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Support for the Unhoused Community:
The Impact of Exclusionary Zoning Practices

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ABSTRACT

For decades, urban planners have used exclusionary zoning practices to take advantage of minority communities by creating strict access to housing or housing resources. Traditionally, this practice has targeted groups based on race or ethnicity with the goal of removing access to a home, neighborhood, or community. Today, the practice is commonly used to exclude individuals based on economic status or income, resulting in a large number of housing vacancies. Due to the increasingly stringent housing policies in many cities across the United States, the unhoused community has suffered immense consequences. Specifically, the lack of affordable housing has created a strict divide among the housed and the homeless. This research will identify the correlation between these exclusionary zoning practices and public support for resources combating homelessness by specifically analyzing three contrasting U.S. cities; Austin, Texas; San Francisco, California; and Indianapolis, Indiana. This sample was derived from a list of cities with a population between 800,000 and 1,000,000 individuals and by the polarities between California and Texas, especially.

INTRODUCTION

From the early onset of racial segregation, exclusionary zoning has had its stubborn place in society. Zoning, otherwise known as the process of assigning land for a specific use, plays a crucial role in urban planning and development. Urban planners have the responsibility of ensuring local ordinances are being followed within the development of property, such as building height limits, number of dwellings, and land use. Exclusionary zoning is when this process is used to take advantage of or discourage a specific group of people from seeking housing opportunities based on characteristics such as race, ethnicity, religion, sexual

orientation, gender, disability, age, or socioeconomic status, among others (Fischel). Throughout the early twentieth century, exclusionary zoning specifically targeted minority groups (Fischel). In 1917, however, the United States Supreme Court prohibited race-based zoning through the decision of *Buchanan v. Warley* (Rouse). Despite this, municipalities found loopholes in exclusionary zoning practices to prohibit expansion of racial groups. In one example, the City of St. Louis, Missouri, was known to implement laws to convert a land's use from residential to commercial/industrial if too many African American families moved into neighborhoods (Rouse). These practices continued across the United States until the mid-twentieth century when *The Fair Housing Act* of 1968 was passed. The legislation is as follows:

The Fair Housing Act, 42 U.S.C. 3601 et seq., prohibits discrimination by direct providers of housing, such as landlords and real estate companies as well as other entities, such as municipalities, banks or other lending institutions and homeowners insurance companies whose discriminatory practices make housing unavailable to persons because of:

- *race or color*
- *religion*
- *sex*
- *national origin*
- *familial status, or*
- *Disability*

**Source: United States, Congress 42 U.S.C. 3601e*

The implementation of legislation prohibiting discrimination based on these characteristics has allowed for more intense scrutiny of these practices. Since this legislation passed, discrimination has shifted towards targeting those of lower socioeconomic status (Rigsby).

Exclusionary zoning regulations have been used to both directly and indirectly target those experiencing homeless (Rigsby). Specifically, those experiencing, or on the verge of experiencing, homelessness have struggled due to increasing housing costs, limitations on affordable housing development, and a lack of public resources available to meet every day needs. In areas where exclusionary zoning practices are more commonplace, there is an assumption that the quantity of those experiencing homelessness is more common. What is currently misunderstood and/or underreported is the impact that exclusionary zoning has on the homeless community. This paper will work to analyze the following question:

→ Do exclusionary zoning practices result in a decline in housing opportunities for addressing homelessness?

This study addresses this question through a comparative analysis between major United States cities and their respective housing policies. Data surrounding point-in-time counts of individuals experiencing homelessness, population estimations, and an in-depth breakdown of housing opportunities within selected cities across the United States supplement the data gathered from an interview with a regional housing expert. Based on this information, we are capable of impacting the future of exclusionary zoning practices with a stronger understanding of their immense impact on housed communities across the United States. Additionally, we can utilize this data to target areas where exclusionary zoning practices are ravaging communities.

LITERATURE REVIEW

Exclusionary Zoning

The battle to supply affordable housing is not new. Its origin is often tied to exclusionary zoning practices. Exclusionary zoning is the process of imposing harsh zoning policies or

regulations with the intent to deter or exclude a group or multiple groups of people from certain areas. Historically, exclusionary zoning practices have been used throughout the 1950s and 1960s in the United States to reduce the expansion of affordable housing into suburban communities to keep the African American community away from the elite and wealthier white families, often referred to as the ‘White Flight’ movement. In more recent years, exclusionary zoning practices are not as blunt, however, they continue to yield similar results. In one study of exclusionary zoning practices and their connection to affordable housing, exclusionary zoning is stated as the exclusion from “certain areas of cities through ordinances prohibiting construction of apartments, use of mobile homes, and conversion of single-family dwellings into multifamily dwellings.” (Devers). Zoning itself is incredibly beneficial and necessary to ensure the safety of individuals and the efficiency of a municipality. The study continues by stating “Certain land use and building requirements can be defended on the basis of safety. In addition, zoning segregates industrial and residential uses for the sake of public health and safety. These are valid public and environmental concerns.” (Devers). However, zoning is a practice that has the power to be taken advantage of for malicious purposes.

“Exclusionary zoning does not look the same from place to place, nor is exclusionary zoning the only impediment to meeting housing needs.” says Andrew Whittemore, author of “Exclusionary Zoning” within the Journal of the American Planning Association. Many cities have worked to regress these practices and prevent them from happening again. The removal of exclusionary zoning practices will ideally result in the reduction of barriers for those individuals experiencing homelessness seeking housing (*“Barriers to Ending Homelessness”*). Primarily, the addition of low-income housing and support shelters will aid in this mission. According to the same journal, there are three main ways this is being

done. First, cities and states are implementing policies to require a certain percentage of affordable housing units per new development. Second, the municipality may encourage developers to transition previously zoned dwellings into affordable units. Lastly, states may require municipalities to develop plans which focus directly on the implementation of affordable housing; A total of 25 states use this procedure (Palm). Although addressing exclusionary zoning is important, “its removal is a necessary, though insufficient conditions for providing adequate housing.” concludes Whittemore.

Homelessness

Homelessness within the United States of America is a complex urban problem in which there is no singular federal solution. It is estimated that within the last five years, on any given night over 568,000 Americans experience homelessness (Henry). States, cities, and local municipalities address homelessness on an individualized basis. Contributing causes of homelessness vary from individual to individual, however, in a survey conducted by Gallup, roughly two-thirds of adult individuals experiencing homelessness cite job-loss and/or economic hardship as the key contributing factor (Larson). In the process of addressing contributing factors of homelessness, many times we fail to address a core issue impacting the homeless population, access to affordable housing. In the same survey, 55% of individuals cite access to affordable housing as a key contributing factor to their living situation (Larson).

In many areas of the United States where there have been drastic changes to the population, there have consequently been sharp increases in the cost of living. “Wages are finally increasing after years of stagnation, but they are not keeping pace with rising home prices and rents, especially in heavily urbanized areas on the West and East coasts,” says Christina Lyons of CQ Press. She continues by stating, “In the San Francisco Bay Area and Los Angeles, the

average home now costs more than 10 times the average income.” (Lyons). States along the west coast have seen significant changes in the population of people experiencing homelessness in the last five years. According to the United States Department of Housing and Urban Development, homelessness across the majority of the United States declined between 2018 and 2019, however, homelessness in the State of California increased by 16 percent, or roughly 21,306 people (Henry). Due to the complexities in measuring the number of individuals experiencing homelessness, it is believed that this number is a gross underestimation (Boone).

San Francisco and the State of California have been hit significantly hard by the homelessness crisis, and because of this, various cities have altered their response to homelessness. In one comparative example from 2020, Huston, Texas, and San Diego, California, were categorized as having a significant housing crisis. These two cities each underwent differing plans to address the concern. With a strong focus on property development for the unhoused, Huston, Texas, was able to considerably reduce the number of unhoused individuals in comparison to San Diego, California (Jenson). Another example looks at Austin, Texas, and Indianapolis, Indiana, as both cities have also experienced significant homelessness since the turn of the century. “Austin has experienced a dramatic rise in homelessness...because of a housing and affordability crisis resulting from rising housing costs coupled with limited affordable housing.” according to Gender, Place & Culture (Gillespie).

The perception of the unhoused community is ultimately a root cause to the modern public problem that is homelessness. The community of those experiencing homelessness is often labeled by derogatory terms or phrases lacking humanity. Additionally, individuals are often perceived as violent or suffering from substance abuse/addiction, which contributes to hostile feelings against the unhoused. In reality, individuals experiencing homelessness are more

likely to be the victim of a crime than the general population (“Myths and Facts”). Lastly, those experiencing homelessness are seen as lazy individuals who would rather remain displaced. Despite these perceptions, the truth is that the overwhelming majority of those experiencing homelessness are homeless for a short period of time.

Existing Research

Although many articles have discussed the correlation between homelessness and exclusionary zoning, many either focus on an individualized scale among one city or a broadened large-scale study with a nationwide focus. Because of this, there is a large gap in how we analyze this problem. For example, major organizations focused on zoning, such as the *American Planning Association*, conduct various studies surrounding exclusionary zoning within the United States. These studies fail to mention the impact of practices on the unhoused community. Additionally, entities focused on relieving the strain of the housing crisis by assisting the unhoused, such as the *National Alliance to End Homelessness*, fail to mention exclusionary zoning as a direct cause for homelessness. These articles do, however, address housing as a key failure in meeting the needs for those experiencing homelessness.. We fail to see a comparative approach in how we view homelessness and zoning among various cities of similar populations. A comparative approach will benefit research in this area by understanding different approaches to homelessness among similar sample populations. Additionally, a comparative approach is beneficial in this specific study given the challenges that come with a time constraint on research. This study will work to address this gap by focusing on cities with populations ranging from 800,000 to 1,000,000 individuals, as of 2020, including Austin, Texas, San Francisco, California, and Indianapolis, Indiana. Each of these cities has addressed homelessness and affordable housing with an individualized approach and as a result, each city

has seen different results. Since 2010, San Francisco has seen an increase in its homeless population by 22.5%. Indianapolis and Austin, on the other hand, have seen decreases by 15.2% and 26.4%, respectively (Henry). Using this data, I will analyze Austin, Texas, and San Francisco, California's drastically different results while addressing the City of Indianapolis as a medium. In addition to the lack of a comparative approach when analyzing the various populations impacted by exclusionary zoning, current studies fail to provide adequate information surrounding public opinion for programs targeted at addressing homelessness. In the past, public opinion was a contributing factor in the implementation of zoning policies due to large-scale racism throughout the United States. Kimberly Quick of *The Century Foundation* confirms this point and provides additional insight on the history of exclusionary zoning in an article titled "Exclusionary Zoning Continues Racial Segregation's Ugly Work". Quick states that "when and if a minority family moved into a white neighborhood, white mobs routinely harassed them as police refused to intervene. This continued until such behavior was declared a federal crime in 1968." (Quick).

Providing Support to the Unhoused

Exclusionary zoning practices serve an integral role in displacing those who do not conform to the majority of the population. In major cities, physical characteristics may not have as much of an impact in exclusionary zoning as financial status. Specifically, in wealthier cities such as San Francisco, zoning is often implemented to discourage expansion of affordable housing units. According to *The Othering & Belonging Institute* at the University of California-Berkeley, an estimated 85% of residential land was zoned for single-family housing (Menendian). Because of this, the first hypothesis is that *strong exclusionary zoning practices in*

cities such as San Francisco, including but not limited to building height limits and limitations towards single-family units, yield limited support for the homeless population.

Rapid Population shift

As time passes, we have seen intense transformations within urban cities. While analyzing the most recent census data, it was announced that Austin, Texas, was the fastest growing metropolitan area from 2010-2020. This growth is expressed through *Figure 1* and shows the growth of Austin, Texas, in comparison to the other major cities in this study. During this period, all selected cities experienced large population growth. Specifically, Austin had a growth of nearly 26% during the 10-year period. Many major cities have gone through population changes, however, due to the intensity of Austin's population transformation, there is reason to believe that trends in people experiencing homelessness have also shifted dramatically. A dramatic increase in population without preparation from an urban development standpoint has

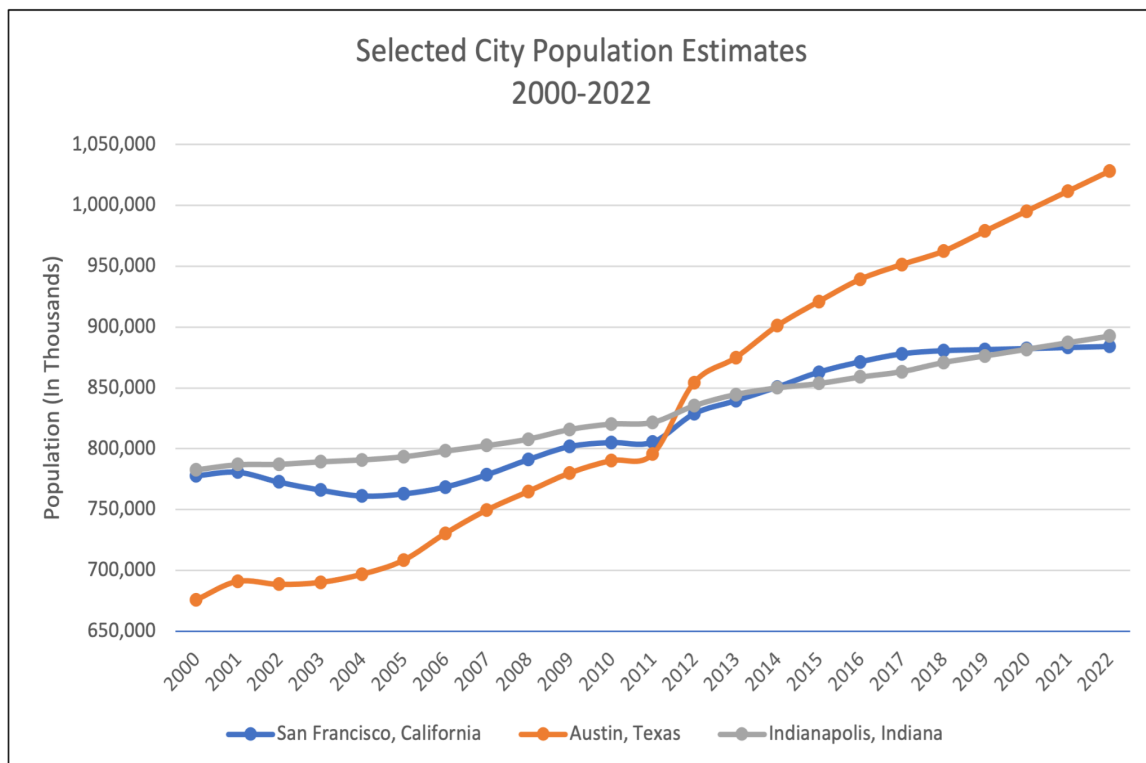


Figure 1

Source: "City and Town Population Totals: 2010-2019"

the potential to lead to a housing nightmare. With a population influx, failure to provide enough affordable beds can lead to individuals experiencing homelessness. This brings us to the second hypothesis; *As a result of the intense population growth within cities such as Austin, Texas, expansion has yielded additional properties designed specifically for those at risk of or experiencing homelessness.*

DATA/METHODS

This study employs a comparative case study approach to address the need for primary data on exclusionary zoning policy and homelessness. Specifically, this study's data mainly consists of census bureau findings on topics such as housing and/or population estimates as well as interviews conducted with local community members and/or elected officials. These data sources target the cities of Austin, Texas; Indianapolis, Indiana; and San Francisco, California; and focus on findings related to zoning, housing, income inequality, public policy surrounding the unhoused, and public discourse related to said policies.

With a comparative approach, findings were analyzed on a city-by-city basis to determine overall public support for those experiencing homelessness in relation to exclusionary zoning practices within each individual city. When examining exclusionary zoning practices, there is a specific focus on practices which limit the zoning approval for affordable housing or additional resources to support the unhoused community. These data sources serve as strong indicators of support (or the lack thereof) for the unhoused community due to the legal position interviewees have in crafting legislation surrounding the topic. Additionally, data sources such as census bureau findings and voting outcomes are constantly evolving, which will allow for analysis of trends related to this study.

As previously mentioned, populations for data analysis have been selected based on comparable attributes such as previous homeless population size, overall city population size and population density. Overall, 7 cities fall within the selected population criteria determined for this study of 800,000-1,000,000 people. Those cities are:

- *Austin, Texas – 961,855*
- *Jacksonville, Florida – 949,611*
- *Fort Worth, Texas – 918,915*
- *Columbus, Ohio – 905,748*
- *Indianapolis, Indiana – 887,642*
- *Charlotte, North Carolina – 874,579*
- *San Francisco, California – 873,965*

**Source: "City and Town Population Totals: 2010-2019"*

Due to the varied approaches to addressing homelessness and exclusionary zoning, an emphasis has been placed on Austin, TX, Indianapolis, IN, and San Francisco, CA.

Austin-Round Rock-San Marcos, TX Metro Area										
	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
UNITS IN STRUCTURE										
1-unit structures	62.4%	64.7%	64.3%	65.7%	63.5%	64.0%	64.3%	64.5%	63.4%	63.0%
2-or-more-unit structures	32.4%	30.6%	30.9%	29.6%	31.7%	30.8%	30.5%	30.4%	31.3%	31.8%
Mobile homes and all other types of units	5.2%	4.7%	4.7%	4.7%	4.8%	5.3%	5.2%	5.1%	5.3%	5.1%
HOUSING TENURE										
Owner-occupied housing units	57.6%	58.0%	57.7%	57.6%	57.5%	57.1%	58.2%	57.7%	56.7%	57.4%
Renter-occupied housing units	42.4%	42.0%	42.3%	42.4%	42.5%	42.9%	41.8%	42.3%	43.3%	42.6%

Table 1

Source: "Households and Families"

Indianapolis-Carmel, IN Metro Area										
	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
UNITS IN STRUCTURE										
1-unit structures	76.7%	75.6%	77.1%	76.5%	75.1%	76.7%	76.4%	76.5%	76.2%	76.3%
2-or-more-unit structures	21.1%	22.0%	20.8%	21.2%	22.3%	21.0%	20.9%	21.5%	21.7%	21.1%
Mobile homes and all other types of units	2.2%	2.4%	2.1%	2.3%	2.6%	2.3%	2.6%	2.0%	2.1%	2.6%
HOUSING TENURE										
Owner-occupied housing units	65.2%	64.7%	65.4%	64.3%	64.2%	64.6%	64.6%	64.8%	66.2%	67.2%
Renter-occupied housing units	34.8%	35.3%	34.6%	35.7%	35.8%	35.4%	35.4%	35.2%	33.8%	32.8%

Table 2

Source: "Households and Families"

In the process of understanding exclusionary zoning, it is crucial to analyze key housing statistics that impact a population such as housing size and tenure. *Tables 1-3* break down these crucial factors within the three selected cities over a 9-year period. Single-family and single-unit homes are oftentimes viewed as signs of exclusionary since they are rarely affordable. Due to the reporting process, the selected cities were incorporated with select surrounding suburban areas, however, this is not believed to have impacted the validity of the comparative data as this is consistent among all selected data.

In addition to understanding key housing statistics, there must be a foundational understanding as to how homelessness is measured within the United States. Homelessness, as generally defined by the United States Department of Housing and Urban Development, is expressed as:

- *An Individual or family who lacks a fixed, regular, and adequate nighttime residence*
- *Individual or family who will imminently lose their primary nighttime residence*

- *Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless*
- *Any individual or family who is fleeing, or is attempting to flee, domestic violence*

**Source: "Criteria and Recordkeeping Requirements for Definition of Homelessness"*

Measuring homelessness, on the other hand, is not as easy to accomplish. Municipalities and federal entities utilize a system of measurement called the "Point-In-Time" count, which is essentially the counted number of individuals observed experiencing homelessness on any given night. Although this count provides detailed reports, numbers are often severely underreported as individuals experiencing homelessness are commonly unseen. Because of this shortcoming, entities cannot paint the full picture of the homeless community, which in turn reduces the support that is available to those experiencing homelessness. The United States Department of

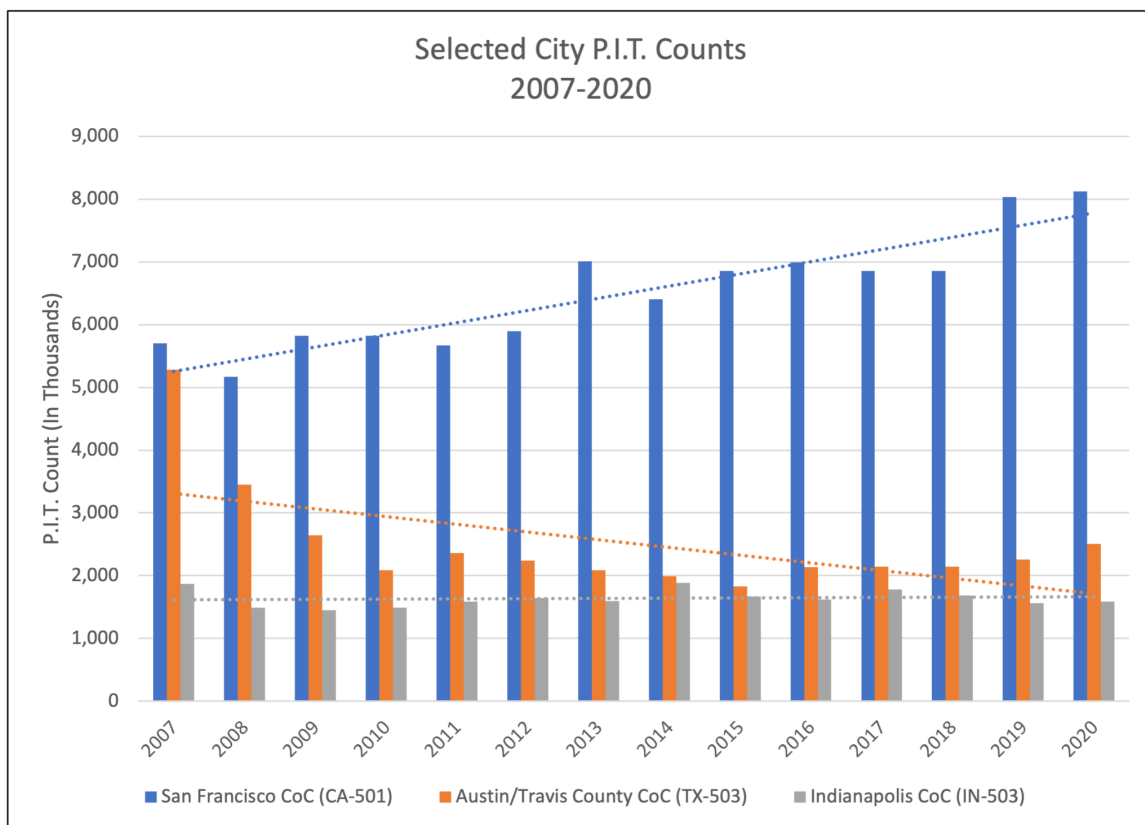


Figure 2

Source: "PIT Estimates of Homelessness in the U.S."

San Jose-San Francisco-Oakland, CA CSA										
	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
UNITS IN STRUCTURE										
1-unit structures	64.7%	64.5%	64.7%	64.5%	64.3%	64.5%	64.6%	63.4%	63.7%	63.8%
2-or-more-unit structures	32.8%	33.3%	33.0%	33.2%	33.4%	33.2%	33.0%	34.3%	34.0%	34.0%
Mobile homes and all other types of units	2.5%	2.2%	2.3%	2.3%	2.3%	2.3%	2.4%	2.3%	2.3%	2.2%
HOUSING TENURE										
Owner-occupied housing units	55.9%	56.2%	56.4%	55.3%	55.1%	54.7%	55.1%	54.8%	55.3%	56.2%
Renter-occupied housing units	44.1%	43.8%	43.6%	44.7%	44.9%	45.3%	44.9%	45.2%	44.7%	43.8%

Table 3

Source: "Households and Families"

Housing and Urban Development utilizes this method of reporting when measuring the number of individuals experiencing homelessness and reports on an annual basis. The number of individuals experiencing homelessness within the selected cities from 2007-2020 is expressed through *Figure 2* and displays reporting trends within each given city.

One area of this study which lacks statistical strength is the measurement of exclusionary zoning practices. Many of these practices are strictly based on theory, rather than by data, which may result in theoretical findings throughout the study. Additionally, exclusionary zoning is consistently evolving as urban planners develop additional ways to target populations directly or indirectly. Due to the difficulty in tracking exclusionary zoning practices, this is one area of weakness.

RESULTS

In addressing our first hypothesis, there is a likelihood that support available for the unhoused community is directly related to exclusionary zoning. In an interview conducted

with John Zody of the City of Bloomington, Indiana, there was an understanding that the unhoused community is dependent on public support. John Zody has over 20 years of experience working in the public sector, and currently serves as the Director for the Department of Housing and Neighborhood Development in the City of Bloomington. Although a Bloomington expert, John Zody has countless years of experience that qualify him to speak on the City of Indianapolis, Indiana. In regards to community support behind housing initiatives, Zody is quoted as saying that “[Public support] is very important. Bloomington is a very active community, as you may know. We have a very engaged public and very active neighborhoods. The conversations come with how do you do it.” (McPartlin). Decisions regarding zoning policies are constantly under pressure, regardless of whatever city you may reside.

Looking at the similarities between *Table 1* and *Table 3*, we can see strong similarities in unit structure between the Austin-Round Rock-San Marcos, TX Metro Area and the San Jose-San Francisco-Oakland, CA Metro Area. Specifically, both areas hover around 63% of all homes being single-unit housing and 56% of homes being owned, as opposed to rented. The Indianapolis-Carmel, IN Metro Area, however, serves as a major contrast to this data. Indianapolis’s Metro Area utilized single-unit housing for nearly 77% of all housing units. Additionally, over 65% of all homes in this region are owner-occupied. From this data, we struggle to find a clear correlation without additional research. For that reason, our first hypothesis has resulted in an inconclusive result. Additional research

necessary to yield a more definitive result could include more interviews conducted with regional experts within respective cities and/or data surrounding public opinion on exclusionary zoning policies.

Throughout the analysis of our second hypothesis, the data shows strong trends for these cities as years progress. Our second hypothesis states that *as a result of the intense population growth within cities such as Austin, Texas, expansion has yielded additional properties designed specifically for those at risk of or experiencing homelessness*. First, when looking at *Figure 2*, we can see a strong positive trend-line for the increase in P.I.T. reporting within the city of San Francisco. San Francisco also is noted as having an

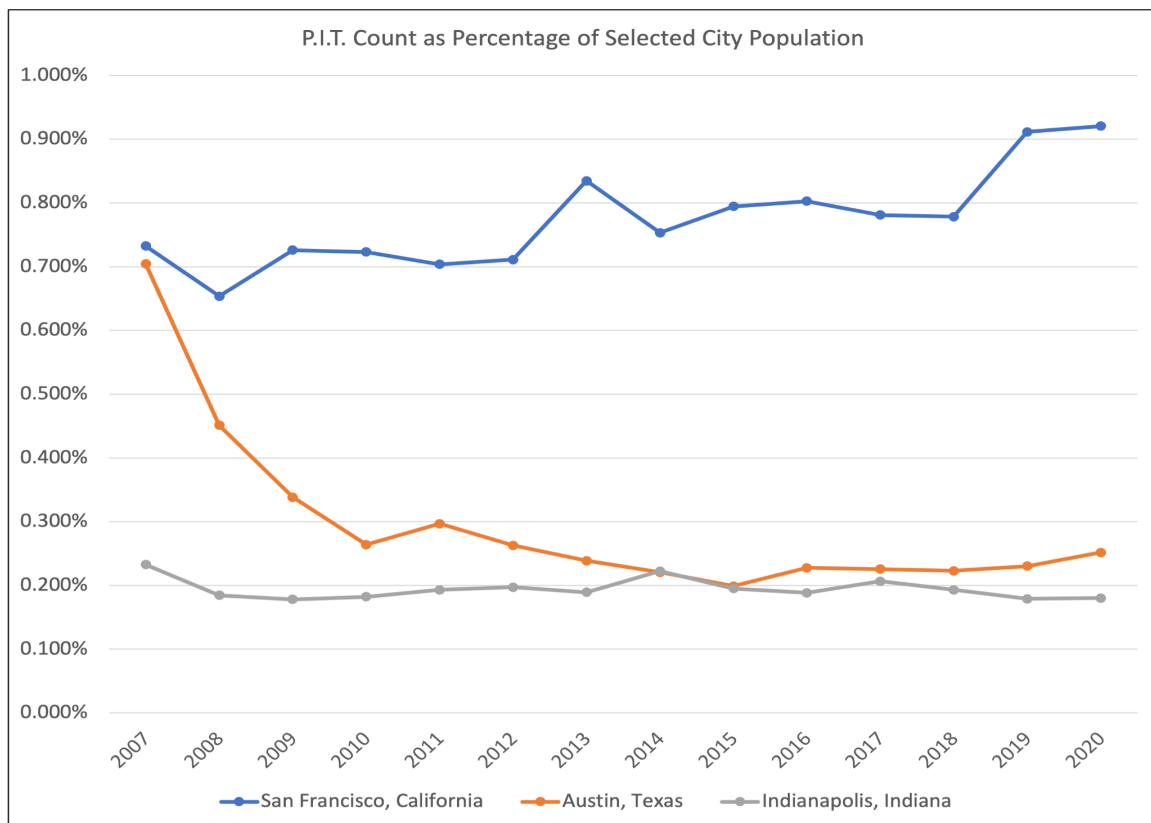


Figure 3

Source: "PIT Estimates of Homelessness in the U.S." & "City and Town Population Totals: 2010-2019"

immensely higher number of individuals experiencing homelessness than either city studied. Although, this was not always the case. Austin, TX reported similar levels of homelessness throughout the mid to late 2000s. To put P.I.T. counts in perspective to overall population estimates over a period of time, *Figure 3* highlights P.I.T. counts as percentages of city populations. Austin has tremendously decreased the number of individuals experiencing homelessness, despite a rapidly growing population referenced in *Figure 1*. One reason for this could be the fact that single-unit housing increased in the San Francisco Metro Area from 2011-2019 by 1%, while single-unit housing in the Austin Metro Area decreased. This may not hold true, however, due to the shift being insignificant.

With a steep decline in P.I.T. reporting and a slight increase in multi-unit dwellings over the established time periods, we can assume that the population growth within the City of Austin, Texas, has yielded additional properties designed specifically for those at risk of or experiencing homelessness, confirming our second hypothesis. As previously mentioned, point-in-time counts of those experiencing homelessness fails to capture the entire population, resulting in underreporting. With underreporting comes concerns surrounding lackluster support provided to the community. This finding can be confirmed by data expressed in *Table 1* and in both *Figure 1* and *Figure 2*. John Zody confirmed this to be true during his conducted Interview in a comparative example regarding Bloomington, Indiana. “We have a lot of housing in Bloomington, and a lot of people who want to live in

them. There's a backlog" said Zody regarding Bloomington's respective population increase. The city has developed an incentive plan, which follows the previously outlined steps from *The Journal of the American Planning Association* that can taken in combating exclusionary zoning. Zody goes into more detail when he says

"We do have height restrictions and foot restrictions and greenspace requirements and permit requirements when you are planning a building. If you use our sustainability incentives, you can get another floor on your building, maybe. Or if you say you're going to make a certain number of units affordable, maybe you can get more height or foot space." (McPartlin).

John Zody's Bloomington example, along with data derived from the U.S. Census, can positively confirm our second hypothesis as holding true.

CONCLUSION

Exclusionary zoning, as a concept and practice, is not going to go away anytime soon. Unfortunately, the United States of America is not progressing fast enough to limit these regulations. Additionally, these exclusive policies serve as a way to exploit homeowners for monetary gain, meaning capitalism will prosper. As we have seen, these policies hurt the unhoused community the most due to the lack of opportunities available for them to advance. Additionally, intersectionality plays a strong role in limiting opportunities for those who may face additional discrimination for being a member of an

additional minority group. Within this study, we can see intense population growth in all three selected cities. Despite this growth, however, we have seen stark contrasts in P.I.T. reporting in Austin, TX, and San Francisco, CA. Exclusionary zoning is found to have played a large role in this due to the higher instances of exclusionary practices such as limitations on single-unit dwellings and building height limitations.

This study was limited by time, and because of this, a large area of data is absent. The process of conducting interviews with nonprofit and city representatives was short, which resulted in low interview response rates. In addition to this, United States Census data within reports analyzed oftentimes failed to include older years or failed to include consecutive years. Because of this, datasets were smaller than anticipated.

The findings in this report have an opportunity to impact the unhoused community for years to come. Exclusionary zoning is a practice that is oftentimes underreported or hidden as the groups who are impacted by said practices have little or no voice to begin with. With this report, urban development professionals can better understand the nature of exclusionary zoning and how it impacts communities such as that of the unhoused.

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