



THE CENTER
FOR POVERTY
SOLUTIONS

Regulatory reform can make housing more affordable for Illinois families

BY: JOSHUA BANDOCH, PH.D., HEAD OF POLICY
AND JOE TABOR, DIRECTOR OF POLICY RESEARCH,
ILLINOIS POLICY INSTITUTE

Executive Summary

America is facing a housing affordability crisis. According to a 2022 survey, 73% of Americans said the average person could not afford a home in their area, and 69% were worried about their children and grandchildren being able to afford a home. That’s unfair. Everyone deserves a good roof over their heads.

Housing affordability problems are pronounced in Illinois, where nearly one-third of all Illinois households pay at least 30% of their income for housing, making them “housing burdened.” That’s the highest rate in the Midwest.

House-burdened Illinois versus Midwestern states

Percent of households in each state paying over 30% of income on housing.

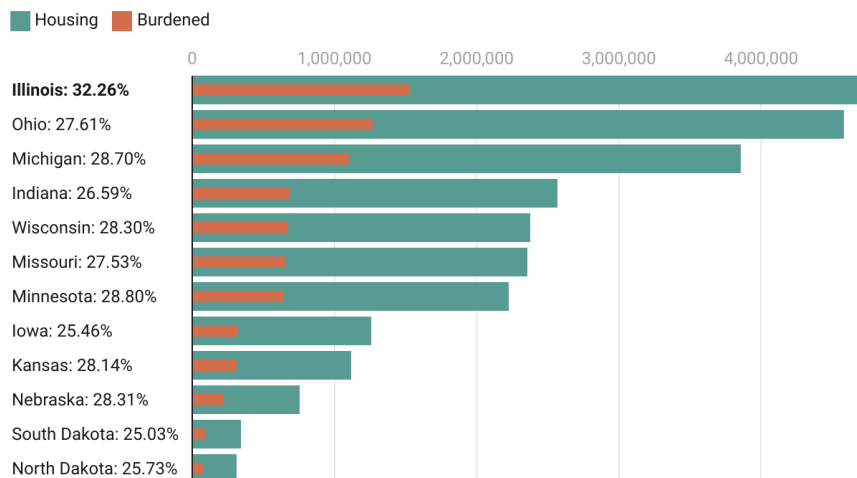


Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

Taxes are an obvious driver of high housing costs in Illinois. The state has the second-highest effective property tax rate in the nation at 2.08%, behind only New Jersey at 2.23%. All Illinoisians suffer under this massive financial burden.

An unseen driver of housing costs in Illinois is restrictive regulatory policy that makes it harder to build housing. Government regulations account nationally for \$93,870, or 23.8% of the national average sales price (\$394,300) of a new single-family home in 2021. With an April 2024 monthly median home price of \$292,000 in Illinois, applying the same percentages would mean \$69,496 of that cost came from government regulations. With a record-high monthly median home price of \$370,000 in Chicago, \$88,060 of that cost would have come from government regulations.

Zoning regulations that dictate how land can and cannot be used are a major culprit. And in addition to added costs, they keep prices high by restricting the supply of housing. Illinois' land use policy is the second-most restrictive in the Midwest, behind only Minnesota. One consequence is Illinois has produced 113,000 fewer units than it might have.

Across America, there is a growing realization among policymakers that restrictive land use laws make it too difficult to build homes. It's Econ 101: When it's harder to produce anything, including housing, you get less of it.

That's why so many states and local governments have embraced a simple, proven principle: The key to achieving housing affordability is to increase housing supply. Austin, Denver, Houston, Jacksonville, Minneapolis, Portland, Seattle and St. Paul have all implemented positive reforms in recent years. So have Arizona, California, Colorado, Florida, Maine, Montana, Oregon, Rhode Island, Tennessee, Texas, Utah, Vermont, Virginia, Washington and Wisconsin. Zoning reforms have momentum.

Illinois faces a choice: Will it join these places and embrace local reforms to make housing more affordable? Or will we watch more friends, family and community members leave Illinois for more affordable states?

The best way to make Illinois housing more affordable is to craft a housing abundance agenda. It should ensure plentiful, varied housing types to meet the needs of Illinoisans of many income levels and locations. People deserve choices. Those start with local governments removing barriers so housing affordability increases by increasing supply.

The top recommendations from the report include:

1. Reducing the restrictions on the number of housing units in areas zoned for residential use by adopting by-right zoning and broadly legalizing multi-family housing, upzoning existing low-and-medium density residential areas and legalizing accessory dwelling units;
2. Increasing residential land use by expanding areas zoned for residential use, legalizing mixed-use housing and reducing barriers to converting commercial zones to residential use;
3. Reducing restrictions on new construction by streamlining permit approval, relaxing lot minimum and maximum requirements, reducing parking minimums and reducing aesthetic restrictions on new construction.

Since local leaders generally control their zoning and land use policies and know the needs of their communities, housing reform will be most durable when adopted at by Illinois municipalities rather than Springfield imposing a one-size-fits-all policy.

Introduction

Our neighbors deserve proper shelter, which is something people across the political spectrum agree on. Housing needs to be affordable, especially if you're low-income or below the poverty line. Otherwise, housing becomes a burden creating economic harms such as constrained growth and social problems, including displacement.¹

According to the Cato Institute's 2022 Housing Affordability National Survey,² 73% of Americans said the average person could not afford a home in their area. There were 69% worried about their children and grandchildren being able to afford a home.

The U.S. Department of Housing and Urban Development defines housing as affordable when it costs no more than 30% of household income, whether you own or rent.³ Above that threshold, a household is considered "burdened" by housing costs. When costs exceed 50% of income, a household is considered "severely" burdened.

Nearly one-third of all Illinois households pay at least 30% of their income for housing, including 53.9% of renters and 23.08% of homeowners. Almost one-in-six are "severely" cost burdened, including 26.15% of renters and 10% of homeowners.⁴ Housing affordability is a big problem in Illinois, more so than in any other Midwestern state.

The problem is particularly pronounced among Illinois' poor. Over 81% of low-income Illinois households are "housing burdened." Over 56% are "severely housing burdened." That's unfair.

The housing situation is even worse in Chicago, where 42.68% of households are burdened and 22.64% are severely burdened, behind only Detroit and Milwaukee among large Midwestern cities. Almost 90% of low-income Chicago households are burdened by housing costs and two-thirds are severely burdened. In a December 2022 poll, 78% of Chicagoans agreed the city lacks sufficient affordable housing.⁵

What's driving high housing costs in Illinois? The obvious answer is taxes. Every Illinoisan suffers under the state's crushing tax burden. An analysis in 2023 by the Tax Foundation showed Illinoisans pay the second-highest effective property tax rate in the nation at 2.08%, behind only New Jersey at 2.23%.⁶ The median effective property tax rate across all U.S. states is 0.91% (Florida), and the average is 1.04%. Hawaii's is lowest at 0.32%, more than 6.5 times lower than Illinois' rate.⁷ Illinois' tax burden is disproportionately high and makes the state uncompetitive.

It explains why 97% of the 115,719 Illinoisans who left the state in 2022 went to states with lower taxes.⁸ Polling data in 2023 confirmed high taxes were the top reason people left Illinois.⁹ High taxes drive housing costs up and drive people away from Illinois. That harms our communities.

There is another, largely unseen reason for housing unaffordability in Illinois: regulations stifling homebuilding. The National Association of Home Builders estimates, “Regulations imposed by all levels of government account for \$93,870, or 23.8% of the [2021 nation-wide] average sales price (\$394,300) of a new single-family home.”¹⁰ The monthly median home price in Illinois for the month of April 2024 was \$292,000.¹¹ Using a rate of 23.8%, \$69,496 of that cost would come from government regulations. The April 2024 monthly median sales price for a home in Chicago was \$370,000 (a record high) \$88,060 of that cost would come from government regulations.¹²

Regulations account for an even larger share of multi-family housing prices. Other research from the home builders shows, “An average of 40.6% of total development costs can now be attributed to complying with regulations imposed by all levels of government.”¹⁵

Illinois’ state regulatory code contains more than 282,000 instances of restrictive language. That’s more than 44 states and Washington, D.C.¹⁴ So many restrictions make it hard for individuals and businesses to grow and succeed. That hurts everyone.

Many local regulations restrict Illinoisans’ freedom of choice, especially regarding housing. Regulations such as zoning laws and land use restrictions make housing unnecessarily expensive in Illinois. Illinois is the second-most restrictive state in the Midwest when it comes to land use.¹⁵ These regulations and restrictions are primarily implemented at the local level.

When it’s harder to produce anything, including housing, we get less of it. That’s exactly what has happened in Illinois. Based on residents’ needs, Illinois’ underproduction of housing stands at 113,000 units, ninth highest in the nation, according to a 2023 report by Up for Growth.¹⁶ Illinois’ population of 12.5 million is the sixth-largest in the nation, so the magnitude of the housing unaffordability crisis is larger than in similarly regulated states.

Housing affordability is a bigger problem in densely populated urban areas because there’s more demand for housing, and less land on which to build. That’s why the problem is worse in the Chicago metropolitan area than in other parts of the state.

The recognition that restrictions are suffocating housing construction motivated Chicago Mayor Brandon Johnson to release his administration’s “Cut the Tape” report in April 2024. It recommends eliminating regulations that make it harder to build housing. The report is examined below.

The key to achieving housing affordability in Illinois is to increase housing supply. This needs to be the guiding principle behind all housing policy reforms. As supply increases, prices decrease. Increasing housing supply is the only equitable way to encourage sustainable affordability and to encourage growth. For example, Austin, Texas, has recently been building housing at a rate far above the national average. It saw a better-than-average decrease in rent and house prices.¹⁷ In May 2024, the city boosted its commitment to housing affordability by passing local ordinances to allow single-family homes to be built on smaller lots.¹⁸

Our goal needs to be housing abundance, with plentiful housing of different types that meet the diverse needs of Illinoisans of any socioeconomic status. People deserve choices.

We will only achieve housing affordability, and eventually housing abundance, by removing barriers to building more homes. If it's too hard for developers to build, they won't. The massive underproduction of housing in Illinois shows they aren't.

This core principle of housing affordability is accepted across the political spectrum. From left-of-center think tanks such as the Progressive Policy Institute, the Brookings Institution, and the Urban Institute, to the centrist Bipartisan Policy Center, to the market-oriented American Enterprise Institute and Cato Institute, and across the Trump and Biden administrations, there is agreement housing affordability is a serious problem in America, and zoning reform is a highly impactful way to address it.

This report will examine the state of Illinois' housing regulatory regime. It concludes one proven way to make housing more affordable in Illinois and across America is for municipalities to adopt less-restrictive regulations regarding the construction of housing and land use. The most promising reform is to relax zoning regulations. The best approach to zoning is what's called "by-right" zoning, which means if someone meets requirements for using property, it needs to be approved. As soon as you have unnecessary hurdles such as hearings, there will be significantly less housing.

We will see there is tremendous momentum across America for zoning reform, with many localities and states passing reforms in the past few years. Illinois needs to join them.

Zoning reforms are most effective when they proceed at the local level. First, it is necessary from a legal standpoint because municipalities generally control their zoning and land use policies. They're in the best position to understand their communities. Second, it's a political and practical necessity. If reforms are forced upon local communities by state government, they will not have bought into those reforms and are much more likely to resist them. This will make implementation slow at best, and unworkable at worst. That has happened in California, where communities have resisted statewide reforms, and elsewhere. If these reforms instead are voluntary, they'll be more readily implemented. Third, local elected leaders have strong incentives to undertake these reforms.

As we will explore in detail, policy reforms can make housing markets more dynamic, affordable, and attractive for current and prospective residents and businesses. In making their regions more competitive, local leaders can keep current residents and businesses, and attract new ones. That benefits everyone. Finally, local leaders have better awareness of homeowner preferences. They are best able to navigate local dynamics to enable more people to live comfortably while also being sensitive to community culture.

In what follows, we offer background on what zoning regulations and land use regulations are. We consider the economic impacts of zoning restrictions. We examine the state of these regulations in Illinois and compare Illinois to other Midwestern states. We then look at recent reforms enacted at the state and local levels across America. We conclude by considering policy reforms Illinois municipalities can implement to make housing in their regions more affordable for residents, and more attractive for businesses and builders.

Top recommendations for local governments for removing barriers to making housing affordable are:

1. Reducing the restrictions on the number of housing units in areas zoned for residential use by adopting by-right zoning and broadly legalizing multi-family housing, upzoning existing low-and-medium density residential areas and legalizing accessory dwelling units.
2. Increase residential land use by expanding areas zoned for residential use, legalizing mixed-use housing and reducing barriers to converting commercial zones to residential use.
3. Reduce restrictions on new construction by streamlining permit approval, relaxing lot minimum and maximum requirements, reducing parking minimums and reducing aesthetic restrictions on new construction.

By adopting these measures as they fit the needs of local communities, Illinois municipalities can implement lasting housing reform without being saddled with a one-size-fits-all policy imposed by Springfield.

Removing barriers to housing affordability

| Problem | Solutions |
|---|--|
| Restrictions on the number of housing units in residential areas | Legalize multi-family housing in residential zoned areas |
| | Upzone existing low-and-medium density housing |
| | Legalize accessory dwelling units |
| Limited areas zoned for residential development | Expand areas zoned for residential use |
| | Legalize mixed-use housing |
| | Reduce or eliminate barriers to converting commercial zoned areas to residential |
| Restrictions/mandates on new construction | Streamline permit approval |
| | Relax lot size minimums/maximums |
| | Reduce/Eliminate parking space minimums |
| | Reduce aesthetic restrictions |

Table: @Illinoispolicy • Created with Datawrapper

The scope of Illinois' unaffordable housing crisis

Housing affordability is a big problem in Illinois. Overall, almost one-third (32.26%) of Illinois households pay at least 30% of their income for housing. And nearly one-in-six (15.54%) households pay more than 50%, making them “severely burdened.”¹⁹

House-burdened Illinois versus Midwestern states

Percent of households in each state paying over 30% of income on housing.

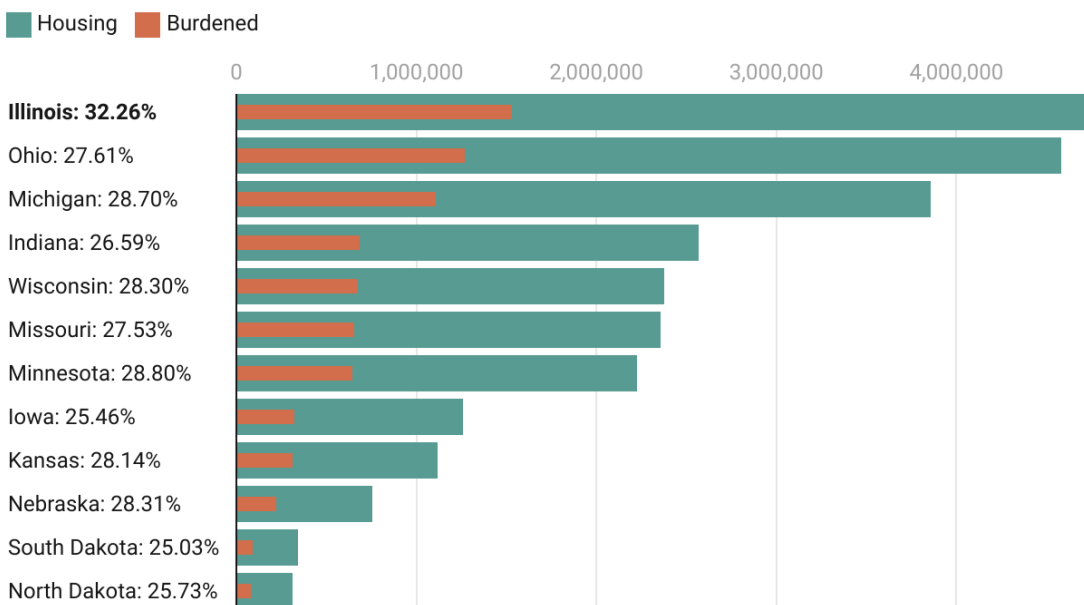


Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

The problem is particularly pronounced among Illinois' poor. Of low-income Illinois households, which make \$35,000 or less, 81.49% are housing burdened and 56.67% are severely housing burdened.²⁰ That prevents these households from addressing other needs properly.

When compared to other Midwestern states, Illinois has the highest percentage of burdened low-income households at 81.49%, and severely burdened at 56.67%. South Dakota has the lowest portion at 66.83%, and 40.50% severely burdened. If Illinois were even middle-of-the-pack at 75.12% housing burdened, there would be 66,549 fewer low-income Illinois households burdened. If it were middle-of-the-pack among those severely cost burdened, there would be 47.22% severely burdened, which would amount to 98,764 fewer households.

Percent house-burdened by state

Percent of low-income households cost burdened.



Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

Illinois renters face acute housing affordability problems. Research from the National Low Income Housing Coalition shows 451,737 renter households in Illinois are extremely low income. There is a shortage of 289,419 homes for extremely low-income renters.²¹

The median household income in Illinois is \$76,708,²² second among Midwestern states after Minnesota’s \$82,338.²³ The apartment rental rates are the highest in Illinois at \$1,377 per month. Rental rates for all properties are by far the highest at \$1,799 in Illinois, which is \$300 more than second-place Minnesota. Average home prices are middle-of-the-pack at \$282,000. Percent growth of housing cost since 2019 in the rental market is middle-of-the-pack while at the lower end for housing prices, which could partially be from outmigration.²⁴

The housing situation is even worse in Chicago, where 42.68% of households, or over 450,000 total, are burdened by housing. That percentage is behind only Detroit and Milwaukee among when compared to large Midwestern cities with more than 400,000 people, the most relevant comparison for Chicago.

House-burdened Chicago versus Midwestern cities

Percent of households in 10 largest Midwestern cities that pay over 30% of income for housing

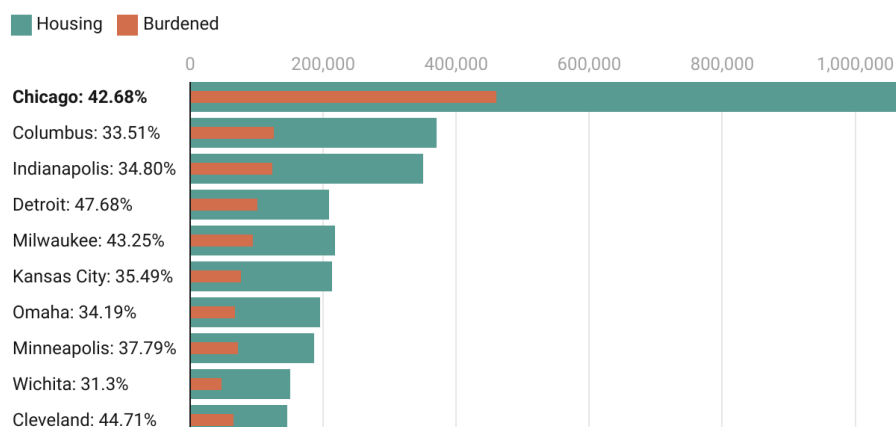


Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

Over 200,000 Chicago households are severely burdened by housing. Chicago's 22.64% is behind only Detroit's 22.92%, and significantly above Minneapolis' 18.57%, again compared to Midwestern cities over 400,000 people.

Chicago's severely house burdened versus Midwestern cities

Housing in 10 largest Midwestern cities, residents paying in 50% of income for housing.

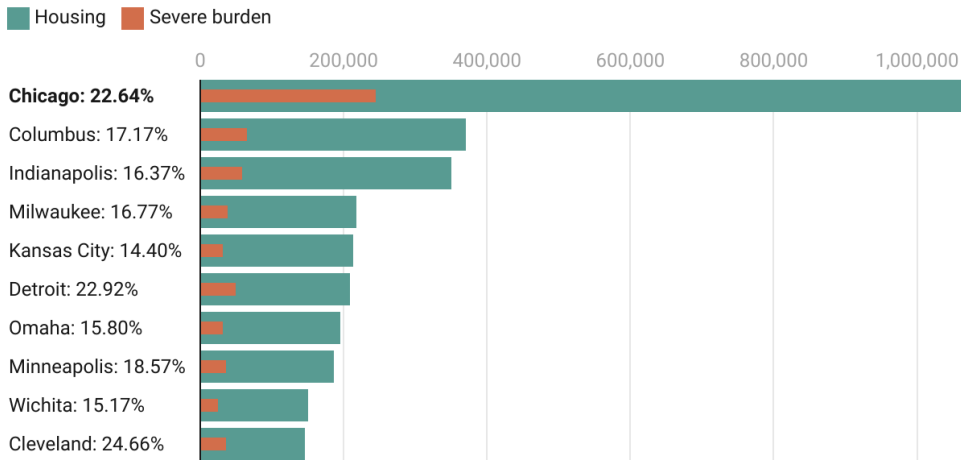


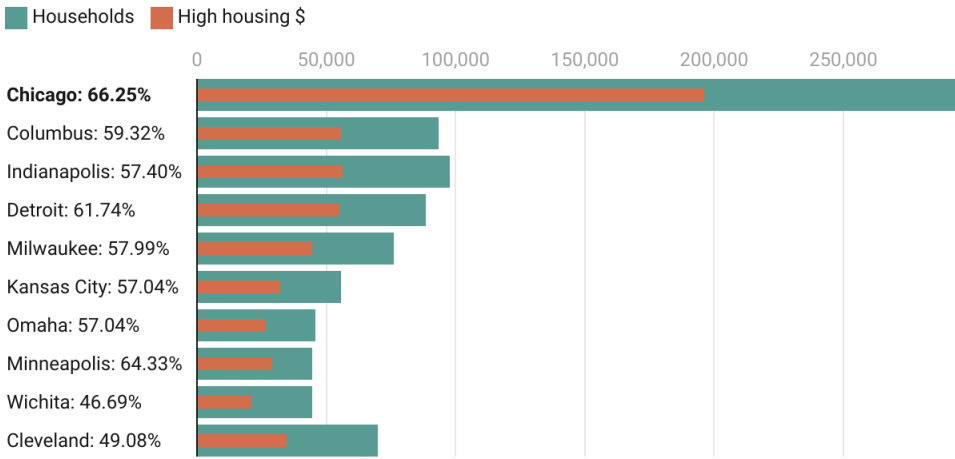
Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

Among low-income households, 88.66% (262,567) of Chicagoans are burdened by housing costs, and 66.24% (196,170) are severely burdened by those costs. Rent burden is among the highest, tied for third-most with Detroit at 89.71%. Severe rent burden is the highest among the 10 largest Midwestern cities.

The median Chicago household income is second among Midwestern cities, sitting at \$70,386 behind Minneapolis' \$74,473.²⁵ Most recent apartment rates are highest in Chicago at \$1,656, which is much higher than second-place Minneapolis at \$1,394. Rent for all property is also much higher for Chicago at \$1,950. The second- and third-ranked cities, Minneapolis and Columbus, Ohio, are behind at around \$1,500.²⁶ House prices are also highest in Chicago at an average of \$364,000, about \$34,000 more than second-place Minneapolis. Percent growth in cost from five years earlier is at the lower end for both the rental and housing markets, with only Minneapolis being lower in the housing market and the only city that's lost value in the rental market.²⁷

Chicago leads Midwest in high shelter costs for low-income

Ten largest Midwestern cities, percentage of low-income residents spending over 50% of income on housing, total low-income households, total low-income households spending over half of income on housing.



Households not computed were removed from total.

Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

A 2020 report from the Chicago Department of Housing found the city has an “affordable housing gap” of “nearly 120,000 homes.”²⁸ The National Low Income Housing Coalition states 338,626 renter households in the Chicago Metropolitan Statistical Area are extremely low income, defined as 0-30% of area median income. There is a shortage of 239,240 rental homes that are affordable and available to extremely low-income renters.²⁹ While these renters do have shelter, it leaves them burdened or severely burdened by housing costs. The Institute for Housing Studies at DePaul University found 47.4% of Chicago renters are cost-burdened by housing.³⁰

Research from the Federal Reserve Bank of Atlanta showed Cook County is well above the “housing burdened” threshold as of February 2024. For people who want to buy a home, the annual total payment as a share of median income stands at 36.4%. Things are getting worse for Chicagoans, as housing affordability has declined notably since spring 2022 across the Chicago metro area, in part because of higher interest rates. The Chicago area now has an affordability score of 82.5 as of December 2023, with scores of 100 or above considered affordable.³¹

A major culprit behind the housing affordability crisis in Illinois is underproduction. In a recent research report, Up for Growth estimated Illinois’ housing underproduction in 2021 at 113,000 units.³² Up for Growth “calculates underproduction as the difference between total housing need and total housing availability” and it “occurs when communities fall short of meeting housing needs.”³³

New housing units approved in Illinois in past 15 years

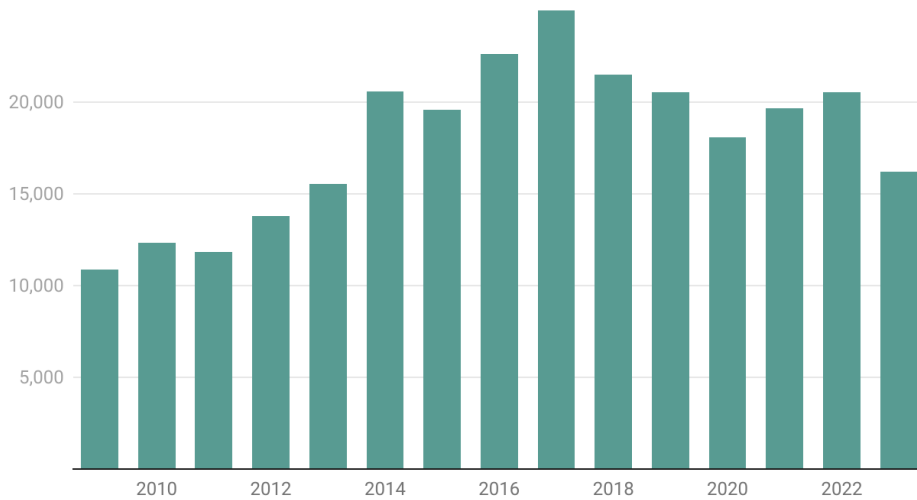


Chart: @illinoispolicy • Source: Up For Growth • Created with Datawrapper

Illinois has only approved a little over 269,000 units from 2009-2023, including only 57,070 since 2021. Since 2009, the state would have needed to increase housing production by 42% to close the underproduction gap of 113,000 units.

Most new housing units – 217,618 of the 269,000, or a little under 81% of the total – were approved in the Chicago-Naperville-Elgin Metropolitan Statistical Area.³⁴

Chicago area new housing units approved in past 15 years

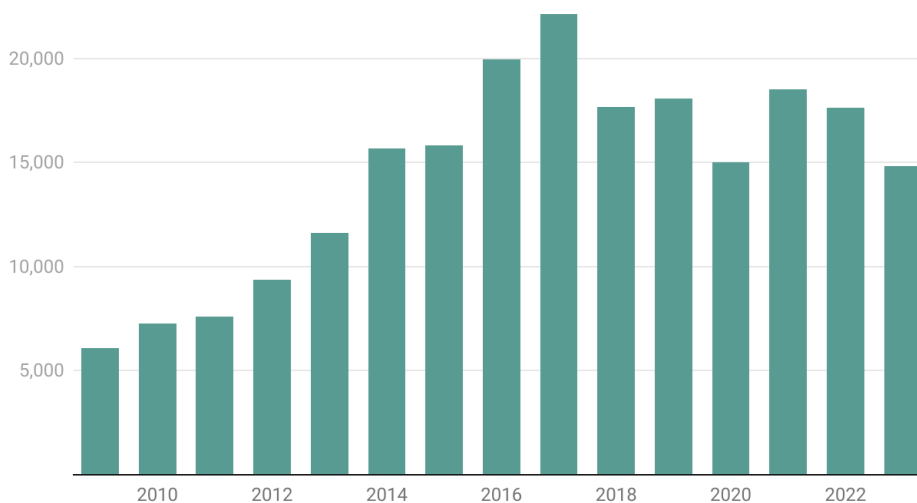


Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

A major factor of constrained housing supply in Illinois is zoning.

Zoning and land-use regulations: *background*

Zoning and land-use laws regulate how property can be used in a particular place. These regulations govern factors such as the number of dwellings that can exist in one building (single-family or multi-family, e.g. townhouses, duplexes, or apartment buildings), the minimum and maximum lot size, the minimum amount of parking space per lot and restrictions based on aesthetic concerns, among many other possible considerations. The regulations are usually imposed at the local level.

Zoning regulations are grounded in the notion the local community is best positioned to plan what types of construction are appropriate for a given area. In residential areas, this often manifests itself in a preference for single-family homes over multi-family housing. In many places it is illegal to build multi-family housing units. Many people in the suburbs, exurbs and rural environments like it this way. According to the Cato Institute's 2022 survey, 89% of Americans would prefer to live in a single-family home.³⁵ This preference poses significant barriers to our main principle, which is the key to achieving housing affordability is to increase housing supply. The problems grow with population density.

There are many ways the government regulates how land can be used. Examples include minimum lot size requirements, density limits, building heights, prohibitions against mixed-use developments (e.g. disallowing apartments in commercial zones) and parking requirements.

Numerous other government regulations impact housing construction. They include permit approval time, the costs of fees and studies required before building, idiosyncratic aesthetic standards such as unusual setback requirements, architectural design requirements, and labor and safety requirements during building.³⁶

As stated above, approval of new housing units in Illinois is on the decline. Illinois is also trailing the rest of the country when it comes to new housing units relative to its population. Twenty states with lower populations than Illinois approved more new housing units in 2023. Illinois approved the third-fewest new housing units per capita in the country and the fewest per capita in the Midwest.

20 smaller states approved more new housing than Illinois

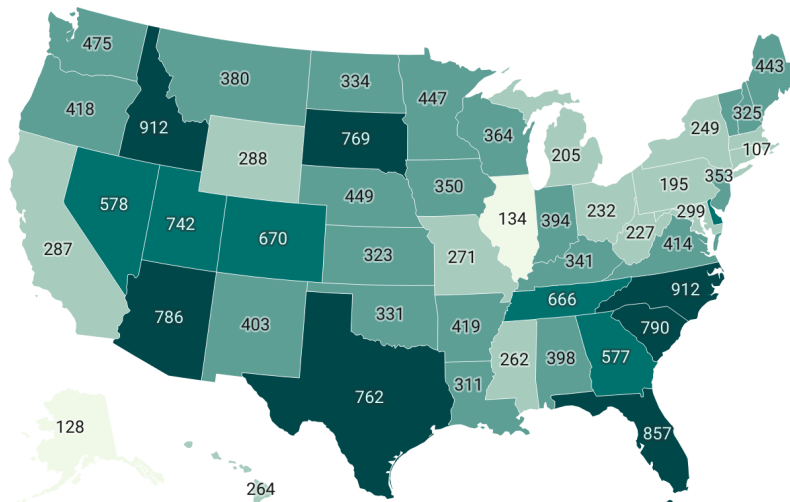
State, 2023 populations, new housing approvals

| State | Population | Housing approvals |
|-----------------|-------------------|-------------------|
| North Carolina | 10,835,491 | 98,853 |
| Georgia | 11,029,227 | 63,621 |
| Arizona | 7,431,344 | 58,433 |
| Tennessee | 7,126,489 | 47,463 |
| South Carolina | 5,373,555 | 42,474 |
| Colorado | 5,877,610 | 39,404 |
| Washington | 7,812,880 | 37,097 |
| Virginia | 8,715,698 | 36,096 |
| New Jersey | 9,290,841 | 32,840 |
| Ohio | 11,785,935 | 27,318 |
| Indiana | 6,862,199 | 27,055 |
| Minnesota | 5,737,915 | 25,667 |
| Utah | 3,417,734 | 25,361 |
| Wisconsin | 5,910,955 | 21,494 |
| Michigan | 10,037,261 | 20,592 |
| Alabama | 5,108,468 | 20,337 |
| Maryland | 6,180,253 | 18,453 |
| Nevada | 3,194,176 | 18,451 |
| Idaho | 1,964,726 | 17,919 |
| Oregon | 4,233,358 | 17,697 |
| Illinois | 12,549,689 | 16,863 |

Table: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

Illinois' new housing unit rate 3rd-worse in U.S. during 2023

New privately-owned housing units authorized per 100,000 population in 2023



Map: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

Permit approval is largely determined at the local level.

The approval process in Chicago has a history of being particularly burdensome. A 2010 report by the Institute for Justice described the process: “The line to receive approval of a permit application from the zoning department forms around 6 a.m. each day. A business owner who arrives at City Hall midday is too late.”³⁷ According to a Harvard Kennedy School of Business study around the same time, approximately 17% of zoning licenses were not being processed and sent back because of insufficient information, and over 1,300 buildings required more than three different inspections each year.³⁸ That’s a recipe for less housing.

In 2019, Chicago Alderman Andre Vasquez, 40th Ward, described the burdens of trying to get a permit in the city: “What I’ve discovered is that many parts of the city’s regulatory processes are mired in paper-only applications, in-person meetings at downtown offices (during work hours, on weekdays), and subsections of city departments with no publicly listed director or other staff contact that a constituent could reach out to with questions,” he said.³⁹ Such a process is cumbersome at best, and at worst unmanageable for many people.

Chicago has implemented some reforms to address these problems. In 2008, the city established a self-certification program.⁴⁰ Self-certification in Chicago allows for a certified architect or structural engineer who has completed self-certification training via the Department of Buildings to vouch and take responsibility for the project’s compliance with the city’s building codes. Before then, experienced professional architects and engineers had to wait on city workers to certify the proposed building project was up to code before construction could begin.

In 2023, Chicago introduced an express permit program that replaced the previous paper-based application process with an online-based platform for applying for and monitoring the status of building permits. It is too early to assess the full results of the new program.⁴¹

Although the process has improved, Chicago’s standard permitting process is still neither quick nor simple. Most building projects also require approval from the Zoning Ordinance Administration, in addition to approval from the city Buildings Department. Whenever someone wants to change the height or use of a space, they must apply for a zoning exception or variance, adding time to the approval process.⁴²

Minimum fees for building permits make housing even more expensive. The minimum price for any permit is \$302. The minimum fee for new residential construction is \$3,450.⁴³ The highest absolute minimum building permit fee in New York City is \$290 per structure,⁴⁴ and in Houston the minimum building fee for the median-sized home of around 2,000 square feet

would be a little over \$1,500.⁴⁵ Although these fees might seem small when house construction is hundreds of thousands of dollars, they still compound housing affordability problems by adding another barrier to development. They increase costs for developers and, in turn, buyers and renters.

While the city's self-certification process allows for a permit to be issued within 10 business days,⁴⁶ the reality is it takes much longer. As of May 24, 2024, the city website stated a total time for plan-based building permits was 87 days – 37 days processing and 50 days with the applicant.⁴⁷ According to the Chicago Cityscape research service, as of May 24, 2024, during the previous 180 days, the average time from application to issuance of a permit was 111.8 days.⁴⁸ That's a huge barrier for prospective developers. The city even points prospective applicants to a list of third-party "expeditors" who are presumably familiar with all the requirements.⁴⁹ Applicants can pay these expeditors to hopefully speed up the process to have a building permit approved. That's an opening for corruption. It also adds yet another cost to housing projects. Research indicates in New York City, an expeditor can cost up to \$250 per hour.⁵⁰ The double-digit number of expeditors found in Chicago do not list their fees online.

Perhaps unique to Chicago, the alderman of a particular ward is traditionally given what is known as "aldermanic prerogative," which is essentially an informal veto over proposed projects in his or her ward. The way this privilege has been exercised historically has led the Department of Housing and Urban Development to investigate the city for civil rights violations because of limits it placed on affordable housing projects in Chicago.⁵¹

The entire Chicago-Naperville-Elgin Metropolitan Statistical Area authorized a little over 15,000 new private housing units in 2023.⁵² The Houston metro area approved the most new units – over 68,700, despite having 1.75 million fewer residents than the Chicago area. Even the North Port, Florida, metro, which has less than one-tenth the population of the Chicago area, approved 900 more new housing units than the Chicago metro.⁵³

19 smaller metro areas OK'd more housing than Chicago

Metropolitan area, 2023 populations, new housing approvals

| Metro area | Population | Housing approvals |
|--|------------------|-------------------|
| Houston-The Woodlands-Sugar Land, TX | 7,510,253 | 68,755 |
| Dallas-Fort Worth-Arlington, TX | 8,100,037 | 68,029 |
| Phoenix-Mesa-Chandler, AZ | 5,070,110 | 45,616 |
| Austin-Round Rock-Georgetown, TX | 2,473,275 | 38,773 |
| Atlanta-Sandy Springs-Alpharetta, GA | 6,307,261 | 38,639 |
| Charlotte-Concord-Gastonia, NC-SC | 2,805,115 | 29,419 |
| Orlando-Kissimmee-Sanford, FL | 2,817,933 | 25,415 |
| Tampa-St. Petersburg-Clearwater, FL | 3,342,963 | 25,386 |
| Nashville-Davidson-Murfreesboro-Franklin, TN | 2,102,573 | 23,558 |
| Washington-Arlington-Alexandria, DC-VA-MD-WV | 6,304,975 | 23,493 |
| Miami-Fort Lauderdale-Pompano Beach, FL | 6,183,199 | 21,320 |
| Denver-Aurora-Lakewood, CO | 3,005,131 | 20,650 |
| Raleigh-Cary, NC | 1,509,231 | 20,619 |
| Jacksonville, FL | 1,713,240 | 20,326 |
| Riverside-San Bernardino-Ontario, CA | 4,688,053 | 20,268 |
| Minneapolis-St. Paul-Bloomington, MN-WI | 3,712,020 | 18,633 |
| Seattle-Tacoma-Bellevue, WA | 4,044,837 | 17,223 |
| San Antonio-New Braunfels, TX | 2,703,999 | 16,485 |
| North Port-Sarasota-Bradenton, FL | 910,108 | 15,928 |
| Chicago-Naperville-Elgin, IL-IN-WI | 9,262,825 | 15,028 |

Table: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

It's tempting to blame the discrepancy on the 16,000 people the Chicago area lost to outmigration between 2022 and 2023, depressing the demand for new housing for Chicago, compared to the almost 140,000 people Houston gained, increasing the demand for housing in Houston.⁵⁴ Despite losing over 70,000 people to outmigration during the same period – more than four times as many as Chicago⁵⁵ – the Los Angeles-Long Beach-Anaheim metro area managed to issue over double the number of new housing permits than the Chicago area did in 2023. Similarly, the New York metro area lost over 65,000 people and authorized over 63,000 units of new housing in 2023.⁵⁶ If anything, to the extent that people move because of

the cost of housing, areas losing population need to approve more permits to make housing more affordable and stem population loss.

New York, LA lose more people, build more than Chicago

2022 to 2023 population change compared to new housing units approved in 2023

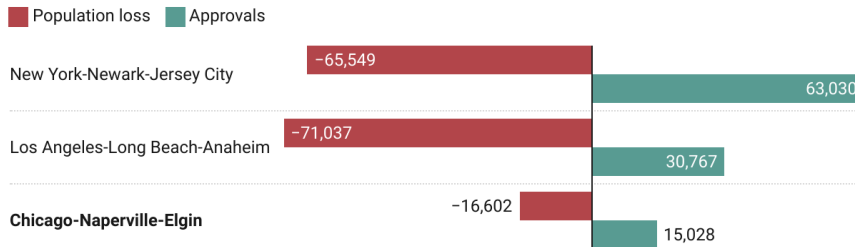


Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

Even areas with declining populations need to continue to build new housing. One reason is there’s a loss of a certain percentage of housing each year as buildings age, deteriorate and eventually are uninhabitable. We need construction even if the population is declining. Another is markets change with consumer preference, housing trends and incomes. Without new supply, these forces can greatly distort the housing and rental markets, driving up prices.

The Chicago area compares unfavorably to other large metro areas when it comes to the number of permits approved relative to its population. Of the top 10 most populous metropolitan statistical areas, the Chicago area ranked dead last in 2023 at 162 new units approved per 100,000 residents. By contrast, Houston came in first with 915 new units per 100,000 – more than 4.5 times as many. Phoenix came in a close second with 900 units. The New York metro area approved 323 permits per 100,000, nearly double the Chicago metro area. Chicago’s policies are dragging down the number of new housing units approved when compared to other major metro areas.

Chicago area last of top 10 for housing per 100K residents

New housing approved per 100,000 residents, top 10 most populous metropolitan areas, 2023

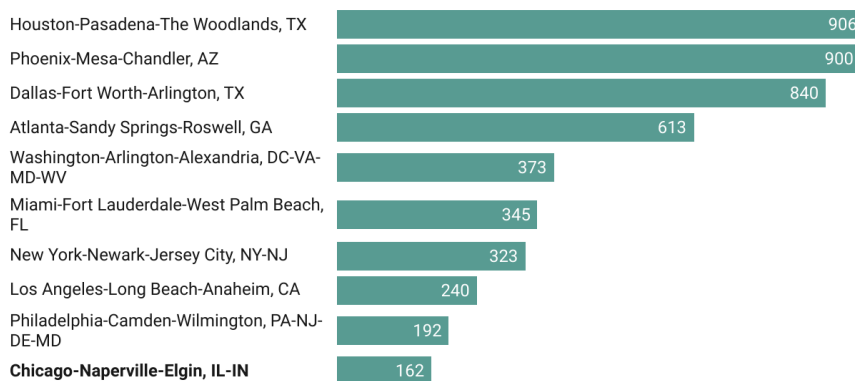


Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

These are the measurable harms.

The unseen harms of Chicago’s process include many developers simply deciding to not build in the city because they know the many layers of regulation will make it too difficult to get projects approved, and too expensive to complete them.

With the costs of materials and labor on the rise, Chicago has seen a decline in new development. Total new housing construction in the metro area has been on the decline since 2021,⁵⁷ and estimated new apartment construction has been on the decline since 2020.⁵⁸

New housing, apartment units decline in Chicago area

New private housing units, estimated new apartment units in Chicago metropolitan area

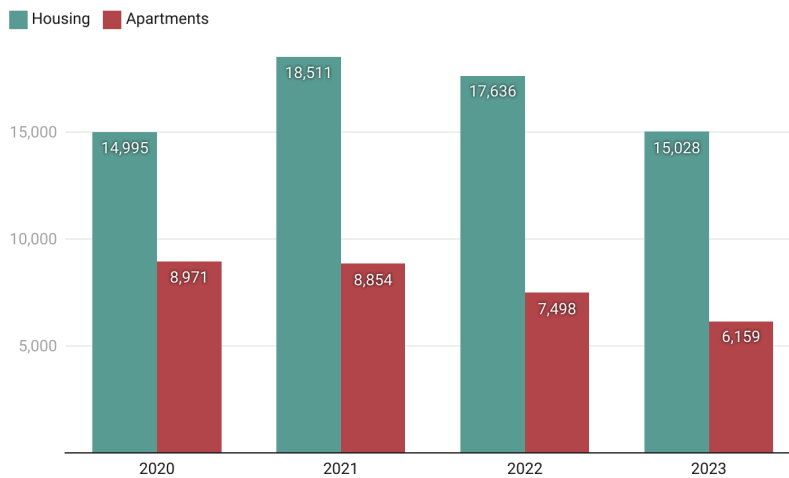


Chart: @illinoispolicy • Source: U.S. Census Bureau, RentCafe • Created with Datawrapper

One developer in the Roseland area said she spent an entire year rehabilitating a house in 2022 and only made a \$3,000 profit.⁵⁹ Those sorts of undesirable outcomes will lead more developers to give up on an area.

Chicago is doing better than most of Illinois’ metro areas in housing approvals.

Champaign-Urbana, Chicago areas top per-capita housing

New privately owned housing units approved per 100,000 residents in Illinois, 2023.

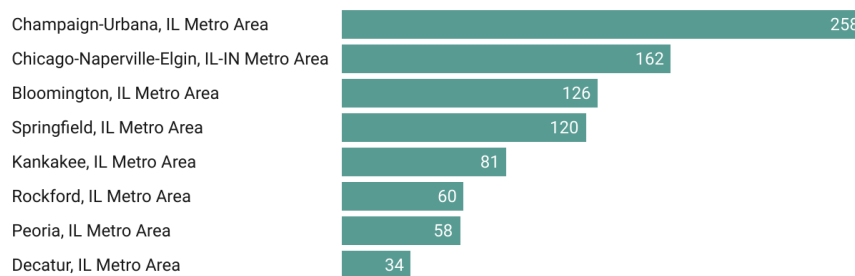


Chart: @illinoispolicy • Source: U.S. Census Bureau • Created with Datawrapper

A survey of developers estimated the average costs of regulations nationally at almost \$94,000 for a home of a little over \$394,000, which is the average home price nationally, or almost a full one-quarter of the selling price.⁶⁰ Not all that cost is local. There are many economic variables that go into the costs of bringing new housing onto the market in Chicago including materials, crime and appraisals by the county assessor. Still, zoning and building codes are policies within municipal government's control that will drive costs down.

There are also variables out of local control impacting all parts of the home building process. These include interest rates, which have increased significantly during the past few years from below 3% for a 30-year mortgage to above 7%. That's why it's even more important to reduce economic burdens within local control.

Successful housing reforms elsewhere can serve as models for Illinois. Phoenix offers an optimal case study. Phoenix implemented policies to become a "24-hour city" in 2012. The policy sought to streamline and accommodate the development process. In fiscal year 2013, the year immediately after the policy was first implemented, 95% of all residential and 97% of all commercial inspections were completed within one business day of the request.⁶¹

Phoenix's current program, the Express Pass Program, allows qualified building projects to obtain site plan approval within 24 business hours (three business days) of submittal. The Express Counter Log-In Program provides the option to schedule an appointment to complete construction plans online instead of waiting in line to be served.⁶²

The city has an effective self-certification program, too.⁶³ Phoenix's self-certification program may have helped buoy the Maricopa County housing market during the COVID-19 pandemic,⁶⁴ while homebuilding dropped across the rest of the country.⁶⁵

Other Midwestern cities process permits much more quickly than Chicago, too. In Minneapolis, approval times are listed at 20-35 business days.⁶⁶ Indianapolis has a permit review processing time target of 12 days for new home construction and 20 for new commercial construction, and the city consistently hits those targets.⁶⁷ In Columbus, review times for residential construction permits can take as little as a week.⁶⁸ Ohio state law requires permit applications to be reviewed within 30 days.⁶⁹ These are examples of reforms Illinois needs to consider to speed up housing construction.

Economic harms of restrictive zoning

The economics of zoning are simple: When you constrain the supply of something, you get less of it. Generally, when you have less of something and demand remains constant or increases, prices go up. That's exactly the effect zoning restrictions have on housing prices. Statistical analysis from the Cato Institute shows in most states, both rising land-use regulations and rising zoning regulations lead to rising real average home prices.⁷⁰

The economic case for zoning reform is straightforward. Research from the Brookings Institution explains, "Where land is expensive, building multiple homes on a given lot is the most direct way to reduce housing costs, because it spreads the cost of land across multiple homes."⁷¹

There is extensive economic research detailing the broad harms of restrictive zoning laws. Nationally, Harvard University professor Edward Glaeser and University of Pennsylvania professor Joseph Gyourko estimate "a lower bound cost of restrictive residential land use regulation is at least 2% of national output."⁷² The Bureau of Economic Analysis estimates national GDP at the end of 2023 reached \$27.94 trillion,⁷³ which puts the costs of zoning at \$558.8 billion annually and growing.

Chicagoans suffer disproportionately from "zoning taxes" compared to other Americans. A zoning tax, as explained by Gyourko and Jacob Krimmel, an economist for the Federal Reserve, is "the amount by which land prices are bid up due to supply-side regulations." It's the amount of real financial harm caused by zoning and land use restrictions. Gyourko and Krimmel estimate Chicago's zoning tax at \$60,000-\$80,000, higher than Boston and Miami, and comparable to Philadelphia, Portland and Washington, D.C.⁷⁴ The Census Bureau estimates Chicago median household income was \$71,673 at the end of 2022.⁷⁵ That means the zoning tax on many Chicago properties is more than most households earn in a year. How are Chicago families supposed to bear the burden of such a massive zoning tax?

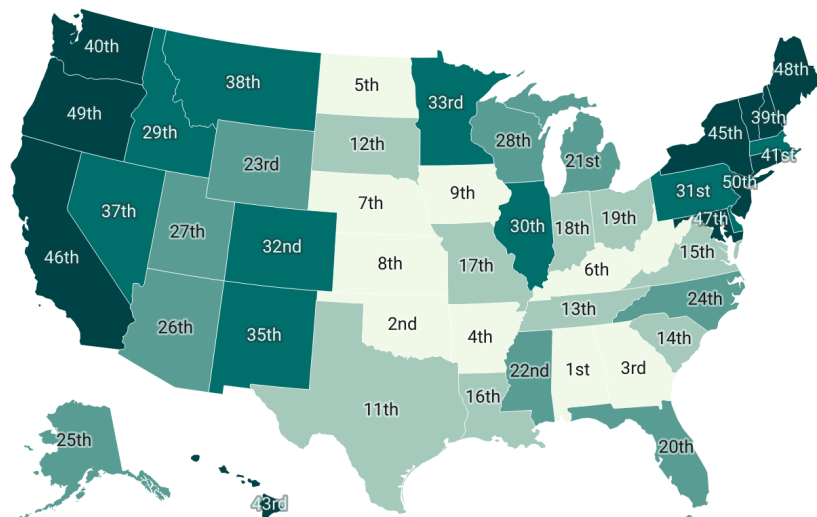
There's consensus across the Biden and Trump administrations about the harms of zoning restrictions. As the Biden administration explains, they constrain housing supply, prevent workers from accessing jobs and increase energy costs.⁷⁶ With Executive Order 13878, the Trump administration established a Council on Eliminating Barriers to Affordable Housing. The order highlights the extent to which housing regulatory barriers strain household budgets, limit educational opportunities, slow job creation, increase financial risk and even drive homelessness.⁷⁷ While zoning reform cannot happen at the federal level, consensus across the ideological spectrum is an important indicator reform is necessary.

Zoning policy in Illinois

According to research from the Cato Institute, Illinois' land-use policies are the 30th-most restrictive in America. While that might make Illinois appear middle-of-the-road, Illinois' land-use policies are the second-most restrictive in the Midwest. The gap between Illinois and many other Midwest states is significant. North Dakota ranks fifth, Nebraska seventh, Kansas eighth, Iowa ninth, South Dakota 12th, Missouri 17th, Indiana 18th, Ohio 19th, Michigan 21st, and Wisconsin 28th. Only Minnesota, at No. 33, has more restrictive land-use laws. Illinois' low ranking among Midwestern states is particularly problematic because individuals and businesses can choose to locate in states where it's easier and thus more affordable to live and build. Census Bureau data show in 2022 Illinois lost population to all adjacent states: Indiana, Iowa, Kentucky, Missouri and Wisconsin.⁷⁸ It's a major factor in Illinois' highest-in-the-Midwest housing underproduction of 113,000 units.⁷⁹

Illinois ranked 30th for land-use freedom in 2023

Freedom ranking by state of eminent domain reform and land-use regulations, 2023



Map: @illinoispolicy • Source: Cato Institute, Freedom in the 50 States • Created with Datawrapper

Most land-use restrictions in Illinois are at the local level, particularly zoning laws. The state government has a minimal role. Municipalities in Illinois have authority from the state to zone land within their jurisdictions; counties and sometimes townships are responsible for zoning unincorporated land.⁸⁰

Under the Illinois Municipal Code, in order to adopt a new zoning ordinance, a municipality has to create a zoning commission appointed by the head of the municipal government (e.g. mayor or town president), which would then hold hearings on the proposed ordinance.⁸¹ The commission then must submit a proposed ordinance for the governing body to consider, which it could enact or refer back to the commission for changes.⁸² Once an ordinance is enacted, the commission would be abolished.⁸³ The process for passing zoning ordinances at the county and township level is similar.⁸⁴

Illinois is one of 32 states that grants some local governments home rule authority.⁸⁵ Home rule authority permits local governments to exercise any authority not explicitly prohibited to them by state law or the state constitution.⁸⁶ For example, home rule units have the broad authority to impose taxes such as cigarette and hotel taxes,⁸⁷ issue bonds without referendum,⁸⁸ impose fines and fees such as a fee for acquiring a building permit,⁸⁹ and enter contracts such as for the sale of property.⁹⁰ Non-home rule local governments only have the authority granted to them explicitly by state law. Municipalities in Illinois with a population over 25,000 automatically become home rule units. Non-home rule units can opt to become home rule by referendum. The state can only limit home rule authority on a case-by-case basis by passing a law with a 60% supermajority of the General Assembly.⁹¹

With respect to zoning law, home rule gives municipalities full authority to zone their territory as they choose, unless state law explicitly limits that authority. Zoning reform at the state level would be significantly more difficult to accomplish because it would require the General Assembly to overrule home rule authority any time it wished to implement zoning reform in home rule units.

The Illinois Affordable Housing Planning and Appeal Act is one such law that imposes duties on home rule units and indirectly impacts zoning policy. Under the act, if less than 10% of housing in a municipality is determined to be “affordable,” defined as taking no more than 30% of gross annual household income for moderate (50-80% of area median income) and low (below 50% of area median income) income households, municipalities must approve an affordable housing plan, which may include proposed zoning reforms to increase the amount of affordable housing in the city.⁹² In 2021, the law was amended to include all home rule as well as non-home rule municipalities and to give the Illinois Attorney General authority to enforce the requirement.⁹³ In total, 48 of 1,298 municipalities fell below the 10% threshold in 2023.⁹⁴

Naperville, Illinois’ fourth-largest city, has implemented some reforms in response to the act that might make housing more affordable. In Naperville, only 7.5% of housing was considered affordable from 2003-2018, below the 10% threshold established by the act.⁹⁵ In response, the city adopted measures to incentivize housing affordability in early 2023.⁹⁶ These include decreasing setback requirements, parking requirements, common-area requirements, in-lieu payments and permit fees, increasing lot coverage and height limits, and exempting developments from certain exterior wall construction regulations.⁹⁷ These incentives had been pared

back from a previous version of the ordinance.⁹⁸ The city rose just barely above the threshold in the Illinois Housing Development Authority’s 2023 report at 10.3%.⁹⁹ We can expect having fewer restrictions will continue to increase the supply of housing deemed affordable.

It would be preferable for reforms in Naperville and elsewhere to happen primarily at the local level because it is more likely to lead to policies that fit the needs of the local community and are more durable.

Let’s now consider the zoning situation in Illinois’ biggest locality, Chicago.

According to data collected by Chicago CityScape from 2019,¹⁰⁰ in total, 41.1% of land in the city of Chicago is specifically zoned for single-family housing. 20.8% is zoned for mixed use residential (multi-family housing) and commercial use. An additional 13.0% is zoned as “Planned Developments Unknown which allow residential,” meaning some of this land could in principle be used for either single- or multi-family housing. Residential property is not allowed on 25.1%.

Zoning in much of Chicago prohibits multi-family homes

Chicago zoning by percentage of land, 2019

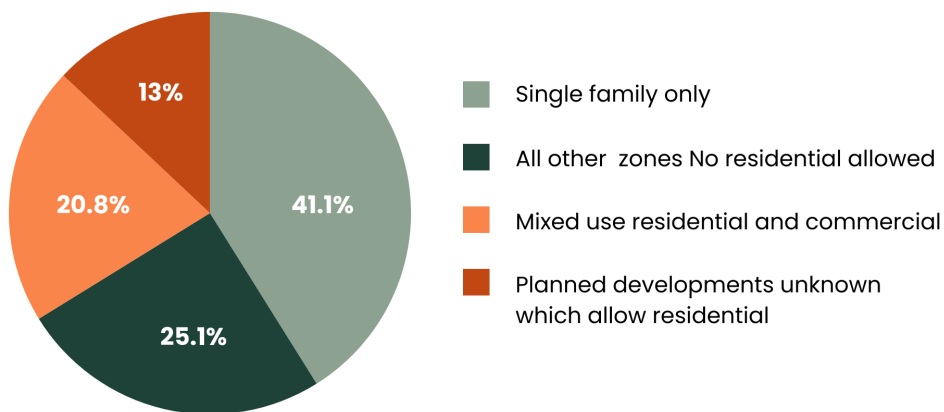


Chart: @illinoispolicy • Source: Cityscape Chicago • Created with Datawrapper

Many factors impact housing affordability, such as location desirability, school quality and quality of life. It might be difficult for the state to disaggregate all those factors. That’s why solutions tailored at the local level have a higher potential for success. Regarding basic supply and demand, zoning restrictions will tend to increase home costs because they limit housing supply.

Recent statewide zoning reforms in America

There is growing support for zoning reforms at the state level, in blue, purple and red states. While local reforms are the best way to proceed, and we consider them in the next section, it is important to examine statewide reforms first. This will help us understand different approaches to zoning reform and inform which ones are relevant to Illinois.

There is tremendous momentum behind zoning reform across America. A researcher from the Mercatus Center suggests there is a “housing revolution brewing,” in part because “Housing reform has always had appeal across the ideological spectrum.”¹⁰¹ Research from Mercatus shows from January to July 2023, over 200 bills had been introduced in state legislatures. They touched on issues such as accessory dwelling units and minimum lot sizes. Through June 2023, 33 bills were passed by at least one legislative chamber.¹⁰²

In 2019 and 2021 respectively, Oregon and California passed their own reforms. In 2023, Montana, Rhode Island, Vermont and Washington passed numerous major statewide reforms, while Florida, Oregon, Texas and Wisconsin passed more modest reforms. Before that, Arizona, Colorado, Maine, Tennessee, Utah and Virginia passed their own reforms in the first half of 2024.

Beginning in 2019, Oregon passed four significant bills in an effort to address insufficient supply and high housing prices, which have more than doubled since 2010.¹⁰³ In 2019, Oregon banned single-family zoning, requiring towns over 10,000 to allow duplexes on land zoned for single-family housing, and cities over 25,000 to allow four-unit buildings.¹⁰⁴ In 2020, the state adopted a “model housing code” to address the gap in “missing middle housing.” In 2021, the legislature required any jurisdiction subject to the 2019 law to permit lot divisions. In 2022, the state banned minimum parking requirements.¹⁰⁵

In what has been dubbed the “Montana Miracle,”¹⁰⁶ the state passed a sweeping package of reforms in 2023 aimed at reducing the costs of construction in the state. Those reforms:

1. Expanded exemptions from environmental assessment requirements.
2. Permitted cities to allow tiny homes.
3. Opened commercial zones to housing development.

4. Formalized planning procedures and mandated cities adopt policies from a list of pro-housing regulations.
5. Limited design review.

The state also passed legislation to allow duplexes anywhere single-family homes are permitted for cities above 5,000 people and to stop cities from imposing parking mandates or owner-occupancy requirements on accessory dwelling units, which are separate dwellings on the same lot as a single-family unit. In December 2023, a Montana district court judge blocked these two laws from taking effect pending a legal challenge that alleged the laws violated the state constitution.¹⁰⁷

Washington also passed substantial legislation in 2023 targeting housing unaffordability. The policy reforms:

1. Make it easier to subdivide existing multifamily buildings to create smaller units.
2. Require large cities and cities in major metropolitan areas to allow duplexes, fourplexes, or sixplexes, depending on the city's size, the property's proximity to transit and the developer's inclusion of affordable units.
3. Limit design review to "clear and objective" standards.
4. Require local governments to allow accessory dwelling units.
5. Reduce restrictions on building condominiums.
6. Exempt most housing developments within planned "urban growth areas" from Environment Policy Act review.
7. Provide for the building code council to plan for allowing single-stair apartment buildings of six stories or lower.¹⁰⁸

These more extensive reforms offer ways to increase supply and streamline construction.

In 2023 Rhode Island passed its own package of bills attempting to address housing affordability. These laws:

1. Make it easier to get variances, modifications and discretionary approval for housing developments.
2. Require zoning be updated to match a municipality's own comprehensive plan within 18 months of a new plan's adoption. It also requires an annually updated strategic plan for each municipality, although the content and legal force of the strategic plans are unclear.

3. Require that site plan review must have “specific and objective” guidelines.
4. Require local inclusionary zoning to mandate at least 25% of all units be affordable and offer increased incentives for higher density housing.
5. Allow the adaptive reuse of commercial buildings for residential and mixed use.
6. Create a pilot program fund for development if cities rezone for moderate or higher-density developments near transit stops.¹⁰⁹

Rhode Island’s reforms generally are more modest than those in the other states discussed. The “inclusionary zoning” mandate may not actually make housing more affordable, because it might disincentivize building.

Vermont passed its own reforms in 2023. The state became the sixth in the country to legalize multi-family housing statewide, after Oregon, California, Washington, Montana and Maine. In addition to ending single-family zoning, Vermont implemented several other zoning reforms. The state limited parking minimums to 1.5 spaces per unit or fewer depending on the location, and the state exempted building improvements from having to amend their permits for projects of 24 units or fewer.¹¹⁰

Florida and Wisconsin passed more modest reforms in 2023.

Florida streamlined its permitting process and allowed more residential building in commercial zones. Its broad zoning reform bill, Senate Bill 102, banned local rent control and significantly restricted municipalities’ and counties’ ability to deny the construction of multifamily units, making local resistance to reforms more difficult.¹¹¹ For example, a county or municipality must authorize multifamily and mixed uses in any area zoned for commercial, industrial or mixed use if affordable housing, as defined under the act, makes up at least 40% of the residential units in a proposed development for at least 30 years.¹¹²

Wisconsin allowed the construction of more residential buildings in commercially zoned areas statewide.¹¹³ At the local level, the city of Madison, Wisconsin, implemented a new transit-oriented development overlay district in 2023.¹¹⁴ The new district reduced parking requirements and incrementally increased the permitted dwelling units – allowing duplexes where only single-family homes were allowed, triplexes where only duplexes were allowed, etc. It also allowed for additional height in select underlying zoning districts and required a minimum of two stories for new buildings in employment, mixed-use and multifamily residential zoning districts.¹¹⁵

The momentum behind state reforms to improve housing affordability has continued to grow in 2024.

Arizona passed legislation allowing developers to convert or demolish mixed-use buildings for residential development without going through the rezoning process.¹¹⁶

Colorado passed a law preventing homeowners associations from prohibiting home-based businesses,¹¹⁷ and another law prohibiting occupancy limits based on familial relationship.¹¹⁸

Maine passed legislation requiring relatively inexpensive manufactured housing to be permitted wherever single-family homes would be permitted.¹¹⁹

Tennessee passed a bill streamlining their permitting process and allowing building inspections to be done by third parties.¹²⁰

Utah amended its existing law for incentives for municipal governments to establish housing and transit reinvestment zones to increase the proportion of the zone that must be allotted to affordable housing from 10% to 12%.¹²¹ The law also now requires 9% of that affordable housing to go to those earning less than 80% of the median gross income, and 3% to go to those earning less than 60% of the median gross income.¹²²

Virginia passed legislation that no local ordinance enacted after Dec. 31, 2023, requiring a special exception, or special or conditional use permit, be obtained to lease an owner-occupied home for short-term rental.¹²³ The state also passed a law that no ordinance can prohibit someone from leasing their residential property for 30 days or longer,¹²⁴ and another that requires local planning commissions to use the same approval process for residential development as they do for commercial development.¹²⁵

California has been perhaps the most aggressive state when it comes to passing legislation to make housing more affordable. As research from the Brookings Institution shows, “Since 2017, California lawmakers have passed over 100 pieces of legislation intended to combat the growing housing affordability and availability crisis.” That includes “laws that legalize building accessory dwelling units and duplexes in all residential areas, including neighborhoods previously reserved for single-family detached homes” and others “that lower procedural hurdles for achieving the state’s long-standing housing production targets and add teeth to enforcing those targets.”¹²⁶

Cities such as San Francisco and Los Angeles have seen a greater increase in mortgage affordability between 2019 and 2023 as measured by share of income as well as a greater decrease in rent and home prices relative to other cities. San Diego saw a relatively lower climb in home and rent prices in mortgage affordability.¹²⁷

These reforms have been met with a great deal of local resistance and workarounds.¹²⁸ For example, Woodside, California, cited wild animal protections to block new developments.¹²⁹ San Marino passed new size and use restrictions and imposed additional permits to impede the construction of new accessory dwelling units.¹³⁰

California is not alone in facing local resistance to statewide laws to promote housing development. Cities in Massachusetts have delayed or refused to implement zoning for denser housing near public transit stops required by a recently passed state law.¹⁵¹ Even those who support reducing housing regulations have shown opposition to statewide reforms imposed on local governments. Before Maine ended single-family zoning, the Maine Policy Institute testified in support of many policy changes but against making them mandatory, suggesting incentives for local governments to voluntarily adopt the changes would be a better path. “Voluntary change is more sustainable,” the institute’s then-director of policy, Nick Murray, testified.¹⁵² “Mandating that every municipality institute a suite of ordinances, which must be submitted to [the Maine Department of Economic and Community Development] for compliance, is a sort of one-size-fits-all approach which is unreasonable to impose on every corner of Maine.”¹⁵³

Even decades-old laws are facing new opposition from locals because of recent changes. A 32-year-old Connecticut law allows developers a right to appeal a rejection by town governments if 30% of the proposed development would be affordable, below-market housing.¹⁵⁴ Now that rents have skyrocketed and local governments are seeing a corresponding jump in applications, residents have come out in opposition, signing petitions, claiming historical preservation and raising funds to fight new developments in court.¹⁵⁵

These instances of local resistance across the country illustrate while statewide reforms can be good policy and can bring about needed change, implementing these policies at the local level is preferable so they are embraced by the community.

Recent local zoning reforms in America

The most durable way to reform zoning regulations in Illinois and across America is at the local level. Local buy-in is necessary, because local leaders can undermine unwanted reforms imposed on them by the state. It's also key to our federal structure, which is supposed to decentralize power and push it to the lowest level possible. Zoning laws are, for the most part, local laws across the nation except when the state imposes guidelines from above. Here we consider promising recent local reforms across America.

In June 2010, Denver adopted a new zoning code. Most areas were up-zoned for increased housing density while some were down-zoned. A new report from the American Enterprise Institute concludes the changes overall encouraged housing construction. What's more, "Compared to the entire state or the nation, Denver experienced a massive building boom after 2010. Before then, Denver had always been a bit of a laggard in construction activity."¹³⁶ From 2011-2021, when compared to 2000-2010, the number of duplexes built increased by 18%, the number of townhomes built increased 222%, the number of multifamily homes increased by 208%, and the number of condominiums and multifamily combined units increased by 56%.¹³⁷

Minneapolis presents a particularly promising recent example of positive local zoning reforms. As part of its efforts to make housing more affordable with its Minneapolis 2040 plan,¹³⁸ Minneapolis enacted the following reforms:

1. Eliminating minimum parking requirements for all new developments.
2. Permitting duplex and triplex construction on all residential lots in the city, effectively removing single-family zoning.
3. Adding several zoning districts where more housing can be built near transit and commercial districts.
4. Establishing minimum height requirements in high-density zones.¹³⁹

These reforms have had the intended effects of increasing housing supply and moderating rent increases.

A comparison with Chicago is illustrative.

Minneapolis changes improved housing, rents vs. Chicago

Percent change in housing supply and average rent from 2017-2022

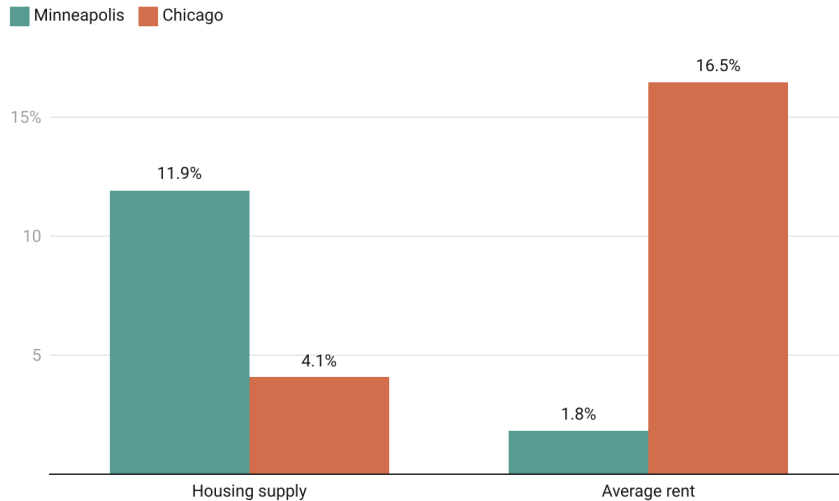


Chart: @illinoispolicy • Source: U.S.Census Bureau, Apartment List • Created with Datawrapper

Housing supply in Minneapolis grew by 11.9% from 2017 to 2022, while it only grew by 4.1% in Chicago, where zoning restrictions are tighter. During the same time, the average rent only increased by 1.8% in Minneapolis while it increased by 16.5% in Chicago.¹⁴⁰ All this happened even though Chicago’s population shrank while Minneapolis’ grew.

The other Twin City, St. Paul, promoted a greater variety of housing types in low density areas as part of a two-phase plan beginning in 2022 and fully implemented in 2023.¹⁴¹ The first ordinance expanded the number of allowable accessory dwelling units and reduced minimum lot size requirements.¹⁴² The second ordinance further expanded those reforms and replaced existing zoning categories to allow more housing types, including multi-family homes.¹⁴³

While Texas streamlined the permitting process and added a time limit for permitting state-wide in 2023, most of the state’s zoning reforms are seen at the local level.¹⁴⁴

Houston has long been the model for zoning reform at the local level. Houston is known for having few zoning restrictions. In 2013, the city reduced minimum lot size for single-family zoned parcels throughout a large portion of city.¹⁴⁵ Houston’s “unzoned” status led it to see 14 times more housing construction than San Jose, and in 2019 built a similar number of apartment buildings to the larger city of Los Angeles.¹⁴⁶ In 2019, Austin loosened zoning restrictions and provided incentives for higher density in affordable and mixed-income developments.¹⁴⁷ Houston and Dallas saw increases in affordability in mortgages as a share of income between 2019 and 2023, while Austin saw a decrease in affordability. Houston is another promising model for Illinois cities.

Starting in 2020, and prompted by the state laws discussed above, Portland, Oregon, started its Residential Infill Project to address housing affordability. The project has had two parts already. Its purpose is to “allow more housing options in Portland’s neighborhoods, including duplexes, triplexes and fourplexes, but only if they follow new limits on size and scale.” The first part’s rule changes focus on select areas and require smaller houses “that better fit existing neighborhoods,” create “more housing choices for people’s changing needs” and establish “clear and fair rules for narrow lot development.”¹⁴⁸

The second part expands further what types of housing are permitted.¹⁴⁹ In two low-density zones it permits multi-family housing on all buildable lots and expands allowances for more accessory dwelling units. In three other zones, attached houses and cottages are now permitted. It creates “an expedited land division process to simplify homeownership options for middle housing.”¹⁵⁰

These reforms appear to be impacting housing prices favorably. Portland residents saw greater decreases in home prices relative to other major cities as well as increased mortgage affordability between 2019 and 2023.¹⁵¹ Rent for apartments in Portland increased 0.26% from June 2021 to January 2024, while they increased 9.8% in Chicago.¹⁵² In the housing market, between June 2021 and March 2024, average prices in Illinois went up 17% versus 10.2% for Oregon. Chicago went up 4.2% compared to 0.61% for Portland. Here we use June 2021 as a baseline because that’s when the zoning laws started to go into effect for Oregon.¹⁵³ It is important to note we cannot say all these disparities are because of this reform. We can say the data indicate a positive impact from Portland’s reforms.

In 2023, Madison, Wisconsin, implemented reforms meant to address housing supply by allowing more housing near public transit. The city council created a “Transit Oriented Development Overlay District” meant to increase housing near public transportation in reaction to changes to the city’s transportation infrastructure. The overlay district will make it easier to erect duplexes in neighborhoods consisting mostly of single-family homes.¹⁵⁴

Seattle has also changed various policies to make housing more affordable. In 2019, the city passed an ordinance that is supposed to “remove barriers to the creation of attached and detached accessory dwelling units and add a floor area ratio requirement in certain single-family zones.”¹⁵⁵ The second aspect of this reform appears problematic because it effectively controls the size of single-family homes. Other elements of Seattle’s reforms appear problematic, too.

As part of the city’s “Mandatory Housing Affordability Program,” new developments are required to “include affordable housing (performance option) or contribute to the Seattle Office of Housing fund to support the development of affordable housing (payment option).”¹⁵⁶ Such policies create a disincentive for developers because they’re forced to either pay a fee or set aside a portion of units and price them to be “affordable” based on government-determined guidelines.

Between 2019 and 2023, Seattle was in the middle of the pack for rent prices relative to other cities that enacted zoning reforms.¹⁵⁷ In addition, the city is currently facing a lawsuit filed by the Institute for Justice on behalf of Seattle homeowners intending to add an addition to house their two adult children. Before getting a building permit, the homeowners would either be required to build additional affordable housing units or pay nearly \$77,000 towards a fund for affordable housing.¹⁵⁸

Jacksonville, Florida, passed modest reforms in 2022 that appear to be a potential prelude to more substantial reforms in years to come. In November 2022, the city council passed two ordinances that expand where accessory dwelling units can be built and rented.¹⁵⁹ The bills allow the units in most neighborhoods zoned for single-family housing (except where prohibited by homeowners associations).¹⁶⁰

In 2023, the city's Infrastructure Transition Committee issued an "Affordable Housing Subcommittee Recommendation Report." Notable recommendations include streamlining the horizontal and vertical permitting processes, scrutinizing policies and regulations that decrease housing supply, promoting the construction of "missing middle" housing, increasing allowed density, and addressing tap-on and connection fee barriers to affordability.¹⁶¹ For example, the committee endorsed reducing the permitting backlog and speeding up the development process for housing, including by "dissolving department silos and increasing collaboration, simplifying and digitizing application procedures and documentation, and providing transparent guidance."¹⁶²

The local reforms highlighted in this section certainly are not exhaustive of the reforms enacted in recent years. They merely represent prominent ones in cities, especially larger cities such as Houston, Seattle and Jacksonville, that offer good potential models for Chicago and Illinois.

Recent housing reforms in Illinois

There's true momentum behind land use regulation reform in Illinois because of proposed reforms outlined in April 2024 by Chicago Mayor Brandon Johnson. Depending on how these reforms unfold, Chicago could become a national leader on the issue.

Chicago's efforts adopt elements of two divergent approaches. The first is a market-oriented approach focusing on increasing supply by making it easier to build housing. The second is known as "inclusionary zoning." The market approach works. Inclusionary zoning doesn't.

According to the Chicago Department of Housing "Inclusionary Housing Task Force Staff Report," inclusionary housing seeks to ensure "new private development creates affordable housing in communities where the market and public policy have failed to do so."¹⁶⁵ This approach forces developers to allocate a certain percentage of units (e.g. 10% or 30%) in proposed development projects to be priced "affordably" for lower-income households, or pay a fee.

Five communities in the Chicago area have adopted the "inclusionary housing" approach: Chicago, Evanston, Highland Park, Lake Forest and St. Charles. They require or provide incentives for developers to build low-income housing.¹⁶⁴ They require a percentage of units to be set aside and be made affordable. In Evanston for privately funded developments, 10% of units must be set aside. For properties receiving public funds, 20% must be set aside.¹⁶⁵

The track record of these reforms in Chicagoland is questionable. For example, Highland Park requires all residential developments of properties with five or more units to set aside 20% as affordable.¹⁶⁶ In 2004, shortly after implementing its inclusionary zoning ordinance, the share of affordable housing in Highland Park was 7.6%, or 876 units.¹⁶⁷ By 2018, 9.3% of housing, or 1,056 units, was considered affordable in Highland Park, a mere 1.7 percentage-point increase in 14 years.¹⁶⁸ By 2023, the percentage of affordable housing there had dropped to 6.3%, or 766 units – 110 fewer units than in 2004.¹⁶⁹ One likely reason these projects have failed is requiring properties of five or more units to set aside 20% of units as "affordable" just incentivizes building smaller projects that skirt the requirements. That's evidence that inclusionary zoning is counterproductive.

In February 2024, the city's housing commission approved an affordable housing plan from the Highland Park Community Land Trust program and Community Partners for Affordable Housing. It provides \$225,000 to acquire, rehabilitate and sell three single-family homes to households earning less than 80% of the area median income, which is about \$88,250 for a four-person family.¹⁷⁰ Even if these policies worked at the large scale – which they don't – adding three units of affordable housing will not make a dent in Highland Park's affordable housing crisis.

The results of inclusionary zoning regulations passed in Lake Forest in 2005 also were disappointing. The Lake Forest ordinance required developments with five or more dwelling units to set aside 15% of the units as affordable housing. In 2004, Lake Forest’s share of affordable housing was 5.1%, or 339 units.¹⁷¹ By 2018, the share had inched up to 5.3%, or 348 units.¹⁷² By 2023 it reached 5.8%, or 407 units, equivalent to an increase of only 0.7 percentage points and a total of 68 additional units in 20 years.¹⁷³

Inclusionary housing ordinances in Evanston, Highland Park and Oak Park cannot solve the housing affordability problems in those areas, according to a report from Illinois State University set to be released in August 2024. The report finds “more direct efforts” are necessary “to support future affordable housing developments.”¹⁷⁴

Chicago’s inclusionary housing program is the Affordable Requirements Ordinance. It “requires residential developments with 10 or more units that receive City Council approval for an entitlement, a city land purchase or financial assistance to provide a portion of the units as affordable housing.”¹⁷⁵ By adding unnecessary requirements to housing developments in a city already facing an affordable housing shortage, the ordinance creates an unnecessary barrier to construction.

Inclusionary zoning requirements appear insufficient at best and counterproductive at worst. Peter Van Doren of the Cato Institute describes such policies as a “tax on new housing” that ironically “reduces its supply and thus increases its price.”¹⁷⁶ Twelve Illinois municipalities have recently passed market-oriented reforms that will increase housing supply by loosening restrictions on accessory dwelling units. These reforms will permit a second housing unit on a single-family lot. Naperville and River Forest are considering similar measures.¹⁷⁷

Often, the seemingly loosened restrictions are much tighter once they are examined more closely. Chicago’s underwhelming accessory dwelling unit reforms are illustrative. There are some positive changes, including no longer requiring additional parking for newly created units. Every other aspect of the policy retains tight controls. They include:

- No existing on-site parking can be removed to create accessory dwelling units without administrative adjustments or other zoning relief.
- No short-term leases or vacation rentals, such as Airbnb, are permitted in the units.
- Coach houses may cover no more than 60% of a property’s required rear setback and may contain no more than 700 square feet of living space.
- No elements of a coach house can exceed 22 feet in overall height above grade.
- Accessory dwelling units are exempt from minimum lot area-per-unit rules.
- In the North and Northwest zones, vacant lots can have coach houses constructed before a principal residence, but this is not permitted elsewhere.
- In the West, South and Southeast zones, buildings with one to three units must be owner-occupied to add a conversion unit.
- In the West, South and Southeast zones, buildings must be owner-occupied to add a coach house.

- In the West, South and Southeast zones, only two accessory dwelling unit permits will be issued per block per year.¹⁷⁸

Given so many restrictions, we would not expect this minor reform to have anything resembling a significant impact on housing supply or prices. True accessory dwelling unit reform would retain minimal restrictions.

The city is issuing a remarkably low number of permits. For example, when Chicago's accessory dwelling unit pilot programs started accepting permits in May 2021, only six permits were issued between May and October of that year, out of a total of 158 pre-approved applications for a permit.¹⁷⁹ The processing picked up, but in the span between May 2021 until the end of 2022 the city approved fewer than 500 of the units.¹⁸⁰ That is a less than a 0.1% increase in the city's total number of housing units.¹⁸¹

In response to this array of barriers to building, in April 2024 Mayor Brandon Johnson released his "Cut the Tape" report. It has three elements: "Build Faster – speed up the pace of development by streamlining approval processes. Build Everywhere – allow more housing and businesses to be developed in more places. Build Together – partner with public, private and philanthropic stakeholders to create innovative solutions."¹⁸² These elements are all sound.

The proposed outputs are likewise promising:

- Decreased number of total steps in a given development process.
- Decreased number of weeks for review cycle and permit process.
- Decreased number of days for turnaround of city feedback at each step of a process.
- Decreased number of revisions required to be re-reviewed by staff and resubmitted.¹⁸⁵

When the report gets to proposed outcomes, potential trouble arises. The very first one is, "More units of (affordable) housing are created and preserved." The report suggests, "The most direct way to create affordable housing, of course, is for the City to subsidize the creation of affordable units." Or to force builders to create it: "market-driven housing is a major way that Chicago creates more legally restricted affordable housing thanks to the Affordable Requirements Ordinance. In many of the highest-cost neighborhoods, a majority of the new legally restricted affordable housing created in recent years has been a result of the ARO."¹⁸⁴ As discussed above, the ordinance creates more barriers to constructing housing. The only people who can create housing are builders and developers, and it must be in their interests, financial and otherwise, to do so. Boosting the ordinance won't improve housing affordability.

The second proposed outcome is, "More units of transitional and supportive housing are created and preserved." The city cannot demand the construction of this housing. The best

way to support people who might seek transitional or supportive housing is to pursue housing abundance, giving them access to more permanent dwellings.

Fortunately, the remaining proposed outcomes are more promising because they're aligned with proven market-oriented reforms:

- More commercial developments are created and preserved.
- Fewer and shorter project delays.
- Decreased project costs.
- Increased clarity and transparency from the city.
- Increased satisfaction with the city process.
- Improved data collection and tracking.
- A culture of operational efficiency, iteration and continuous improvement.

These reforms are also the best way to achieve the first two desired outcomes.

The city expects to enact reforms in the coming months and years. We will be able to assess how effective we expect them to be once the specific reforms are made public.

Policy Recommendations

With the right reforms, communities can make housing more affordable. In this section we consider proven bipartisan reforms Illinois municipalities would benefit from adopting. Many of them have been adopted in Democrat-led cities with Republican support and have broad support.

The most promising reforms center on making it easier to build a greater number of units and variety of housing. Easing zoning regulations needs to be a top priority. Municipalities need to permit construction of more multi-family housing where only single-family is currently allowed.

By-right zoning is the best overall approach to zoning. If someone meets requirements for using property, it needs to be approved. Once unnecessary hurdles such as hearings arise, there will be significantly less housing.

Research from the American Enterprise Institute offers a promising solution to restrictive housing policies: legalize “light-touch density” housing. This allows for the construction of duplexes, triplexes, quads through eight-plexes, townhouses, accessory dwelling units and similar structures. AEI scholar Edward Pinto explains the policy has significant benefits: “By allowing more units on a single parcel of land, LTD is both naturally affordable and naturally inclusionary, creating upward mobility naturally through a more accessible housing market. All it takes is repealing the laws that ban it.”¹⁸⁵

In a recent report, AEI research explains light-touch density is not a one-size-fits-all approach. Rather, it depends on the community, land and construction costs. “For high-cost areas: Tearing down an existing unit and replacing it with a 2- to 8-plex. For medium-cost areas: Adding additional unit(s) (ADU or second home) to an existing parcel. Everywhere: Increasing the as-built density of new greenfield developments.”¹⁸⁶

AEI research estimates significant benefits from the policy. Nationwide, it could add up to 1.3 million housing units each year during the next 30-40 years, which translates to up to 52 million units.¹⁸⁷ In Chicago alone, AEI’s Housing and Economic Analysis Toolkit projects light-touch density would create 37,334 new homes annually.¹⁸⁸

Legalizing more accessory dwelling units such as basement apartments or backyard houses

may in fact be one of the solutions for which it is easier to find support in the community. The Bipartisan Policy Center explains these “can be a win-win for tenants and property owners, providing affordable rental units as well as benefits to homeowners – including generating income from an existing asset and adding flexibility in family living arrangements.”¹⁸⁹

As noted, Chicago’s accessory dwelling unit reforms are far more restrictive upon further analysis than they appear at first glance. Here is an example of how those guidelines could be revised to achieve more affordable housing:

- Allow existing on-site parking to be removed to create accessory dwelling units without administrative adjustments or other zoning relief.
- Permit short-term leases or vacation rentals, such as Airbnb, in the units.
- Coach houses may cover any portion of a property’s required rear setback and may contain any amount of living space.
- Fewer restrictions on how much of a coach house can exceed 22 feet in overall height above grade.
- Throughout the city, vacant lots can have coach houses constructed before a principal residence.
- Throughout the city, buildings do not need to be owner-occupied to add a conversion unit.
- Throughout the city, buildings do not need to be owner-occupied to add a coach house.
- Throughout the city, no limit on the number of accessory dwelling unit permits issued per block per year.

Streamlining housing construction will also make it more affordable. Urban Institute research calls for shortening the approval timeline for new development. This would enable “developers to produce more housing in less time.”¹⁹⁰ According to a 2021 survey conducted by the National Association of Homebuilders, the pure cost of delay (if regulation imposed no other cost) is \$1,494 on an average \$393,000 home.¹⁹¹ And a 2016 paper from the University of California-Berkely Terner Center for Housing Innovation studied Massachusetts’ Comprehensive Permit Act and concluded if California were to adopt a similar bill streamlining the approval process, it would “reduce this capital risk, reducing building costs and increasing the efficiency of public subsidies for affordable housing.”¹⁹²

There are many other burdensome regulations making housing less affordable. Executive Order 13878, issued in 2019 by the Trump Administration, identifies some of the more problematic ones: “cumbersome building and rehabilitation codes; excessive energy and water efficiency mandates; unreasonable maximum-density allowances; historic preservation requirements; overly burdensome wetland or environmental regulations; outdated manufactured-housing regulations and restrictions; undue parking requirements; cumbersome and time-consuming permitting and review procedures; tax policies that discourage investment or reinvestment; overly complex labor requirements; and inordinate impact or developer fees.”¹⁹³ To the extent they represent burdens in particular communities, local leaders need to consider reducing the harms of these sorts of regulations.

Municipalities also need to make the approval process quick and predictable. Otherwise, zoning and other reforms might have no impact. The Bipartisan Policy Center explains even when zoning laws are favorable towards development, “getting new projects approved is often slow, costly, and unpredictable. Many projects require discretionary approvals, meaning local planning commissions and boards can reject proposed projects even if they meet zoning requirements.” The solution is to adopt “by-right development processes” which prioritize “the development of higher density multifamily housing through uniform, codified, and consistent zoning and development regulation.”¹⁹⁴

A Pew Research Center survey found substantial popular support for a wide range of reforms discussed in this report. Most Americans and Midwesterners support requiring simplified, faster permitting (86% nationally, 86% in the Midwest), allowing the conversion of basements and attics to apartments (73%, 70%), allowing apartments over garages or in backyards (72%, 70%), eliminating parking minimums (62%, 65%), and allowing townhouses and small multi-family units on any residential plot (58%, 56%).¹⁹⁵

The reforms in this section are in no way exhaustive. When a community has regulations that make it more difficult to construct housing, it is important to examine the regulation carefully and assess what its costs and benefits are. If the costs are substantial, the regulation is a candidate for reform.

Conclusion

Across America, there is growing bipartisan momentum behind achieving more affordable housing through zoning reforms. Hundreds of bills were introduced in 2023 across the nation to reduce restrictions on housing construction. There have been dozens more in 2024.

The reforms are straight out of Econ 101: increase supply, decrease costs. Zoning reforms have proved this principle true regarding housing across the United States.

This is a quintessentially American movement because it operates best at the lowest possible level, that of local government. The local approach fits comfortably within America's federal structure, which devolves significant power to states and local governments. This structure has served America well for centuries, and it will serve our nation well on the issue of zoning reforms.

Zoning reforms are about creating communities in which people can afford to live and grow their families and businesses. When housing is too expensive, people we care about and businesses that are the backbone of our economy don't have room to live and grow within their means. So, they leave. That's why we need a welcoming housing market where people can afford to build and buy the kinds of homes they need. This becomes difficult when zoning regulations and other restrictions prohibit the construction of various kinds of housing such as multi-family units that are affordable to more people.

Illinoisans are facing a housing affordability crisis that is the result of bad policy decisions. A harmful combination of sky-high taxes and burdensome regulations is driving this housing crisis. With the highest underproduction of housing in the Midwest, Illinois should not wait to address this growing problem.

The time is right for municipalities across the state to enact zoning and other reforms that will make it easier to build more housing. By making housing more affordable, these communities will become more appealing places to live and do business. It's happening across America. It is time for it to happen in Illinois.

ENDNOTES

- 1 “How States Can Support Shared Prosperity in Cities by Promoting Affordable Rental Housing” Solomon Greene and Aaron Shroyer, March 2020, <https://www.sharedprosperitypartnership.org/wp-content/uploads/2020/03/How-States-Can-Support-Shared-Prosperity-by-Promoting-Affordable-Rental-Housing.pdf> (accessed 15 March 2024).
- 2 Emily Ekins and Jordan Gygi, “Poll: 87% of Americans Worry about the Cost of Housing; 69% Worry Their Kids and Grandkids Won’t Be Able to Buy a Home,” The Cato Institute, December 14, 2022, <https://www.cato.org/survey-reports/poll-87-americans-worry-about-cost-housing-69-worry-their-kids-grandkids-wont-be>.
- 3 “Barriers to Affordable Housing,” U.S. Department of Housing and Urban Development, May 8, 2024, https://www.hud.gov/program_offices/comm_planning/affordable_housing_barriers.
- 4 The Census Bureau data have a category of housing cost as a percentage of income. The lowest income bracket has a portion of the households as noncomputed. That means these individuals either have zero or negative income or pay no cash rent. We have removed these individuals from the denominator and have recalculated the percentages accordingly. While this does reweight the data to indicate more people are housing burdened, the reality is that most if not all of these individuals would likely be burdened by housing. Including them in the calculations would actually increase further the number of households burdened by housing.
“Selected Housing Characteristics,” United States Census Bureau, 2022, <https://data.census.gov/table/ACSDP1Y2022.DP04?t=Financial+Characteristics&g=040XX00US17>.
- 5 William Johnson, “Harris Poll: High Cost of Housing Is Making Chicago Inhospitable,” Crain’s Chicago Business, December 19, 2022, <https://www.chicagobusiness.com/craains-forum-affordable-housing/chicagoans-say-more-affordable-housing-needed>.
- 6 This rate is a mean effective property tax rate on owner-occupied housing (total real taxes paid divided by total home value). Special thanks to Andrey Yushkov for clarifying this point.
- 7 Andrey Yushkov, “Where Do People Pay the Most in Property Taxes?,” Tax Foundation, September 12, 2023, <https://taxfoundation.org/data/all/state/property-taxes-by-state-county-2023/>.
- 8 Bryce Hill, “Census: 97% of Illinoisans Moving Out Head to Lower-Tax States,” Illinois Policy Institute, November 1, 2023, <https://www.illinoispolicy.org/census-97-of-illinoisans-moving-out-head-to-lower-tax-states/>.
- 9 Illinois Policy Institute, “New Poll: 51% of Illinoisans want to leave, with high taxes as No. 1 reason,” April 24, 2023, <https://www.illinoispolicy.org/press-releases/new-poll-51-of-illinoisans-want-to-leave-with-high-taxes-as-no-1-reason/>.
- 10 Emrath, Paul. “Government Regulation in the Price of a New Home: 2021.” Washington, DC: National Association of Home Builders (2021), <https://www.nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics-plus/special-studies/2021/special-study-government-regulation-in-the-price-of-a-new-home-may-2021.pdf>.
- 11 Illinois Realtors, “Illinois home sales rose in April despite lagging inventory,” May 22, 2024, <https://www.illinoisrealtors.org/blog/illinois-home-sales-rose-in-april-despite-lagging-inventory/>.
- 12 Dennis Rodkin, “Chicago-area homes have doubled since 2000,” Crain’s Chicago Business, May 28, 2024, <https://www.chicagobusiness.com/residential-real-estate/home-sales-prices-chicago-area>.
- 13 Paul Emrath and Caitlin Sugrue Walter, “Regulation: 40.6 Percent of the Cost of Multifamily Development,” National Association of Home Builders, June 2022, <https://www.nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics-plus/special-studies/2022/special-study-regulation-40-percent-of-the-cost-of-multifamily-development-june-2022.pdf>.
- 14 Patrick McLaughlin et al., “State RegData Definitive Edition,” QuantGov, 2022, <https://www.regclub.ai/data/bulk>.
- 15 “Freedom in the 50 States 2023: Land-Use Freedom,” Cato Institute, 2023, <https://www.freedominthe50states.org/land-use>.
- 16 Mike Kingsella, Anjali Kolachalam, and Leah Macarthur, eds., “2023 Housing Underproduction™ in the U.S.,” Up For Growth, November 29, 2023, <https://upforgrowth.org/apply-the-vision/2023-housing-underproduction/>, 6.
- 17 Ibid.

- 18 Joshua Fechter, “Austin enacts sweeping reforms to cut down housing costs,” *The Texas Tribune*, May 17, 2024, <https://www.texastribune.org/2024/05/16/austin-lot-size-housing-affordability/#:~:text=AUSTIN%20-%20Austin%20will%20now%20allow,family%20homes%20to%20sit%20on.>
- 19 “Selected Housing Characteristics,” United States Census Bureau.
- 20 “Household Income by Gross Rent as a Percentage of Household Income in the Past 12 Months,” United States Census Bureau, 2022, <https://data.census.gov/table/ACSDT1Y2022.B25074?t=Financial%20Characteristics&g=040XX00US17.>; “Household Income By Selected Monthly Owner Costs as a Percentage of Household Income in the Past 12 Months,” United States Census Bureau, 2022, <https://data.census.gov/table/ACSDT1Y2022.B25095?t=Financial%20Characteristics&g=040XX00US17.>
- 21 “Housing Needs By State - Illinois,” National Low Income Housing Coalition, 2022, <https://nlihc.org/housing-needs-by-state/illinois.>
- 22 “Financial Characteristics,” United States Census Bureau, 2022, <https://data.census.gov/table/ACSST1Y2022.S2503?t=Financial%20Characteristics&g=040XX00US17.>
- 23 Ibid.
- 24 “Data & Rent Estimates,” Apartment List, April 29, 2024, <https://www.apartmentlist.com/research/category/data-rent-estimates>; “House Prices & Trends,” Redfin, April 2024, <https://www.redfin.com/state/Illinois/housing-market>; “Average Rental Price in Illinois & Market Trends,” Zillow Rental Manager, May 2024, [https://www.zillow.com/rental-manager/market-trends/il/.](https://www.zillow.com/rental-manager/market-trends/il/)
- 25 “Income in the Past 12 Months (in 2022 Inflation-Adjusted Dollars),” United States Census Bureau, 2022, <https://data.census.gov/table?q=median%20household%20income%20in%20chicago.>
- 26 “Data and rent estimates,” Apartment List, May 2024, <https://www.apartmentlist.com/research/category/data-rent-estimates>
- 27 “Chicago Housing Market: House Prices,” Redfin, May 2024, <https://www.redfin.com/city/29470/IL/Chicago/housing-market>; “Average Rental Price in Chicago IL & Market Trends,” Zillow Rental Manager, May 2024, [https://www.zillow.com/rental-manager/market-trends/chicago-il/.](https://www.zillow.com/rental-manager/market-trends/chicago-il/)
- 28 Juan Sebastian Arias et al., “Inclusionary Housing Task Force Staff Report,” City of Chicago, September 2020, https://www.chicago.gov/content/dam/city/depts/doh/ihtf/doh_ihtf_report.pdf.
- 29 “Gap Report: Illinois,” National Low Income Housing Coalition, 2022, <https://nlihc.org/gap/state/il>.
- 30 “Key Housing Challenges in the City of Chicago,” Institute for Housing Studies at DePaul University, June 21, 2023, [https://www.housingstudies.org/blog/key-housing-challenges-city-chicago/.](https://www.housingstudies.org/blog/key-housing-challenges-city-chicago/)
- 31 “Home Ownership Affordability Monitor,” Federal Reserve Bank of Atlanta, April 25, 2024, <https://www.atlantafed.org/center-for-housing-and-policy/data-and-tools/home-ownership-affordability-monitor>.
- 32 Kingsella et al., “2023 Housing Underproduction,” 6.
- 33 Ibid.
- 34 “Permits by CBSA (formerly Permits by MSA),” United States Census Bureau, March 2024, <https://www.census.gov/construction/bps/msamonthly.html>.
- 35 Ekins and Gygi, “Poll,” The Cato Institute.
- 36 Paul Emrath, “Government Regulation in the Price of a New Home: 2021,” National Association of Home Builders, May 5, 2021, <https://www.nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics-plus/special-studies/2021/special-study-government-regulation-in-the-price-of-a-new-home-may-2021.pdf>.
- 37 Elizabeth Milnikel and Emily Satterthwaite, “Regulatory Field: Home of Chicago Laws,” Institute for Justice, November 2010, https://ij.org/wp-content/uploads/2015/09/ij-chicago_citystudy.pdf.
- 38 Stephen Goldsmith, ed., “Chicago Licensing and Permitting Reform,” Harvard Kennedy School: Ash Center for Democratic Governance and Innovation, January 15, 2015, https://hwpi.harvard.edu/files/datasmart/files/chicago_licensing_and_permitting_reform.pdf?m=1629298130.
- 39 Andre Vasquez, “Chicago Alderman Andre Vasquez: Getting a City Permit Is a Nightmare. It Doesn’t Have to Be,” *Crain’s Chicago Business*, July 2, 2019, <https://www.chicagobusiness.com/lightfoot-100/getting-city-permit-nightmare-it-doesnt-have-be>.
- 40 Richard M. Daley and Richard Monocchio, “Rules and Regulations for the Self Certification Permit Program,” City of Chicago Department of Buildings, February 2, 2009, [https://www.chicago.gov/content/dam/city/depts/bldgs/general/Rules%20and%20Regs/Self%20CertRules and Regs 10 28 2009.pdf](https://www.chicago.gov/content/dam/city/depts/bldgs/general/Rules%20and%20Regs/Self%20CertRules%20and%20Regs%2010%2028%202009.pdf).
- 41 “Express Permit Program,” City of Chicago, November 2023, <https://www.chicago.gov/city/en/depts/bldgs/provdrs/permits/svcs/express-permits.html>.

- 42 Lori E. Lightfoot, “Guide to Permits,” City of Chicago Department of Buildings, October 2019, <https://www.chicago.gov/content/dam/city/depts/bldgs/general/Homeowner/GuidetoPermits110119.pdf>.
- 43 “Building Permit Fee Tables,” City of Chicago Department of Buildings, September 29, 2023, <https://www.chicago.gov/content/dam/city/depts/bldgs/general/Permitfees/2024%20Bldg%20Permit%20Fee%20Tables.pdf>.
- 44 “Article 112: Fees,” American Legal Publishing, May 2024, https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCAadmin/0-0-0-156650#JD_Table28-112.2.
- 45 “Housing Inventory: Median Home Size in Square Feet in Houston-The Woodlands-Sugar Land, TX (CBSA),” Federal Reserve Bank of St. Louis, May 2, 2024, <https://fred.stlouisfed.org/series/MEDSQUFEE26420>; “Residential Building Permit Fee Estimator,” City of Houston, 2024, <https://hpwolptest.houstontx.gov/BuildingPermitFee/index2.html>.
- 46 “Self-Certification Permit Program,” City of Chicago, 2024, <https://www.chicago.gov/city/en/depts/bldgs/provdrs/permits/svcs/self-cert-permits.html>.
- 47 “Buildings,” City of Chicago, May 2024, <https://www.chicago.gov/city/en/depts/bldgs.html>.
- 48 “Building Permits Browser,” Chicago Cityscape, May 2024, <https://www.chicagocityscape.com/permits.php>.
- 49 “Third Party/Expediter Databases,” City of Chicago, May 2024, <https://www.chicago.gov/city/en/depts/bacp/provdrs/bus/svcs/ThirdPartyExpediterDatabase.html>.
- 50 All Boro Expediter, “What Is an Expeditor, and How Much Do They Cost?,” All Boro Expediter Expediter, December 22, 2022, <https://www.allboroexpediter.com/what-is-an-expediter-and-how-much-do-they-cost/>.
- 51 Brett Chase, “Chicago Wrongly Limited Affordable Housing with Aldermanic Prerogative, HUD Says,” Chicago Sun-Times, November 28, 2023, <https://chicago.suntimes.com/city-hall/2023/11/28/23979913/aldermanic-prerogative-affordable-housing-hud-chicago-discrimination>.
- 52 “Permits by CBSA,” United States Census Bureau.
- 53 “Metropolitan and Micropolitan Statistical Areas Population Totals: 2020-2023,” United States Census Bureau, March 11, 2024, <https://www.census.gov/data/tables/time-series/demo/popest/2020s-total-metro-and-micro-statistical-areas.html>.
- 54 Bryce Hill, “Every Illinois Metro Area Lost People in 2023; Chicago 3rd Worst in Nation,” Illinois Policy Institute, March 15, 2024, <https://www.illinoispolicy.org/every-illinois-metro-area-lost-people-in-2023-chicago-3rd-worst-in-nation/>.
- 55 “Permits by CBSA,” United States Census Bureau.
- 56 Ibid.
- 57 “Permits by CBSA,” United States Census Bureau.
- 58 Sami Sparber, “Chicago New Apartment Construction Declines,” Axios Chicago, September 23, 2023, <https://www.axios.com/local/chicago/2023/09/23/chicago-apartment-building-construction-declines>.
- 59 Maxwell Evans, “South Side Developers Want to Invest in Roseland But Need More Government Help Overcoming Rising Costs, They Say,” Block Club Chicago, March 9, 2022, <https://blockclubchicago.org/2022/03/09/south-side-developers-want-to-keep-investing-in-roseland-but-need-more-government-help-overcoming-rising-construction-costs-they-say/>.
- 60 Emrath, “Government Regulation in the Price of a New Home: 2021,” National Association of Home Builders.
- 61 “Notice of Public Meeting,” Phoenix City Council Neighborhoods, Housing and Development Subcommittee, November 14, 2013, <https://www.phoenix.gov/cityclerk/site/Documents/105796.pdf>.
- 62 “Express Processing,” City of Phoenix, 2024, <https://www.phoenix.gov/pdd/topics-a-to-z/express-processing>.
- 63 Sandra Hoffman, “Self-Certification Training,” City of Phoenix, accessed May 1, 2024, <https://www.phoenix.gov/pdd/site/Documents/1.%20Introduction.pdf>.
- 64 “Building Permits Increase Despite Covid-19 Economic Fallout,” Maricopa County, May 28, 2020, <https://www.maricopa.gov/CivicAlerts.aspx?AID=1367>.
- 65 Lucia Mutikani, “Coronavirus Hammers U.S. Homebuilding; Permits Tumble,” Reuters, May 19, 2020, <https://www.reuters.com/article/us-usa-economy/coronavirus-hammers-u-s-homebuilding-permits-tumble-idUSKBN22V21J/>.
- 66 “Permit Common Questions,” City of Minneapolis, April 30, 2024, <https://www2.minneapolismn.gov/business-services/licenses-permits-inspections/construction-permits-certificates/general-permits/permit-common-questions/>.
- 67 “Permit Application Review Times,” Indianapolis & Marion County, 2024, <https://www.indy.gov/activity/permit-application-review-times>.

- 68 “Building Plan Review,” City of Columbus, 2024, <https://www.columbus.gov/Business-Development/Building-Zoning-Services/Building-Plan-Review#:~:text=Generally%2C%20for%20commercial%20projects%20it,timeline%20is%20approximately%20one%20week>.
- 69 Amended Substitute House Bill Number 487, Ohio Laws and Administrative Rules § Section 3791.04 (2012).
- 70 Vanessa Brown Calder, “Zoning, Land-Use Planning, and Housing Affordability,” Cato Institute, October 18, 2017, <https://www.cato.org/policy-analysis/zoning-land-use-planning-housing-affordability>.
- 71 Jenny Schuetz, “To Improve Housing Affordability, We Need Better Alignment of Zoning, Taxes, and Subsidies,” Brookings Institution, March 16, 2020, <https://www.brookings.edu/articles/to-improve-housing-affordability-we-need-better-alignment-of-zoning-taxes-and-subsidies/>.
- 72 Edward Glaeser and Joseph Gyourko, “The Economic Implications of Housing Supply,” *Journal of Economic Perspectives* 32, no. 1 (2018): 3–30, <https://doi.org/10.3386/w23833>.
- 73 “Gross Domestic Product, Fourth Quarter and Year 2023 (Second Estimate),” Bureau of Economic Analysis, February 28, 2024, <https://www.bea.gov/news/2024/gross-domestic-product-fourth-quarter-and-year-2023-second-estimate>.
- 74 Joseph Gyourko and Jacob Krimmel, “The Impact of Local Residential Land Use Restrictions on Land Values Across and Within Single Family Housing Markets,” National Bureau of Economic Research, July 2021, 3,21, <https://doi.org/10.3386/w28993>.
- 75 “Chicago, Illinois,” United States Census Bureau, 2023, <https://www.census.gov/quickfacts/fact/table/chicagocityillinois/INC110222>.
- 76 “Biden–Harris Administration Announces Actions to Lower Housing Costs and Boost Supply,” The White House, July 27, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/07/27/biden-harris-administration-announces-actions-to-lower-housing-costs-and-boost-supply/>.
- 77 Executive Order 13878, “Establishing a White House Council on Eliminating Regulatory Barriers to Affordable Housing,” *Federal Register*, June 25, 2019, <https://www.federalregister.gov/documents/2019/06/28/2019-14016/establishing-a-white-house-council-on-eliminating-regulatory-barriers-to-affordable-housing>.
- 78 State-to-State Migration Flows, <https://www.census.gov/data/tables/time-series/demo/geographic-mobility/state-to-state-migration.html>
- 79 Kingsella et al., “2023 Housing Underproduction,” 6.
- 80 Lydia Lo, “Who Zones? Mapping Land-Use Authority Across the US,” Urban Institute, December 9, 2019, <https://www.urban.org/urban-wire/who-zones-mapping-land-use-authority-across-us>.
- 81 24 Ill. Comp. Stat. 65. <https://www.ilga.gov/legislation/ilcsndksal/ilcsasp?DocName=006500050HArt%2E+11+Div%2E+13&ActID=802&ChapterID=14&SeqStart=150200000&SeqEnd=153200000>.
- 82 Id.
- 83 Id.
- 84 34 Ill. Comp. Stat. 55; Id.
- 85 Joseph E. Gyourko, Albert Saiz, and Anita A. Summers, “A New Measure of the Local Regulatory Environment for Housing Markets: Wharton Residential Land Use Regulatory Index,” *SSRN Electronic Journal*, October 13, 2006, <https://doi.org/10.2139/ssrn.951463>.
- 86 Ill. Const. art. 7, § 14.
- 87 *S. Bloom, Inc. v. Korshak*, 52 Ill. 2d 56 (Ill. Sup. Ct. 1972).
- 88 *Kanellos v. County of Cook*, 53 Ill. 2d 161 (Ill. Sup. Ct. 1972).
- 89 *Lake County Pub. Bldg. Comm’n v. City of Waukegan*, 273 Ill. App. 3d 15 (Ill. App. Ct. 1995).
- 90 *Station Place Townhouse Condo. Ass’n v. Vill. Of Glenview*, 2022 Ill. App. 211131 (Ill. App. Ct. 2022).
- 91 Ill. Const. art. 7, § 18-26.
- 92 310 Ill. Comp. Stat. 67.
- 93 310 Ill. Comp. Stat. 126.
- 94 “Affordable Housing Planning and Appeal Act 2023 Statewide Report on Local Government Affordability,” Illinois Housing Development Authority, 2024, 3. <https://www.ihda.org/about-ihda/state-housing-planning-reports/#toggle-id-6>.
- 95 Tess Kenny, “State Oks Naperville’s Plan to Create More Affordable Housing But Approval Could Be Short-Lived,” *Chicago Tribune*, November 18, 2023, <https://www.chicagotribune.com/2023/11/17/state-oks-napervilles-plan-to-create-more-affordable-housing-but-approval-could-be-short-lived/>.
- 96 “Affordable Housing Incentive Program,” City of Naperville, January 17, 2023, <https://naperville.legistar.com/>

- [LegislationDetail.aspx?ID=5991528&GUID=F93ADA2D-B262-405A-8E1D-00D9268B25A4.](#)
- 97 “Affordable Housing Incentive Program,” City of Naperville.
- 98 “Affordable Housing Incentive Program,” City of Naperville.
- 99 “Affordable Housing Planning and Appeal Act (AHPAA),” Illinois Housing Development Authority Strategic Planning and Reporting Department, 2023, <https://www.ihda.org/wp-content/uploads/2023/12/2023-AHPAA-Statewide-Affordability-List.pdf>.
- 100 Steven Vance, “Apartments & Condos Are Banned in Most of Chicago,” Medium, May 18, 2019, <https://blog.chicagocityscape.com/how-much-of-chicago-bans-apartments-b6c5b68db2fb>.
- 101 Salim Furth, “The Housing Revolution Brewing in 2023,” The Hill, January 14, 2023, <https://thehill.com/opinion/finance/3812876-the-housing-revolution-brewing-in-2023/>.
- 102 Salim Furth and Eli Kahn, “Breaking Ground: An Examination of Effective State Housing Reforms in 2023,” Mercatus Center, August 1, 2023, <https://www.mercatus.org/research/policy-briefs/breaking-ground-examination-effective-state-housing-reforms-2023>.
- 103 “All-Transactions House Price Index for Oregon” Federal Reserve Bank of St. Louis, May 21, 2024, <https://fred.stlouisfed.org/series/MEDSQUFEE26420https://fred.stlouisfed.org/series/ORSTHPI>.
- 104 13 Ore. Comp. Stat. 2001. <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2001/Enrolled>.
- 105 Owen Minott and Julia Selby, “Eliminating Single-Family Zoning and Parking Minimums in Oregon,” Bipartisan Policy Center, September 26, 2023, <https://bipartisanpolicy.org/blog/eliminating-single-family-zoning-and-parking-minimums-in-oregon/>.
- 106 Joe Tedino, “How the Bipartisan ‘Montana Miracle’ Confronts the Housing Crisis Head On,” American Planning Association, October 30, 2023, <https://www.planning.org/planning/2023/fall/how-the-bipartisan-montana-miracle-confronts-the-housing-crisis-head-on/>.
- 107 Montanans Against Irresponsible Densification, LLC. v. State of Montana, (Dist. Ct. 2023). <https://files.frontierinstitute.org/wp-content/uploads/2023/12/17-Decision-Order-re-TRO-Prel-Inj.pdf>.
- 108 334 Wash. Comp. Stat. 1337. <https://lawfilesexet.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1337.SL.pdf>.
- 109 “Municipal Technical Assistance Program: 2023 Housing Bill Summaries,” Rhode Island Housing, January 1, 2024, https://www.rihousing.com/wp-content/uploads/MTAP_Bill-Summaries_082023.pdf.
- 110 24 Verm. Comp. Stat. 100. <https://legislature.vermont.gov/Documents/2024/Docs/BILLS/S-0100/S-0100%20As%20Introduced.pdf>.
- 111 125 Flo.. Comp. Stat. 103. <https://www.flsenate.gov/Session/Bill/2023/102/BillText/er/HTML> (accessed 7 April 2024)
- 112 Ibid.
- 113 Furth and Kahn, “Breaking Ground,” Mercatus Center.
- 114 28 Mad., Wis. Comp. Stat. 74703. <https://madison.legistar.com/View.ashx?M=F&ID=11503583&GUID=CB3D0937-68DC-482A-AEA8-AD88A65D6392>.
- 115 Ibid.
- 116 4 Ariz. Comp. Stat. 2297. <https://www.azleg.gov/legtext/56leg/2r/bills/hb2297p.htm>.
- 117 24 Colo Comp. Stat. 134. http://leg.colorado.gov/sites/default/files/2024a_134_signed.pdf.
- 118 24 Colo Comp. Stat. 1007. <http://leg.colorado.gov/bills/hb24-1007>.
- 119 552 Main. Comp. Stat. 211. <https://legislature.maine.gov/backend/App/services/getDocument.aspx?documentId=106244>.
- 120 120 Tenn. Comp. Stat. 1892. <https://www.capitol.tn.gov/Bills/113/Bill/SB2100.pdf>
- 121 357 Ut. Comp. Stat. 208. <https://le.utah.gov/~2024/bills/static/SB0208.html>.
- 122 Ibid.
- 123 15 Virg. Comp. Stat. 544. <https://lis.virginia.gov/cgi-bin/legp604.exe?241+ful+SB544ER2>.
- 124 300 Virg. Comp. Stat. 634. <https://lis.virginia.gov/cgi-bin/legp604.exe?241+ful+CHAP0300>
- 125 15 Virg. Comp. Stat. 296. <https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+SB296&241+sum+SB296>.
- 126 Julia Gil and Jenny Schuetz, “In California, Statewide Housing Reforms Brush Against Local Resistance,” Brookings Institution, June 28, 2023, <https://www.brookings.edu/articles/in-california-statewide-housing-reforms-brush-against-local-resistance/>.

- 127 “RealtyHop Housing Affordability Index: November 2023,” RealtyHop Blog, November 14, 2023, <https://www.realtyhop.com/blog/affordability-index-november-2023/>; RealtyHop Housing Affordability Index: November 2019,” RealtyHop Blog, October 31, 2019, <https://www.realtyhop.com/blog/realtyhop-housing-affordability-index-november-2019/>.
- 128 Ibid.
- 129 Christian Britschgi, “California City Says It Can’t Allow Duplexes Because It’s Already Overrun By Mountain Lions,” Reason, February 4, 2022, <https://reason.com/2022/02/04/california-city-says-it-cant-allow-duplexes-because-its-already-overrun-by-mountain-lions/>.
- 130 Christian Britschgi, “Backyard Cottages Could Be the Most Feasible Type of Housing to Build During COVID-19. Some California Cities Are Still Blocking Them.,” Reason, May 21, 2020, <https://reason.com/2020/05/21/backyard-cottages-could-be-the-most-feasible-type-of-housing-to-build-during-covid-19-some-california-cities-are-still-blocking-them/>.
- 131 Matt Prichard, “Milton Residents Vote Against Zoning Change to Comply with MBTA Housing Law: What Happens Next?,” NBC Boston, February 15, 2024, <https://www.nbcboston.com/news/local/milton-residents-vote-against-zoning-change-to-comply-with-mbta-housing-law-what-happens-next/3281467/#>; Taylor Driscoll, “12 Mass. Communities Face Looming Deadline for MBTA Multifamily Plans. Here’s Where They All Stand,” Bisnow, September 27, 2023, <https://www.bisnow.com/boston/news/multifamily/12-mass-communities-face-looming-deadline-for-mbta-multifamily-plans-heres-where-they-all-stand-120829>; Katie Cole, Tiziana Dearing, and Rob Lane “Greater Boston Communities Debate Multifamily Zoning Around MBTA as End-of-Year Deadline Approaches,” Radio Boston, November 30, 2023, <https://www.wbur.org/radioboston/2023/11/27/mbta-communitites-act-density-transit-oriented-housing>.
- 132 Nick Murray, “Testimony on LD 2003,” Maine Policy Institute, March 7, 2022, <https://mainepolicy.org/testimony-on-ld-2003/>.
- 133 Ibid.
- 134 Lisa Prevost, “Town After Town, Residents Are Fighting Affordable Housing in Connecticut,” The New York Times, September 4, 2022, <https://www.nytimes.com/2022/09/04/realestate/connecticut-affordable-housing-apartments.html>.
- 135 Ibid.
- 136 Tobias Peter and Hanlu Zhang, “How Zoning Policies Affect the Housing Supply: City of Denver Case Study,” American Enterprise Institute, May 2024, <https://www.aei.org/wp-content/uploads/2024/05/Denver-Case-Study-final-May-2024.pdf?x85095>, 2.
- 137 Ibid., 3.
- 138 Alex, Horowitz, Linlin Liang, and Adam Staveski. “Minneapolis Land Use Reforms Offer a Blueprint for Housing Affordability,” The Pew Charitable Trusts, January 4, 2024, <https://www.pewtrusts.org/en/research-and-analysis/articles/2024/01/04/minneapolis-land-use-reforms-offer-a-blueprint-for-housing-affordability>.
- 139 Ravi Mishra, “Minneapolis’ 4 Housing Moves Can Be Blueprint for Fixing Chicago,” Illinois Policy Institute, February 5, 2024, <https://www.illinoispolicy.org/minneapolis-4-housing-moves-can-be-blueprint-for-fixing-chicago/>.
- 140 Ibid.
- 141 “1-6 Unit Housing Development in RL, H1, and H2 Residential Zoning Districts,” Saint Paul Minnesota, November 26, 2023, <https://www.stpaul.gov/departments/planning-and-economic-development/planning/current-activities/1-6-unit-housing#:~:text=Zoning%20amendments%20supporting%20a%20greater,%2C%20in%20Ordinance%2023%2D43>.
- 142 60 St. Paul., Minn. Comp. Stat. 1204
- 143 Ibid.
- 144 “TPPF Applauds Passage of House Bill 14,” Texas Public Policy Foundation, May 24, 2023, <https://www.texaspolicy.com/press/tppf-applauds-passage-of-house-bill-14>.
- 145 Joshua Cantong, Stephen Menendian, and Samir Gambhir, “Zoning Reform Tracker,” Othring & Belonging Institute, March 15, 2023, <https://belonging.berkeley.edu/zoning-reform-tracker>.
- 146 Allison Haley, “Rethinking Zoning to Increase Affordable Housing,” Journal of Housing & Community Development 80, no. 2 (December 22, 2023). https://www.nahro.org/journal_article/rethinking-zoning-to-increase-affordable-housing.
- 147 Cindy Widner, “Austin Has a New Program for More Affordable Housing,” Curbed Austin, May 13, 2019,

- <https://austin.curbed.com/2019/5/13/18618370/affordable-housing-austin-density-zoning-plan>.
- 148 “About the Residential Infill Project,” City of Portland, 2021, <https://www.portland.gov/bps/planning/rip/about-project>.
- 149 “Residential Infill Project - Part 2,” The Bureau of Planning and Sustainability, June 2022, <https://efiles.portlandoregon.gov/Record/15213935/>.
- 150 “About the RIP2 Project,” City of Portland, 2021, <https://www.portland.gov/bps/planning/rip2/about-rip2>.
- 151 “CPI_Rent_Metro_Area, S&P CoreLogic Case-Shiller U.S. National Home Price Index, Index Jan 2000=100, Annual, Not Seasonally Adjusted,” Federal Reserve Bank of St. Louis, 2024, <https://fred.stlouisfed.org/series/POXRSA>.
- 152 “Data & Rent Estimates,” Apartment List.
- 153 Owen Minott and Julia Selby, “Eliminating Single-Family Zoning and Parking Minimums in Oregon,” Bipartisan Policy Center, September 26, 2023, <https://bipartisanpolicy.org/blog/eliminating-single-family-zoning-and-parking-minimums-in-oregon/>.
- 154 Lucas Robinson, “New Transit-Oriented Zoning Rules to Include Historic Districts After Madison City Council Vote,” Wisconsin State Journal, January 18, 2023, https://madison.com/news/local/govt-and-politics/new-transit-oriented-zoning-rules-to-include-historic-districts-after-madison-city-council-vote/article_cb799872-9294-5045-b73b-ff378db3906e.html.
- 155 23 Seattle, Wash. Comp. Stat. 119544.
- 156 Prithy Korathu, “Mandatory Housing Affordability,” City of Seattle, 2024, <https://www.seattle.gov/housing/housing-developers/mandatory-housing-affordability>.
- 157 “CPI_Rent_Metro_Area, S&P CoreLogic Case-Shiller U.S. National Home Price Index, Index Jan 2000=100, Annual, Not Seasonally Adjusted,” Federal Reserve Bank of St. Louis.
- 158 Anita Adams v. City of Seattle, Washington C22-1767 TSZ (Wash. Dist. Ct. 2024).
- 159 Mike Mendenhall, “Council Approves Plan to Expand Accessory Dwelling Units in Jacksonville,” Jacksonville Daily Record, November 14, 2022, <https://www.jaxdailyrecord.com/news/2022/nov/14/council-approves-plan-to-expand-accessory-dwelling-units-in-jacksonville/>.
- 160 67 Jack, Flo. Comp. Stat. 2024.
- 161 “Affordable Housing Subcommittee Recommendation Report,” City of Jacksonville Infrastructure Transition Committee, August 2023, 1, <https://www.jacksonville.gov/mayor/office-of-mayor-donna-deegan/transition-docs/infrastructure-committee/affordable-housing-subcommittee-recommendations-fi.aspx>.
- 162 Ibid, 3.
- 163 “Chicago Department of Housing Inclusionary Housing Task Force Staff Report,” City of Chicago, September 2020, 2, https://www.chicago.gov/content/dam/city/depts/doh/ihtf/doh_ihtf_report.pdf.
- 164 “Current Inclusionary Policies in the Chicago Region,” Chicago Metropolitan Agency for Planning, accessed March 27, 2024, <https://www.cmap.illinois.gov/about/2040/supporting-materials/process-archive/strategy-papers/inclusionary-zoning/policies>.
- 165 “Evanston, IL, Code of Ordinances,” American Planning Association, February 2022, <https://www.planning.org/knowledgebase/resource/7001916/>.
- 166 “Chicago Department of Housing Inclusionary Housing Task Force Staff Report,” City of Chicago.
- 167 “Affordable Housing Planning and Appeal Act: 2004 Annual Report of Non Exempt Local Governments,” Illinois Housing Development Authority, 2004, <https://www.ihda.org/wp-content/uploads/2015/07/2018-Statewide-AHPAA-List.pdf>.
- 168 “Affordable Housing Planning and Appeal Act: 2018 Annual Report of Non Exempt Local Governments,” Illinois Housing Development Authority, 2018, <https://www.ihda.org/wp-content/uploads/2024/01/2018-Non-Exempt-List.pdf>.
- 169 “Affordable Housing Planning and Appeal Act: 2023 Annual Report of Non Exempt Local Governments,” Illinois Housing Development Authority, 2023, <https://www.ihda.org/wp-content/uploads/2023/12/2023-AHPAA-NELG-List.pdf>.
- 170 Chloe Hilles, “More Affordable Housing Units Come to Highland Park: ‘We’re Building an Infrastructure of Affordable Housing ... That Will Remain Affordable in Perpetuity,’” Chicago Tribune, February 9, 2024, <https://www.chicagotribune.com/2024/02/09/more-affordable-housing-units-come-to-highland-park-were-building-an-infrastructure-of-affordable-housing-that-will-remain-affordable-in-perpetuity/?clearUserState=true>.
- 171 “Affordable Housing Planning and Appeal Act: 2004 Annual Report,” Illinois Housing Development Authority.

- 172 “Affordable Housing Planning and Appeal Act: 2018 Annual Report,” Illinois Housing Development Authority.
- 173 “Affordable Housing Planning and Appeal Act: 2023 Annual Report,” Illinois housing Development Authority.
- 174 Maxwell Seeley, “Inclusionary Zoning in Illinois: A Case Study Analysis,” (2023) Capstone Projects – Politics and Government. 45. <https://ir.library.illinoisstate.edu/cppg/45/>.
- 175 “Affordable Requirements Ordinance,” City of Chicago, 2021, <https://www.chicago.gov/city/en/depts/doh/provdrs/developers/svcs/aro.html>.
- 176 Peter Van Doren, “Inclusionary Zoning and Affordable Housing,” Cato Institute, November 17, 2023, <https://www.cato.org/blog/inclusionary-zoning-affordable-housing>.
- 177 “What Your Community Needs to Know About Accessory Dwelling Units,” Chicago Metropolitan Agency for Planning, May 12, 2023, https://www.cmap.illinois.gov/updates/all/-/asset_publisher/UIMfSLnFfMB6/content/communities-accessory-dwelling-units.
- 178 “Additional Dwelling Units (ADU) Ordinance,” City of Chicago, 2024, <https://www.chicago.gov/city/en/depts/doh/provdrs/homeowners/svcs/adu-ordinance.html>.
- 179 Steven Vance, “Six ADU Permits Have Been Issued Since May 2021,” Chicago Cityscape, October 18, 2021, <https://www.chicagocityscape.com/blog/six-adu-permits-have-been-issued-since-may-2021-2ca2eeb3e4>.
- 180 “2022 Annual Report,” Chicago Department of Housing, 2023, <https://www.chicago.gov/content/dam/city/depts/doh/plans/Annual%20Report%20Final%2008.29.23.pdf>.
- 181 “Brief Overview of Housing Unit Counts and Tenure,” Chicago Metropolitan Agency for Planning, 2024, [https://www.cmap.illinois.gov/updates/all/-/asset_publisher/UIMfSLnFfMB6/content/brief-overview-of-housing-unit-counts-and-tenure#:~:text=According%20to%20the%202010%20Census,\(8.4%20percent\)%20are%20vacant](https://www.cmap.illinois.gov/updates/all/-/asset_publisher/UIMfSLnFfMB6/content/brief-overview-of-housing-unit-counts-and-tenure#:~:text=According%20to%20the%202010%20Census,(8.4%20percent)%20are%20vacant).
- 182 “Cut The Tape,” Office of Mayor Brandon Johnson, April 5, 2024, <https://www.chicago.gov/content/dam/city/sites/cut-the-tape/pdfs/Cut-the-Tape-Report-2024.pdf>.
- 183 Ibid, 9.
- 184 Ibid, 9, 13, 14.
- 185 Edward J. Pinto, “The Easy Fix That Would Solve Our Housing Crisis: Light Touch Density,” Newsweek, September 18, 2023, <https://www.newsweek.com/theres-easy-fix-that-would-solve-our-housing-crisis-light-touch-density-opinion-1827947>.
- 186 Tobias Peter, “Housing Abundance with Light-Touch Density,” American Enterprise Institute Housing Center, February 2024, 2. <https://www.aei.org/wp-content/uploads/2022/01/Light-Touch-Density-Compiled-FINAL-1.12.2022.pdf>.
- 187 Peter, “Housing Abundance,” AEI, 2.
- 188 “Boost Middle- & Low-Income Homes in Washington City, DC with Naturally Affordable Light-Touch Density (LTD),” AEI Housing Center, 2022, <https://heat.aeihousingcenter.org/>.
- 189 Owen Minott and Julia Selby, “Ten Actions Cities Can Take to Improve Housing Affordability,” Bipartisan Policy Center, August 10, 2022, <https://bipartisanpolicy.org/blog/10-actions-to-housing-affordability/>.
- 190 Solomon Greene and Aaron Shroyer, “How States Can Support Shared Prosperity in Cities Through Affordable Rental Housing,” Urban Institute, March 26, 2020, <https://www.urban.org/research/publication/how-states-can-support-shared-prosperity-cities-through-affordable-rental-housing>.
- 191 Emrath, “Government Regulation in the Price of a New Home: 2021,” National Association of Home Builders.
- 192 Carol Galante, Carolina K. Reid, and Ashley F. Weinstein-Carnes, “Borrowing Innovation, Achieving Affordability: What We Can Learn From Massachusetts Chapter 40B,” Turner Center For Housing Innovation at UC Berkeley, October 19, 2020, <https://turnercenter.berkeley.edu/research-and-policy/california-40b/>.
- 193 Executive Order 13878, “Establishing a White House Council,” Federal Register.
- 194 “Tool: By-Right Development,” National Multifamily Housing Council, 2024, https://housingtoolkit.nmhc.org/wp-content/uploads/2019/04/F2_NMHC_PDF-Sections_Tools_By-Right-Dev_PG-63-TO-73.pdf.
- 195 Alex Horowitz and Tushar Kansal, “Support for Policies That Promote More Housing Crosses Geographic Lines,” The Pew Charitable Trusts, January 31, 2024, <https://www.pewtrusts.org/en/research-and-analysis/articles/2024/01/31/support-for-policies-that-promote-more-housing-crosses-geographic-lines>.

