



The End of Single-Family Zoning in California

**How to Protect Yourself
and Profit from Permissive
New Upzoning Laws**

by Cary Brazeman



Baseball, hot dogs, apple pie and single-family houses

Is nothing sacred?

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This is big

Newly adopted California housing laws — Senate Bill 9 (SB 9) and Senate Bill 10 (SB 10) — deregulate single-family zoning across California. No longer can local governments restrict the number of homes on a parcel to one.

The new laws don't outlaw single-family homes, but they make it so attractive to redevelop properties at higher densities that the integrity of single-family neighborhoods is likely to be lost as four and sixplexes pop up in their place.

Four and sixplexes? That's right. And in many cases, 10-12 units of multi-story housing. Right on single-family parcels, perhaps right next door to you. That's what the new laws allow.

What does it mean? Big change could be coming to your neighborhood.

○ ○ ○

Homeownership is supposed to be a dream. Or at least joyful.

The new California housing laws take the joy out of homeownership. By overriding local zoning and community plans, the new laws undermine the stability of our neighborhoods and threaten to severely decrease the home values, borrowing capacity, retirement security and multi-generational wealth of millions of middle-class Californians of every race and ethnicity.

SB 9 and SB 10 are cynical, profit-driven housing production policies that won't create any actual affordable housing, which is the real need in California. In fact, they will result in the net loss of housing that's affordable.

The laws allow developers to exploit our neighborhoods to build more market-rate housing even though there are many other places to build. The laws will inspire predatory investment and development behavior, turning neighbor against neighbor as some decide to sell out to speculators. And who could blame them? The new laws incentivize market-rate housing production with no requirement for new housing to be affordable.

So don't expect the cost of housing to go down. It won't, because the supply won't go up enough. The private market has no reason to build enough housing to bring prices down.

Lower and middle-income Californians, including people of color, stand to lose the most as more people are displaced as a result of gentrification, becoming permanent renters or pushed out to the farther reaches of the suburbs and exurbs.

But let's look on the bright side ...

Is there a bright side?

What about you?

There are 7,000,000 single-family homes in California. If you own one of them, can you protect yourself from the potential negative impacts of SB 9 and SB 10?

The simple answer is no — and it's the same answer whether you own a \$250,000 home in the exurbs, a \$600,000 home in the suburbs, or a multi-million-dollar home in an estate community.

But the cloud has a potential silver lining: You may be able to make money as a result of the new laws. You could profit from the sale or redevelopment of your own home especially if you own the property outright, or you could make money on another property by acting as a developer or investor. It depends how much capital you are able to invest, and the degree to which you are hungry like a wolf to pursue profit.

Here are 15 ways to protect yourself and potentially profit from California's permissive new upzoning laws.

Warning: Some of the profit-making tips are clearly exploitative, and you really shouldn't pursue them because they could hurt people, neighborhoods and the environment. But opportunities are created by the new laws, so you should know about them.



1

Sell out now, ahead of your neighbors.

It sounds dramatic, but if your priority is to preserve housing wealth to support your family, fund your retirement or leave equity to the next generation, sell your single-family home now, ahead of your neighbors. *That's right, sell now.*

As your neighborhood turns with the permissive new zoning, every speculative development will bring greater risk to your investment.

To be clear, there's nothing inherently wrong with introducing multi-unit housing into single-family areas. The issue is that by deregulating millions of parcels all at once with do-it-yourself upzoning as California has just enabled — with no regard for infrastructure or other environmental impacts — your neighborhood and property value could be destabilized or even decline dramatically.¹

This affects every homeowner, no matter where you are on the economic ladder and no matter the average home value in your neighborhood.

As important, the new laws jeopardize the quality of life in your neighborhood, straining the capacity of parks and recreational facilities, for example, and worsening air quality, overcrowding schools and reducing emergency vehicle response times. Densifying your neighborhood twofold or even sixfold as these new laws allow will create unavoidable impacts.

So if your main concern is preserving your home equity or quality of life, sell now.

¹ The California Department of Real Estate notes that public controls on subdivisions help ensure the livability of communities and stable land values. From a Department of Real Estate reference book: "If communities were allowed to grow without public controls, development would likely be accompanied by many problems: improper lot design and physical improvement; inadequate streets and parking facilities; insufficient water supplies; lack of adequate police and fire protection; deterioration of air quality; excessive noise; and inadequate utility services." The new statewide zoning laws include no public controls on development. See Appendix B for additional information.



2

If you stay in your home, don't take on more housing debt.

With single-family neighborhoods likely to destabilize in coming years, your home value is more susceptible to fluctuations (ups and downs) than before, especially if the new developments in your neighborhood are lower quality. So be cautious in taking on any more housing debt because you're more likely to be upside-down later.

That said, in a true emergency a home-equity loan can be the most cost-effective way to access debt — often much cheaper than borrowing on a credit card or certainly from a payday lender. Just be prudent in your use of housing debt.

The same is true relative to over-improving your property. In a declining or flat valuation environment, excessive home improvements as a financial investment become riskier. Don't over-improve unless you really can afford it, and unless you know you'll be okay if you don't get all the money you invest back in a sale.



3

If you're not sure whether to remain in your home or sell, stay put until you make a plan.

This may be the hardest choice of all: To sell or not to sell, especially if there is an investor on your doorstep offering a cashier's check to buy your house, or if your neighborhood is in the throes of gentrification. Should you take the check?

If you *need* to sell your house for whatever reason, now may actually be the best time — before these new laws fully kick in and your home value potentially drops. If you do decide to sell, be as patient as you can to get the best price.

If you're not under pressure to sell, think carefully before putting your home on the market or accepting a check from a speculator.

Think through your plan. Where would you go if you sold? What would replacement housing cost, presumably in the form of rent? Would you be able to preserve some or all of your equity to buy back into the market at a later date?

To be very frank, if you sell, the odds of your becoming a permanent renter increase substantially, particularly if your income is at or below the median level, and if you don't have other sources of wealth like a family member who could help you with the down payment to buy another home later.

Don't bet on prices coming down, either, to make buying back in more affordable.

But staying also has risks. Your home value may be at its peak right now, but it could decrease, especially if the new housing developed in your neighborhood is lower quality or if different housing types get added to your neighborhood that some prospective buyers (of your house) don't care for. Also, if a substantial number of your neighbors sell out, the neighborhood could lose its character or cultural or historical significance, which may have a negative effect on your quality of life.



4

Sell your home and buy a house in a community where there are covenant restrictions on lot-splitting.

A land covenant is essentially a contract that binds the owner of a property to abide by certain rules. Most people associate covenants with condominiums, but there are some single-family home communities that were established with covenants that restrict the owner's rights, including what's allowed on the property. The restrictions may prohibit lot-splitting, or require that the homeowners association approve any lot-split or subdivision.

You're most likely to see covenant restrictions in a master-planned community, of which there are many in California.

One of the best ways to ensure your neighborhood won't be sliced and diced into little pieces is to live in a community with covenant restrictions on lot-splitting. The covenants will provide more certainty, but there may be other tradeoffs that are less appealing. If you consider this option, read the community's governing documents carefully before buying in.²

Now, let's shift the focus from protecting yourself to profiting from the new laws.

² SB 9 does not explicitly exempt common-interest developments from lot-splitting by right, so there's some uncertainty about the level of protection covenant restrictions provide.



5

Acting as a developer, split your lot and redevelop the property into four to six units.

If you aspire to be a developer and the numbers work in your favor, split your single-family parcel and redevelop the property into four to six housing units,³ up to the maximum allowed based on the lot size and other aspects of zoning laws and building codes.

With SB 9, lot-splitting is now by right — you can't be denied. The only catch is you have to hold title to the property in order to split the lot. So if there are mortgages or liens, you'll have to clear them up first.

! *If you do this, please take care to respect the neighbors and the neighborhood by designing and building a compatible project. For guidance, consult your city or county's rules for R-2 zones, which regulate duplexes.*

³ Including accessory dwelling units, or ADUs.



6

Redevelop your property into a 10-unit apartment building.

Alternatively, you could redevelop your single-family property into 10-12 units of housing.⁴ This option is available if the property meets the criteria defined in SB 10.

To exercise this option, you'll need clearance from your local government in the form of an expedited amendment to the land use plan, or by virtue of an enabling ordinance that may designate multiple parcels in your city or county for redevelopment. Then, the neighbors won't be able to stop you even if your new apartment building would negatively impact them.

Notably, SB 10 also allows cities and counties to override local voter-approved initiatives that may preclude or limit the development of housing in certain areas. So even more development opportunities could open up.

! *The author does not endorse building 10-unit apartment buildings on single-family parcels in stabilized neighborhoods.*

⁴ Including accessory dwelling units, or ADUs.



7

Sell your property to an investor, and let them demolish the house, split the lot and redevelop the property.

If redeveloping your own property isn't appealing or it's not possible to retire any mortgage or liens, cash out and let an investor do it. It's pretty straightforward: List your property for sale, hold out for a really good offer, deposit the proceeds and move.

Notably, the federal government under President Biden is on the road to incentivizing the redevelopment of stabilized neighborhoods. Federal agency rule changes could make it easier to get loans to demolish single-family homes and build multi-unit housing in their place.⁵ If you're an investor or aspiring to become one, watch what's happening in Washington, D.C. It may benefit you.

! *The author does not endorse providing federal incentives to demolish and redevelop single-family homes in stabilized neighborhoods.*

⁵ Jared Bernstein, Jeffery Zhang, Ryan Cummings and Matthew Maury blog post, "Alleviating Supply Constraints in the Housing Market," The White House, September 1, 2021.



8

Buy property in a neighborhood where land costs are lower and develop the property or, if there's an existing home, rent it out.

You could profit from the new laws by buying investment property in other areas. Follow the lead of Wall Street backed corporate landlords that typically buy property in neighborhoods where land costs are lower,⁶ and either redevelop the property into multi-unit housing, or rent any homes you acquire back to the former owners or other tenants for cash income.

If you buy property now and hold it either as undeveloped land or as rental property, there may be price appreciation as a result of SB 9 and SB 10 simply because of the property's redevelopment potential.

If you choose to operate homes you acquire as rentals, you could raise rents on a regular basis to maximize your income. Remember, rent control is weak or nonexistent in most of California.

The Wall Street backed companies operating in this market know what they're doing — they've been acquiring homes in the suburbs and scaling up their portfolios. With substantial market share, they could effectively control the rents in some areas.

This practice is legal, and it's leading to the transfer of wealth from the American people to Wall Street at a record clip. In the third quarter of 2021, investors purchased a record 90,215 homes across the U.S. to operate as rental properties.⁷

California's new housing laws impose no limits on investor ownership of single-family homes or apartment buildings constructed on single-family parcels.

! *If you become a landlord, be fair and reasonable with your tenants.*

⁶ Second quarter 2021 data from Redfin shows that investors buy considerably more homes at low price-points than at mid or high price-points (BiggerPockets Blog, October 2021).

⁷ The Real Deal, November 16, 2021.



9

Invest in Wall Street companies that buy homes and rent them back to people.

If you'd rather not deal with calls from tenants at 2 a.m. as a landlord, you could buy stock in one of the Wall Street backed companies operating in the single-family rental market and let them make money for you.

You could benefit from potential cash dividends on your investment as well as stock-price appreciation. In the first seven months of 2021, asking rents for single-family homes increased 13% nationwide,⁸ which bodes well for your profit-making either as a landlord or as a shareholder in one of the companies operating in this industry.

⁸ The Wall Street Journal, September 1, 2021.



10

Exploit a historic resource for multi-unit development.


There's no exclusion for historic resources under SB 10, so if you're the owner of a historic property, now it's permissible to redevelop it into a multifamily apartment building or some other combination of up to 10-12 housing units.⁹

SB 10 has to be activated for your area in order to take advantage of the new upzoning law. Your local government can choose to implement SB 10 on an ad hoc basis (one property at a time) or with a sweeping ordinance that covers a lot of properties. Cities and counties also can use SB 10 to overturn voter-approved initiatives that limit housing development in certain areas.

There's a historic property loophole in SB 9 to be aware of as well: While the law protects from demolition assets that have been designated as historic, properties that have been *identified* as historic but not officially designated are fair game to be redeveloped.

! *The author does not endorse the demolition of historic resources.*

⁹ Including accessory dwelling units, or ADUs.



11

Exploit a hillside, canyon or coastal area for multi-unit development.

While most of us see unspoiled hillsides and canyons as gifts from God, the new laws see them as a blank canvas. Fortunately for you if you want to cash in, hillsides and canyons — not to mention mountain towns and lakeside and coastal villages across California — now can be exploited for multi-unit development on single-family parcels.

SB 9 even allows for density in all of the highest-risk fire zones in the state as long as the properties are within one of the 510 small towns, suburbs or cities that SB 9 classifies as urban, according to an analysis by Livable California. This includes Avalon, Idyllwild, Paradise and South Lake Tahoe.

Just remember to buy fire insurance if you develop rental property in one of these areas. That way even if your tenants perish in a fire, the insurance company will pay you out for any structure that gets destroyed.

Relatedly, SB 10 allows for a variety of lands to be opened up for multi-unit housing development if local authorities overturn voter-approved initiatives that restrict such development. These lands do not have to be anywhere near mass transit, as some people think.

! *The author does not endorse building density in high-risk fire zones or otherwise exploiting natural lands.*



12

Exploit a toxic site for multi-unit development.

There's no exclusion for hazardous, contaminated sites under SB 10, so if you've been prevented from redeveloping your property into multi-unit housing, now's your chance. SB 10 waives environmental review for the development of 10-12 housing units¹⁰ on certain sites in designated areas.

! *The author does not endorse waiving environmental review for 10-unit apartment buildings on contaminated sites.*

¹⁰ Including accessory dwelling units, or ADUs.



13

Don't sweat the affidavit requirement.

SB 9 technically requires that if you split your single-family lot and redevelop the property, you have to sign an affidavit saying that you *intend* to live on the site for a short period of time after it's redeveloped.

If you believe this provision is likely to be enforced with any meaningful penalties, you probably also believe in the Tooth Fairy and leprechauns.

Most local governments don't keep complete registries of qualified low-income housing tenants or units reserved for low-income housing. So the odds of them monitoring market-rate housing owners and tenants over time, matching them up, and actually penalizing owners for occupancy violations are slim to none. (The bigger risk here is a neighbor reporting you, which is a possibility in the early days of your neighborhood's redevelopment.)

With a little planning, you'll likely be able to evade this requirement.

This is not a suggestion to break the law, but don't sweat it, either. The state of California wants housing production. They don't frankly care who lives in the units.



14

Max out any new development with market-rate luxury units.

There are no affordable or middle-class workforce housing requirements in these new laws, and no “value capture mechanism,” as the planners say, for cities and counties to benefit from the growth to support affordable housing, infrastructure improvements or other amenities to maintain your community’s livability.

So max out any new development with luxury units to optimize your income potential. The state of California won’t penalize you for displacing lower and middle-income people to create new market-rate housing, and there are no additional fees to mitigate the negative impacts of your development.

! *The author encourages affordable housing units to be included in new multifamily developments.*



15

Think even bigger.

If profit is your motive, consider SB 9 and SB 10 as just a starting point. Then think bigger.

There are dozens of new housing production policies on the books in California. Consult knowledgeable land use advisers for help understanding them.

Said another way, if you have the cash or backing to go bigger, consider additional ways to profit from *all* the new laws before you place your bets on individual parcels upzoned by SB 9 and SB 10.

! *The most significant investment and development opportunities are multifamily properties in multifamily zones, where new laws have increased allowable density.*

The bottom line

There's a boatload of money to be made under California's new profit-driven housing production policies, so pursue your dream to be a developer, landlord or investor as you wish. Think like a predator, and you could make a killing.

On the other hand, if your single-family home is your financial nest egg, and your main goal is to protect it or to continue to enjoy the quality of life in your neighborhood, then take a deep breath and think this through. Be mindful of these new laws, including what's allowable, what's at stake, what's going on in your neighborhood, and what's likely to happen ... and make a plan to get out if and when it makes the most sense for you.

As they say aboard airplanes during the safety demonstration, look around for the nearest exit and plan your escape in case you need it.

Don't wait to make a plan. Do it now. You have been warned.

Appendix A: Senate Bill 9 and Senate Bill 10

Senate Bill 9

SB 9: 2021–2022 California legislative session

Signed by Governor Gavin Newsom on September 16, 2021

Senate Bill 9 ended single-family zoning in California by overriding local governments' ability to limit to one the number of homes allowed on a parcel. The new law allows single-family lots to be split by right with no local approval required, with redevelopment of up to four to six units of housing where there was one. Builders may “wipe out yards, garages and defensible space in all but the most remote single-family areas.”¹¹ The new law applies to single-family zoned properties statewide.

Local governments can impose minimal requirements and protective measures on single-family lot redevelopments, but they cannot override the new state-mandated density allowances.

SB 9 was opposed by a majority of Californians¹² and hundreds of California cities that supported the goals of increased housing production and affordability but objected to the state seizing control of land use and zoning without regard for the negative impacts.¹³ Cities that opposed the bill included many jurisdictions with majority-minority populations, be they Latino, Asian or Black — a testament to the fact that people of all races and ethnicities value local planning and self-determination of their communities.

Even without Senate Bill 9, California cities have had the ability to upzone themselves, including by ending single-family zoning, through the local planning process.

¹¹ Livable California, 2021.

¹² David Binder Research for Housing Is a Human Right, July 2021.

¹³ League of California Cities letter to Governor Newsom opposing SB 9, September 14, 2021.

Senate Bill 10

SB 10: 2021–2022 California legislative session

Signed by Governor Newsom on September 16, 2021

Senate Bill 10 allows cities and counties to enable single-family parcels located within a specified distance from mass transit to be upzoned to allow up to 12 units of housing per parcel. The qualification relative to transit is so broadly defined that some cities will be able to upzone most of their single-family zoned land areas to allow multi-unit, multi-story buildings with no environmental review.

To be clear, this law is not about upzoning major boulevards in urban areas. Many cities already have done that, and there are significant state development incentives for the build-out of boulevards at high densities, coupled with urban infill exemptions from environmental review.

Rather, the new law is about upzoning the side streets, in other words, the local neighborhood streets that intersect the boulevards.

Most alarming is that the new law need not be applied programmatically by a city or county. It can be used arbitrarily to upzone some qualified sites or areas and exclude others. The concern is that stakeholders with more political influence will have more say in how the law is applied, while people with less political influence will have less say, with very uneven outcomes.

Notably, SB 10 also allows local governments to override citizen-approved initiatives, including initiatives that prohibit or limit development in environmentally sensitive areas. Local governments can overturn voter initiatives and upzone natural or working lands with no environmental review.¹⁴ These land areas need not be near mass transit.

¹⁴ Planning and Conservation League statement of opposition to SB 10, September 15, 2021.

Appendix B: Growth without benefits

For all of its challenges — starting with the state’s high level of poverty — California is a remarkable place, and a place that millions of people truly love to call home.

One of the reasons California endures as special is the California Environmental Quality Act (CEQA), a landmark law signed by Governor Ronald Reagan and more or less respected by every governor since, Democrat and Republican. CEQA serves many purposes, chief among them is its role in managing growth. CEQA is intended to limit significant negative impacts on the natural environment and on people.

In passing SB 9 and SB 10, the legislature set aside CEQA. In signing the bills into law, Governor Newsom set aside CEQA. The consequences of entitling millions of new housing units without the benefit of a real planning process like the ones used by local governments to manage and mitigate the negative impacts of growth could be severe.

CEQA helps keep California from becoming Texas. It requires the consideration of growth impacts on:

- Air quality
- Biological resources
- Cultural resources
- Greenhouse gas emissions
- Hazards and hazardous materials
- Displacement of people including from the loss of affordable housing
- Fire and police protection
- Schools
- Parks and recreation
- Transportation
- Utilities including water supplies

In setting aside CEQA to enact these housing production bills, the people who will be hurt most are the people who already hurt most: The homeless and lower and middle-income Californians who are more likely to suffer from poor air quality, a lack of parks and recreation space, food deserts, lower-achieving schools and higher rates of crime in their neighborhoods.

The impacts on them will be disproportionate because their neighborhoods are most likely to be targeted for redevelopment at higher densities because the land costs are generally lower. *Growth without benefits, to say the least.*

In fact, the new laws disregard planning altogether. They were not adopted as part of any comprehensive or coherent approach to planning.

The greatest fear of those who opposed SB 9 and SB 10 isn't new housing in their neighborhoods, it's the consequences: The loss of livable cities, gentrification and the displacement of people, increased economic and spatial inequality,¹⁵ the loss of middle-class wealth concentrated in housing, and increased corporate ownership of housing without rent controls.

May California not lose itself with the adoption of these seriously flawed housing production policies that are not much more than crude economic development tools.

¹⁵ Andrés Rodríguez-Pose, London School of Economics, and Michael Storper, London School of Economics and UCLA Luskin, "Housing, Urban Growth and Inequalities: The Limits to Deregulation and Upzoning in Reducing Economic and Spatial Inequality," 2019.

Author's note: How we got here

How did we get to this point where single-family zoning in California has been deregulated, with single-family areas upzoned by Sacramento for the purpose of profit-driven housing development with no regard for the negative impacts?

We got here because the radical housing productionists and their enablers in government are very effective peddlers of lies, distortions and omissions, including:

- *The lie that trickle-down housing works.*

Trickle-down housing is the notion that builders, left largely to their own devices, will produce enough housing units to bring prices down. It's a market-driven theory that's never been proven, because it doesn't make economic sense. Producers don't gain by creating housing units at a volume where their profits shrink.

But still they and their enablers make a circular argument: If only government would make zoning laws more permissive, they say, they would build more housing. But they never build enough. Then they ask government for yet more permissive zoning laws. And so it goes.

- *The distortion that zoning is racist, and that permissive zoning laws are somehow progressive.*

As Richard Platkin, formerly with the Los Angeles Department of City Planning, points out, all zoning is exclusionary.¹⁶ Zoning excludes a strip club from the vicinity of an elementary school, and zoning excludes a nuclear waste site from a residential neighborhood. Zoning contributes to the quality of life in neighborhoods and helps ensure stable asset values.

Single-family zoning may preclude other housing types, but it does not exclude anyone on the basis of race or ethnicity. That would be housing discrimination, which is against the law in California and at the federal level.

¹⁶ "Boosting Profits: Why Developers' Cry to 'End Exclusionary Zoning' Is a Hoax," CityWatchLA, September 9, 2021.

The radical housing productionists conflate zoning with historical segregation and redlining to have us think that zoning is racist. It's a distortion that even they don't believe, given that people of every color under the rainbow have built housing wealth that supports their families' standard of living and retirement. But the radical housing productionists and their enablers peddle the lie to dupe liberals and progressives into feeling guilty and supporting permissive zoning laws that are anything but progressive. *Now that's cynical!*

- *The lie that it is necessary to upzone single-family areas in order to have enough housing capacity.*

There are over 2,000,000 developable housing units enabled by community plans and housing elements across California.¹⁷ Said another way, there's capacity for 2,000,000 additional homes on the books in urban cores, other employment centers, transit corridors, suburbs and the exurbs, which is enough capacity to meet California's housing needs as determined by the California Department of Housing and Community Development.¹⁸ There is no need to upzone single-family neighborhoods. In media reports, numbers abound suggesting California needs many more housing units than planned; the numbers cited most often are from industry sources and are inflated.

- *The lie that Wall Street ownership of homes is necessary.*

Members of the professional planning and housing communities acknowledge that these new laws are likely to further accelerate corporate ownership of houses in California. Some believe that this is acceptable and even necessary. Really? When Wall Street purchases of single-family homes already are contributing to home-price increases, housing supply shortages and sharply higher rents for single-family homes?

It's doubtful that Bernie Sanders and other progressives who support these housing production policies fully understand the impacts and the degree to which corporate ownership of housing acts to "reinforce existing inequalities in the United States."¹⁹

¹⁷ League of California Cities, 2021.

¹⁸ "California's Housing Future: Challenges and Opportunities (Final Statewide Housing Assessment 2025)," California Department of Housing and Community Development, February 2018.

¹⁹ Desiree Fields, UC Berkeley, testimony before the U.S. Senate Banking, Housing and Urban Affairs Committee, "How Private Equity Landlords are Changing the Housing Market," October 21, 2021.

- *The omission of the fact that home values are likely to suffer as a result of these new laws.*

The radical housing productionists and their enablers in government conveniently leave out of their pleas the fact that home values are likely to destabilize and even decline in single-family neighborhoods that are redeveloped with multi-unit, multi-story buildings, especially if the development quality is lower or the new density becomes particularly intense. They think it is acceptable, even desirable to sink some boats in order to lift others.

To an academic in an ivory tower or someone like Governor Newsom who has multiple sources of family income and wealth, a sizable decline in the value of a principal residence may not make much of a difference. But to regular middle-class Californians who rely on stable home values to backstop family emergencies, send kids to college or fund retirement, a substantial drop in home values could be debilitating.

Good community planning can accommodate multiple housing types, mixed-income housing and even low-income housing in the same zip codes as single-family housing without destabilizing or destroying neighborhoods.

- *The omission of the fact that wide disparities remain in the performance of public schools, which is a major driver of home prices (and price differentials among neighborhoods) regardless of housing supply.*

Significant gaps remain in the performance of public schools. If these gaps — which sadly continue to be tolerated by many elected officials — were narrowed, it would remove a powerful incentive for people to seek housing in neighborhoods where prices are higher. Meantime, all schools should be made more accessible so that kids can attend schools across a district.

- *The omission of the fact that jobs and incomes are critical to housing affordability.*

Harold Meyerson, the advocate-journalist, calls Los Angeles “the nation’s capital of crummy jobs.”²⁰ Considering the average new job in Los Angeles County pays just around \$40,000 a year, it’s no wonder that people can hardly afford housing.

²⁰ Los Angeles Times, January 8, 2017.

Addressing the skills-jobs-income gap in California is critical to addressing housing affordability, as is the production of more truly affordable and workforce housing units, which these new laws totally ignore.

That's how we got here.

Now neoliberal and libertarian think-tanks and some members of academia and the media applaud the end of single-family zoning in California like it's 1996 — the height of Reagan and Clinton-era deregulation — while stalwart liberals and conservatives from the chamber of the Los Angeles City Council to the studio of Fox News commentator Tucker Carlson agree these housing policies are destructive. *Liberals and conservatives agree!*

So where do we go now?

In the United States and around the world, the evidence is everywhere: Real community planning works. That means using the planning process to address the local and regional jobs-housing balance, baking into plans multiple housing types (for example, rental apartments, condominiums and co-ops), mixed-income housing, affordable housing, publicly owned housing, and all the best elements of placemaking, including revitalized boulevards, infrastructure, amenities and public services ... and then requiring the public and private sectors to build according to the plans.

Ending single-family zoning statewide by promulgating more permissive upzoning laws statewide won't solve California's housing challenge because single-family zoning isn't the problem. It's a lack of will to implement the community plans already in place across the state that include some 2,000,000 more housing units.

- California could require builders to build to those plans, plain and simple.
- California could further streamline permitting and otherwise act to accelerate the building of conforming projects.
- California could impose production mandates to drive up volume, drive down costs and accelerate the construction of more housing.
- California could impose controls on pricing, and rent controls, to improve housing affordability.
- California could build way more publicly owned affordable housing, which is cheaper and easier to produce than ever before due to modern methods of construction.

There is no magic required to produce more housing — and no need to continue to define-down zoning standards. What’s needed are discipline, vision and commitment, with leaders willing to use their political capital and a combination of carrots and sticks to encourage more housing with real planning and truly progressive housing policies.

A note to journalists

If you are writing or speaking about single-family zoning, please take care to use appropriate language.

Characterizing single-family zoning as “exclusionary” is incorrect and demonstrates bias. Single-family zoning doesn’t exclude anyone on the basis of race or ethnicity, as discussed in the Author’s Note. Also, calling single-family zoning exclusionary suggests (incorrectly) that single-family housing is the opposite of inclusionary housing, which is a term of art that means something specific relative to affordable housing. If a single-family area is rezoned to allow multiple units of market-rate housing on individual parcels, that does not make the zoning inclusionary; it simply makes the area higher density.

The term “restrictive” also is pejorative relative to zoning, because it evokes the notion of restrictive covenants such as those that literally prohibited the sale of property to Black people and Jewish people (including the family of the author of this book) during much of the 1900s. Such covenants have long been illegal under fair housing laws in the United States.

Journalists intent on educating people should describe single-family zoning as it is: Zoning that typically allows only one unit of housing on a lot, or as a form of low-density housing.

About the author

Cary Brazeman is a former executive with CBRE, the real estate and investment services firm. He owns a marketing public relations agency based in Southern California.

Cary is a longtime member of the Urban Land Institute, and a supporter of the National Low Income Housing Coalition and the Planning and Conservation League. He is a former chair of the Planning and Land Use Committee of Mid City West Community Council, a certified neighborhood council in Los Angeles.

Cary is a progressive Democrat who supports Medicare for all, universal childcare and a wealth tax. But he believes there's nothing progressive about defining-down zoning, which effectively sinks some boats while trying to lift others. Cary doesn't believe housing has to be a zero-sum game with winners and losers. Rather, he says, good local planning and housing policy can lift all boats.

Cary presents the profit-making strategies in this book to shine the light on what's allowable and likely to occur under SB 9 and SB 10. He has no intent to pursue these steps himself.



“With good planning, we can have multiple housing types, mixed-income housing and low-income housing across zip codes without ending single-family zoning.”

— Cary Brazeman