



AMERICAN BAR ASSOCIATION

Litigation Section

*Litigation Section Committee Roundtable*

# Exclusionary Zoning, Systemic Racism and Racialized Housing Segregation

Wednesday, April 27<sup>th</sup> | 2:00-3:00pm Eastern

Presented by the  
Real Estate, Condemnation, & Trust Litigation  
Committee

Co-Sponsored by the  
Access to Justice and Minority Trial Lawyer Committees  
ABA Section of Civil Rights and Social Justice  
ABA Commission on Homelessness & Poverty

## Description

Exclusionary zoning (large lot area minimums, setbacks, FAR requirements, and prohibitions against multi-family uses as-of-right) began in earnest in the 1960's, when white urban flight began, and at the tail end of de jure redlining. Unlike de jure redlining, exclusionary zoning has only gotten more stringent, with ever greater single-family lot minimums encompassing greater and greater percentages of the territorial jurisdictions of American municipalities. This exclusionary zoning, together with its kissing cousin, NIMBY-ism, pose significant barriers to entry into the residential property market, and are primary drivers of our nationwide housing crisis. But, exclusionary zoning and NIMBY-ism also, relatedly, are a primary cause of stubborn racialized housing segregation. This program will provide the history undergirding and will detail these trends. This webinar will further provide insight into how to address and solve these pernicious trends in America's housing market and the legal landscape that surrounds it. The land use and real estate litigation bar, which predominantly serves the real estate development community, would and should be natural allies of the solutions, since the policy fixes include stronger state law preemptive provisions and mandates for greater housing production, i.e., more economic activity in the real estate sector.



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Questions:

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## Panel

- **Nick Shapiro**, Phillips & Angley (moderator)
- **Dr. Darrel Ramsey-Musolf**, PhD, Assistant Professor of Regional Planning, University of Massachusetts Amherst
- **Andrew Aurand**, VP for Research, National Low Income Housing Coalition

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