



EXCLUSION AND ZONING

THE ORIGINS AND LEGACY OF SINGLE FAMILY RESIDENTIAL ZONING

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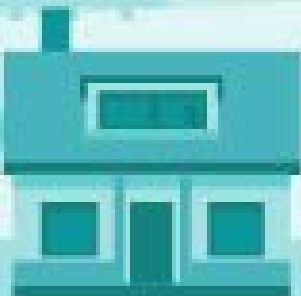
2/11/2019



Duplex



Internal conversion



ADU: Addition



ADU: Detached



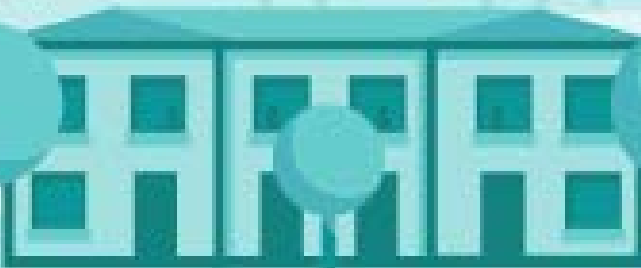
Skinny houses



Cottage cluster



Triplex



Fourplex



WHAT DOES ZONING DO?

- Divides areas of urban areas into zones for pre-approved use:
 - Industrial
 - Commercial
 - Residential
 - Etc.
- Excludes uses not listed as acceptable
- Can also regulate intensity of use, height, bulk, size, placement, etc.



ZONING CODE EVOLUTION



Legend: Land-use NYC









 Residential	 Institutions
 Mixed Use	 Transport / Parking
 Commercial	 Industrial
 Parks	 Vacant Lots

Table 1.1: Denver Zoning Districts




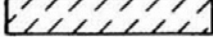


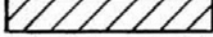
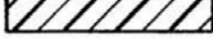


1923	1957	1994
5 residential	5 residential	16 residential
3 business	6 business	12 business
3 commercial	1 office/institutional	7 mixed-use
2 industrial	1 park	2 office
	3 special	1 park
	3 industrial	3 industrial
		1 planned unit development (PUD)
Total = 13	Total = 19	Total = 42

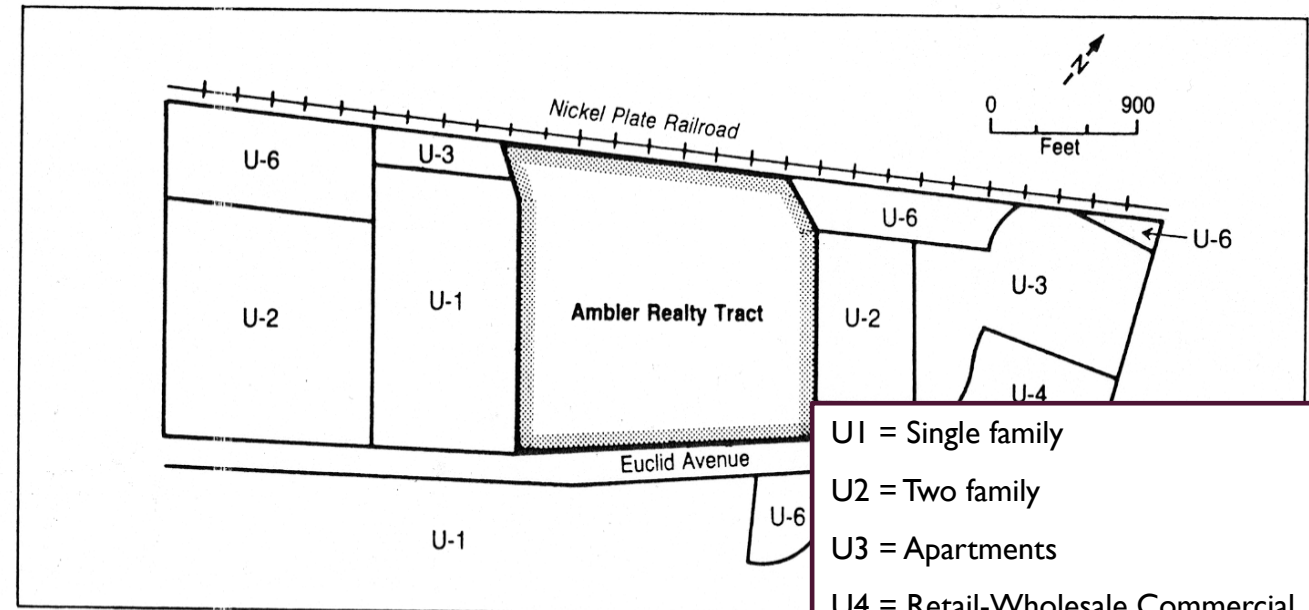
EARLY ZONING CODES



- NYC 1916 Code (Top right)
- Euclid OH 1922 (Bottom right)

USE DISTRICT MAP DESIGNATIONS

	indicates the boundary of a Use District.
	indicates Residence District.
	indicates Local Retail District.
	indicates Restricted Retail District.
	indicates Retail District.
	indicates Retail-1 District.
	indicates Business District.
	indicates Business-1 District.
	indicates Manufacturing District.
	indicates Unrestricted District.
UNDETERMINED	indicates Undetermined area for which no restriction or regulation as to Use has been established.



- U1 = Single family
- U2 = Two family
- U3 = Apartments
- U4 = Retail-Wholesale Commercial
- U5 = Commercial
- U6 - Industrial

Source: Timothy Alan Fluck, *Euclid v. Ambler: A Retrospective*, 52 J. Am. Plan. Ass'n. 326, Map

FIGURE 3-1
Zoning of Properties near the Ambler Re

July 23, 1892

CHINESE?

NO! NO! NO!

Come to 10th and A Streets at 7:30 Monday evening and express your opinion on the Chinese question.

SHALL WE HAVE

CHINESE

NO! NO! NO!

BALTIMORE TRIES DRASTIC PLAN OF RACE SEGREGATION



Strange Situation Which Led the Oriole City to Adopt the Most Pronounced "Jim Crow" Measure on Record.



tempt to worm their way into the white residential districts, but for years all their efforts were fruitless. During the last few years, however, they have been more successful; several streets, formerly white residential streets, have been given over to them, because as soon as the negro appears the white man moves away. Druid Hill Avenue, a few years ago a white residential street, is now a vision which granted practically plenary power to the City Government in the matter of exercising its police power. The following is the provision under which the ordinance was drawn: "Police Power: To pass ordinances for preserving order and securing property and persons from violence, danger and destruction, protecting the public and city privileges from waste or recreancy of the city appeared and declared in its favor. The opposition appeared in the shape of about twenty negroes. Later in the month there were two more hearings. And between the first and last hearings there seems to have been quite a deal of excitement throughout the Oriole City by reason thereof. And well there might be, for it was a ticklish business, this of trying on such a novel legislative

RACE SEGREGATION LAW IS ATTACKED

Louisville Case Argued in Supreme Court; Other Cities Affected.

ing it unlawful for any negro to occupy a residence in any block in which a greater number of houses are occupied by white folk and unlawful for any person to occupy a residence in a block. The decision is expected to affect all cities having similar ordinances.

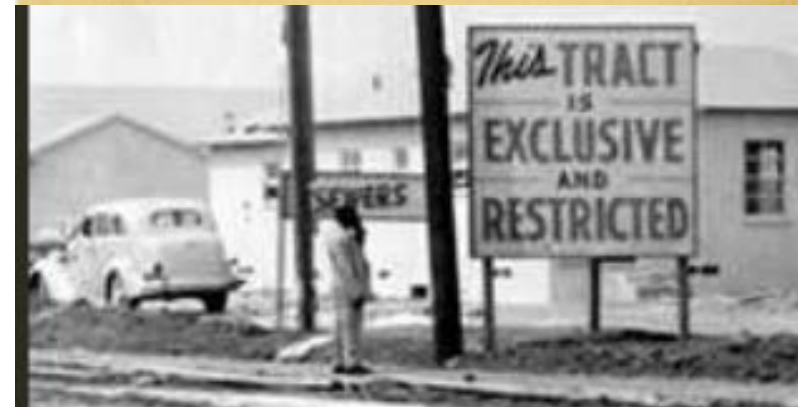
Pointing out that segregation ordinances now are in force in Baltimore, Richmond, St. Louis and many other cities and towns, counsel emphasized that the decision would have a sweeping effect especially throughout the south. Peyton Beckley, Louisville city attorney and Stuart Chesaller of Louisville, are defending the validity of the ordinance.

Only Members of the Caucasian Race

One of the important features of the Building Regulations at Highland Park reads as follows:

"The buyer agrees that no estate in or possession of the said

WASHINGTON, Apr 11.—The constitutionality of race segregation was argued Monday before the Supreme court in a case investigated by the Louisville, Ky.

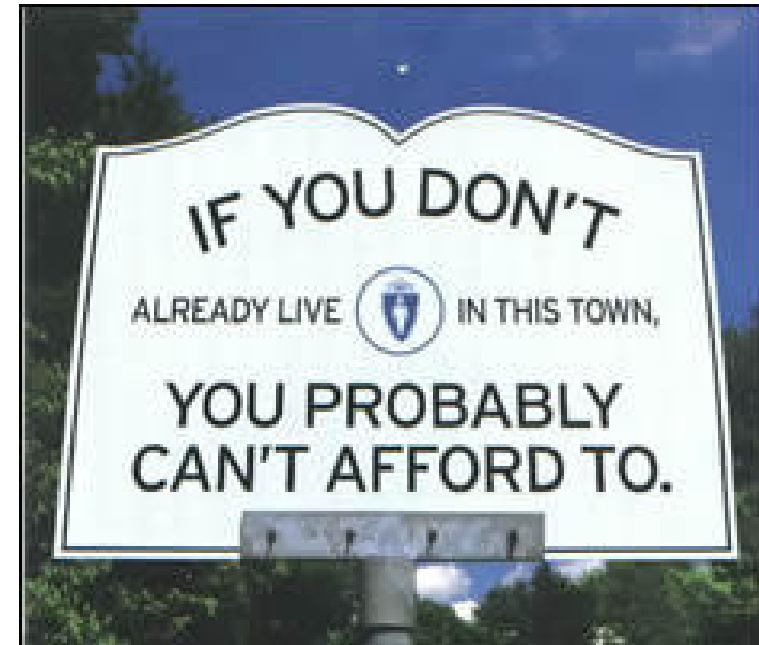


ZONING PROTECTS



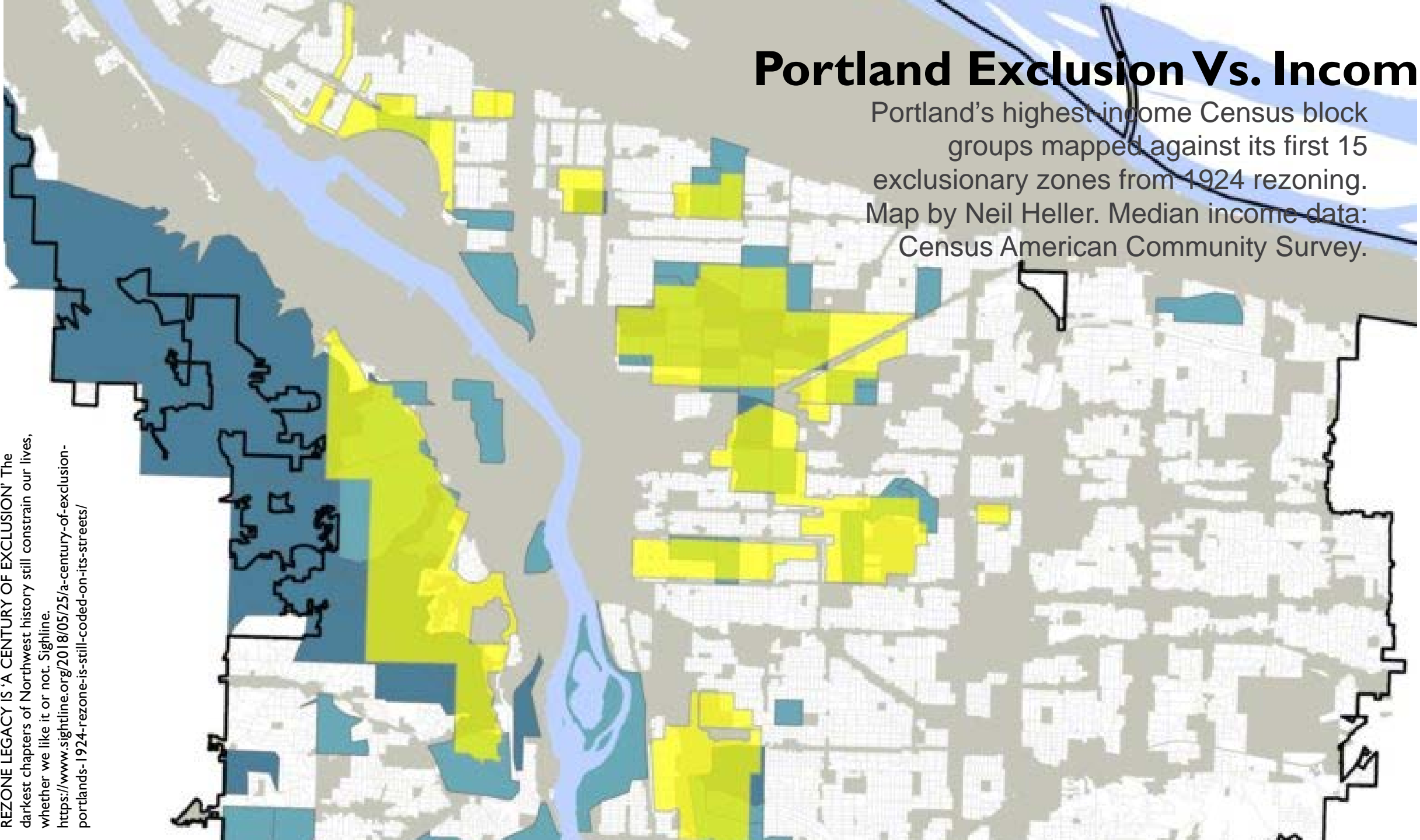
EXCLUSIONARY ZONING

- Bans on multifamily – duplex to high density apartments
- Bans on mobile homes
- SF zones with minimum lot sizes, architectural design features, etc.
- OR has already banned some of these!
- But the creation of large SF zones is common





From: Anderson, M. 2018. MAPS: PORTLAND'S 1924 REZONE LEGACY IS 'A CENTURY OF EXCLUSION' The darkest chapters of Northwest history still constrain our lives, whether we like it or not. Sighline. <https://www.sighline.org/2018/05/25/a-century-of-exclusion-portlands-1924-rezone-is-still-coded-on-its-streets/>



Portland Exclusion Vs. Income

Portland's highest income Census block groups mapped against its first 15 exclusionary zones from 1924 rezoning. Map by Neil Heller. Median income data: Census American Community Survey.

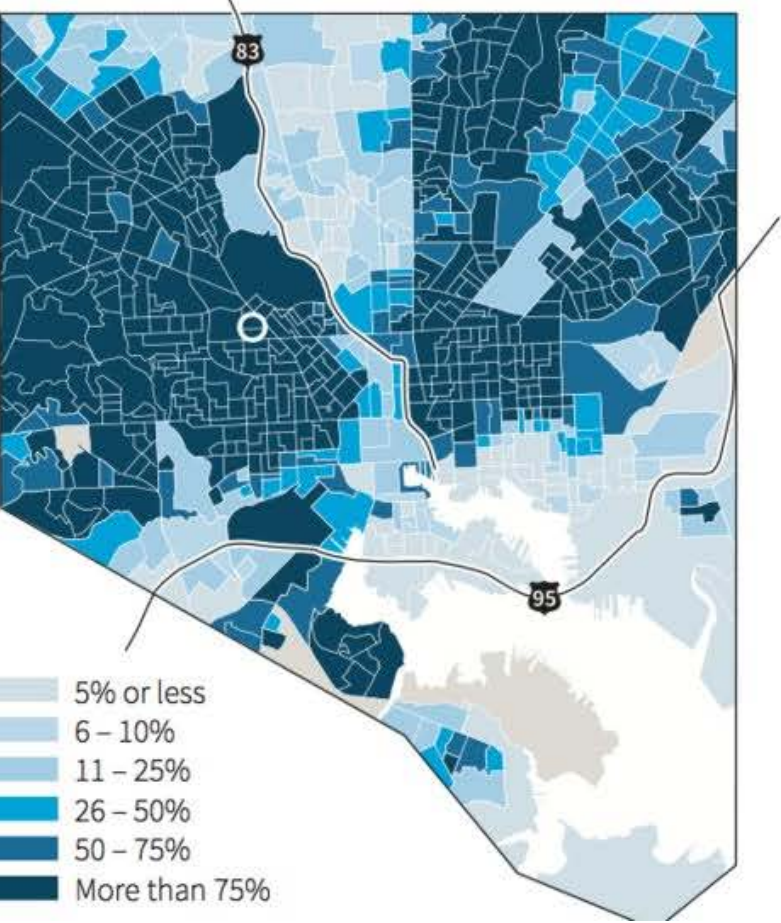
Socioeconomics in Baltimore

Following the funeral of Freddie Gray, a 25-year-old black man who died after he was injured in police custody, disturbances broke out a few blocks from the site of the service. Demonstrations turned violent and spread through parts of Baltimore on Monday.

○ New Shiloh Baptist Church (location of Gray's funeral)

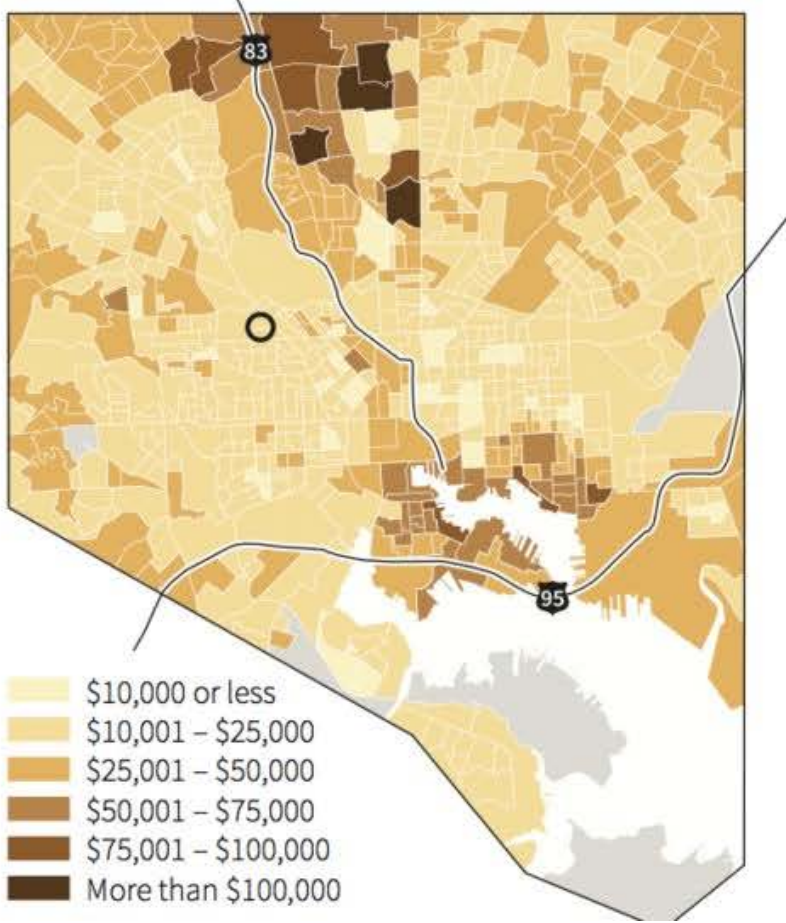
BLACK/AFRICAN AMERICAN POPULATION

As a percentage of total population



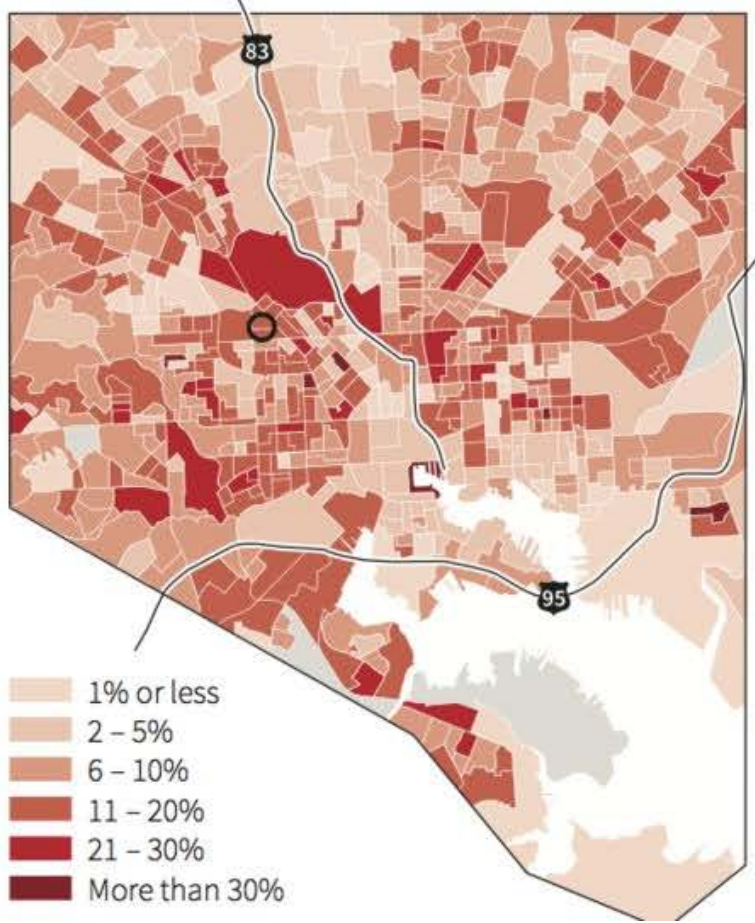
INCOME PER CAPITA IN THE PAST 12 MONTHS

In 2013 inflation-adjusted dollars



UNEMPLOYMENT

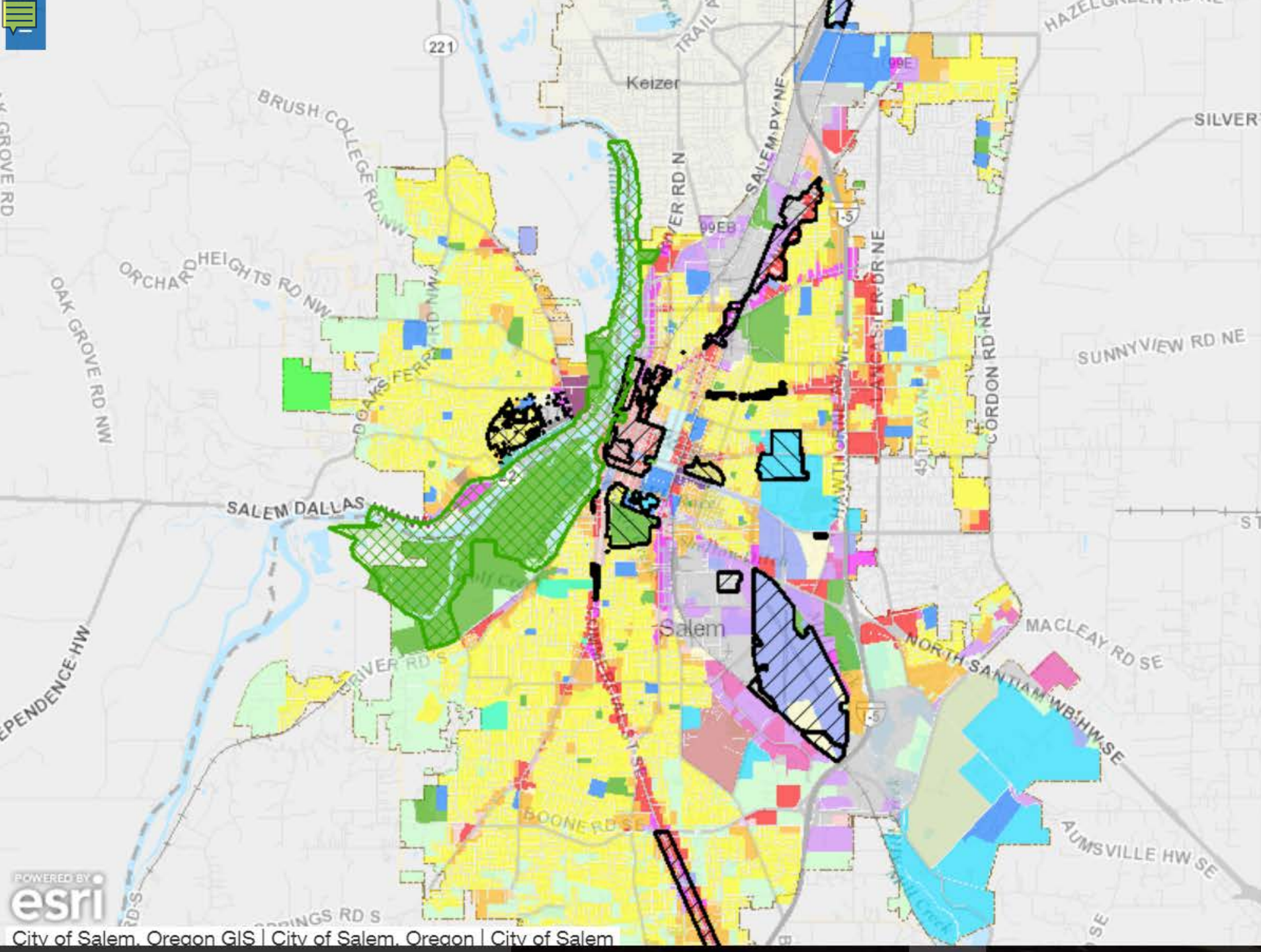
Unemployed population* as a percentage of total





CREATING HOUSING CHOICES



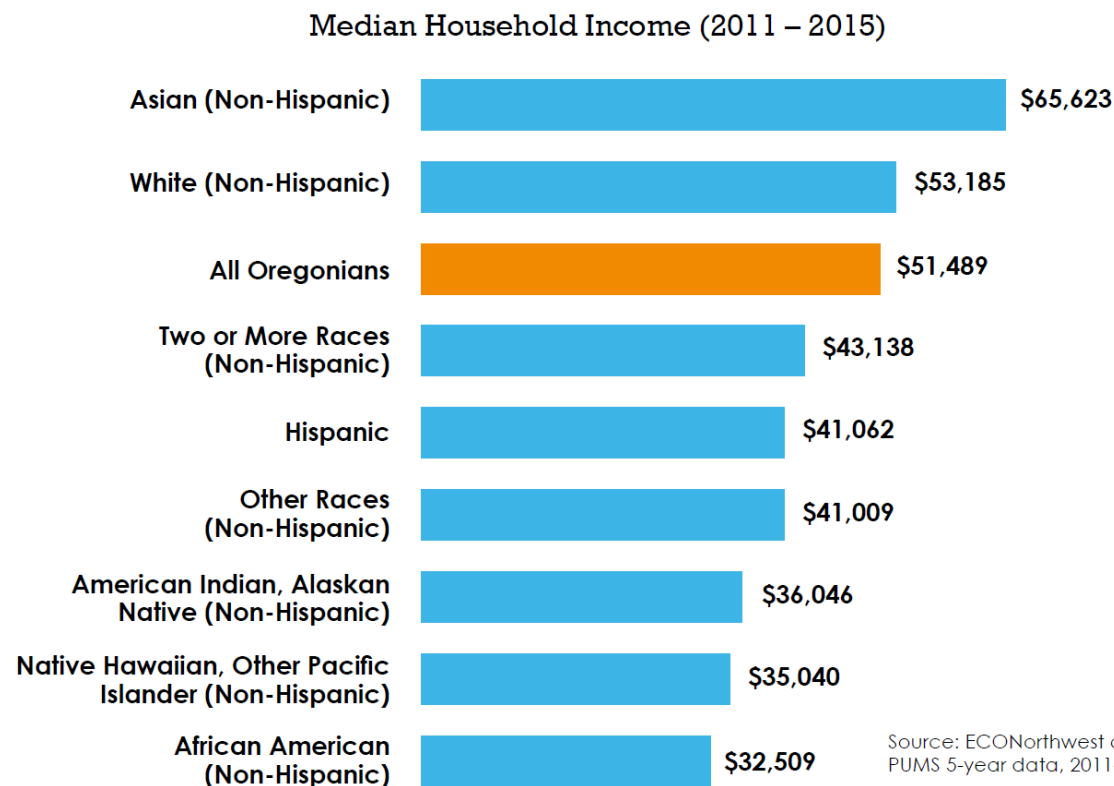


Zoning Designation

- EFU - Exclusive Farm Use
- RA - Residential Agriculture
- RS - Single Family Residential
- RD - Duplex Residential
- RM1 - Multiple Family Residential 1
- RM2 - Multiple Family Residential 2
- RH - Multiple Family High-Rise Residential
- CO - Commercial Office
- CN - Neighborhood Commercial
- CR - Retail Commercial
- CG - General Commercial
- CB - Central Business District
- WSCB - West Salem Central Business District
- IC - Industrial Commercial
- IBC - Industrial Business Campus
- IP - Industrial Park
- IG - General Industrial
- SCI - Second Street Craft Industrial Corridor
- II - Intensive Industrial

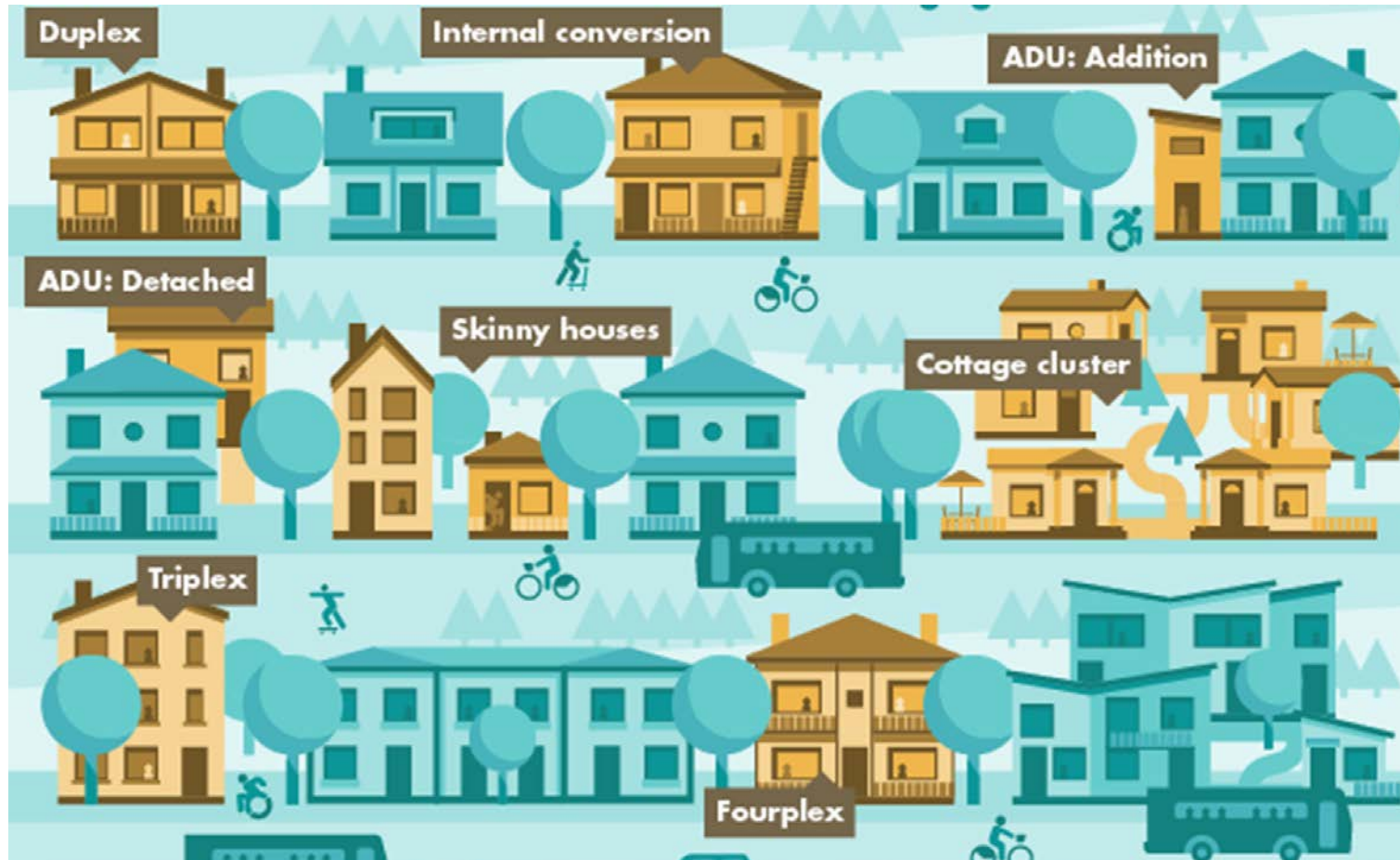
OREGON HOUSING, RACE, AND INCOME

- 64% of housing is single family detached
- 84% of these homes are owner occupied
- % of Racial Groups living in SF detached
 - **66% White non-Hispanic**
 - 46% Latinos
 - **36% Blacks**
 - 52% Native
 - 44% Native Hawaiian
 - 60% Asian



From: State of Oregon. 2018. Breaking New Ground: Oregon's Statewide Housing Plan

MIDDLE HOUSING OPTIONS





STATE LAND-USE SYSTEM GOALS





CONCERNS RAISED ABOUT GOALS

- Goal 1 - Citizen Involvement: “insures the opportunity for citizens to be involved in all phases of the planning process.”
- Goal 10 – Housing: To provide for the housing needs of citizens of the state.





QUESTIONS?

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ADDITIONAL READINGS

- Apartheid Baltimore Style: the Residential Segregation Ordinances of 1910-1913 Garrett Power Maryland Law Review. <https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=2498&context=mlr>
- Silver Chris. The Racial Origins of Zoning. From: Manning Thomas, June and Marsha Ritzdorf eds. Urban Planning and the African American Community: In the Shadows. Thousand Oaks, CA: Sage Publications, 1997. <https://www.asu.edu/courses/aph294/total-readings/silver%20--%20racialoriginsofzoning.pdf>
- Liberty, Robert. <https://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1177&context=ealr>
- <https://www.sightline.org/2018/05/25/a-century-of-exclusion-portlands-1924-rezone-is-still-coded-on-its-streets/>