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Will the Supreme Court Strike Down Inclusionary Zoning?

A Marin County lawsuit has conservatives and housing advocates preparing to face off over the constitutionality of a powerful affordable housing tool.

Marin County is committed to building affordable housing. Indeed, the most exclusive county in California doesn't have much choice.

Back in May, authorities in Marin entered into a new voluntary compliance agreement with the U.S. Department of Housing and Urban Development to build new low-income housing outside areas where black or brown residents make up the majority. This is now the county's second big push since 2010 to satisfy the government's demand that it work on desegregating its affordable housing.

Fair housing is a challenge for Marin, an enclave of million-dollar bungalows across the Golden Gate Bridge from San Francisco. According to a nonprofit project called Race Counts, it has the highest racial disparities of any county in California. That's in part because Marin County doesn't want to build any housing. Homeowners here are at the forefront of NIMBY efforts to stop plans for new construction, whether they're local, regional, or statewide.

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