codes also seek to create urbanization, meaning that the end goal is to move people from suburban and rural areas to urban areas, and the context of that necessarily includes high-density development. Continuing the introductory statement:

"Locally constructed barriers to new housing development include beneficial environmental protections, but also laws plainly designed to exclude multifamily or affordable housing. Local policies acting as barriers to housing supply include land use restrictions that make developable land much more costly than it is inherently, zoning restrictions, off-street parking requirements, arbitrary or antiquated preservation regulations, residential conversion restrictions, and unnecessarily slow permitting processes. The accumulation of these barriers has reduced the ability of many housing markets to respond to growing demand."

This paragraph is intended to attract the interest of those who have experienced all of the problems that they enumerate, but it places the blame upon local governments, many of whom have done exactly what the federal government wanted them to do. For someone who has experienced these problems, but who are not well versed on where these regulations came from or came about, it might sound like good news.

For example, a builder who has spent over a year obtaining approvals and getting (or being refused) a permit would welcome the notion that his or her project could be done much quicker and with more predictable approvals.

But of course, the Obama administration has a solution, as a matter of fact, several of them: “This toolkit highlights actions that states and local jurisdictions have taken to promote healthy, responsive, affordable, high-opportunity housing markets, including:

“Establishing by-right development.
Taxing vacant land or donate it to nonprofit developers.
Streamlining or shortening permitting processes and timelines.
Eliminate off-street parking requirements.
Allowing accessory dwelling units.
Establishing density bonuses.
Enacting high-density and multifamily zoning.
Employing inclusionary zoning.
Establishing development tax or value capture incentives.
Using property tax abatements.”

All of these items, as I will go into in more depth in next week’s article, represent the liberal motif of social engineering, and have no constitutional basis for enactment.

Why should we enact these? Here is why they say we should: “Cities and states across the country are interested in revising their often 1970’s-era zoning codes and housing permitting processes, and increasingly recognize that updating local land use policies could lead to more new housing construction, better leveraging of limited financial resources, and increased connectivity between housing to transportation, jobs and amenities.

Next week I will begin to explain why this is exactly what we should not be doing.



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