

# **THE INFLUENCE OF EXCLUSIONARY ZONING POLICIES**

Gahanna City Council

Monday, May 8, 2023

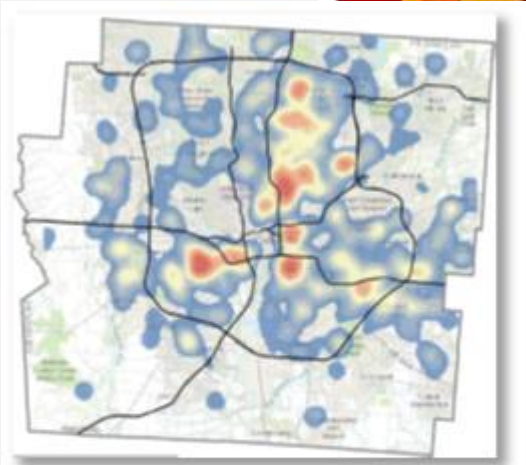
Glennon Sweeney

Senior Research Associate

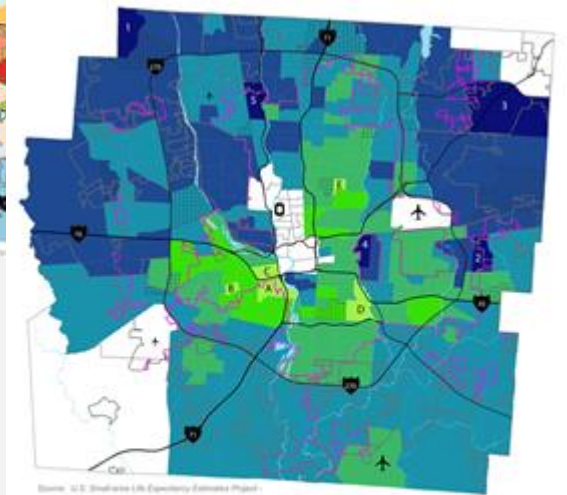
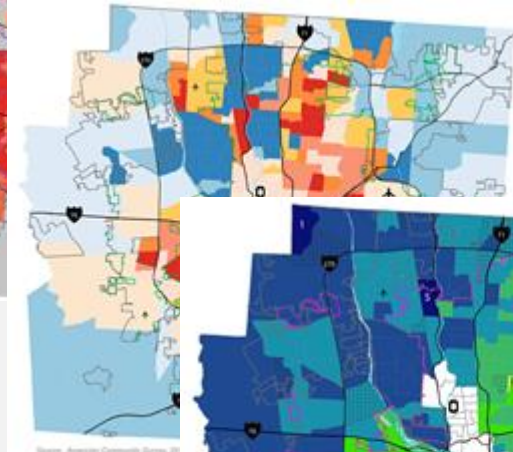
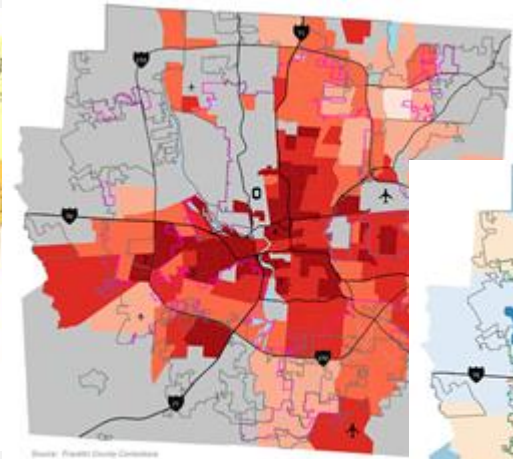
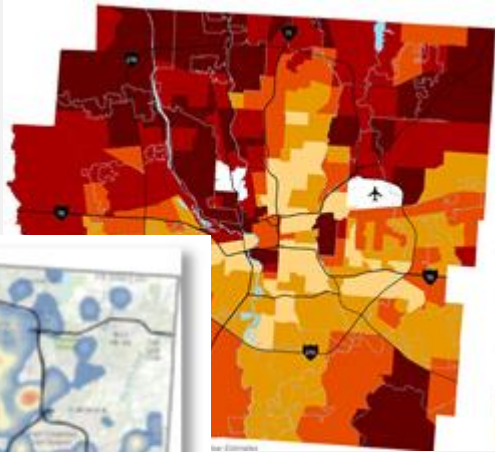
The Kirwan Institute for the Study of Race and Ethnicity at

The Ohio State University

# SPATIAL INEQUALITY: FROM BIRTH TO DEATH



**Infant Mortality**



**Life Expectancy**



**What Explains This?**



# THE PLANNED SUBURB

1890s

Investment groups formed to finance

Enabled longer return on investments

Same investors who were funding British Colonial exploits across the globe at the time

Framed as “escapes to restricted, healthy, clean, and safe environments”

As White Safe Spaces

Developers of High-Class Residential Properties

Created best practices for planned suburban development that they disseminated across the country



The background is a stylized illustration of a city street. On the left, there are older, multi-story brick buildings with many windows. On the right, there are taller, more modern apartment-style buildings with a grid of windows. In the foreground, several stylized human figures are walking on the sidewalk. A large, faint gear icon is visible in the lower center of the image.

# CREATING THE MYTH

- In 1900 – American segregation was largely de facto and was not as acute
- Early Realtors realized that segregation was profitable
- They began to propagate the myth: **The Mixing of Racial and Social Classes Harmed Property Values**
- This resulted in two housing markets
  - One that was large, competitive, and offered affordability. This was for whites
  - Another that was small, geographically constrained, and competitive. This was for non-whites

RELYING ON RACE,  
ETHNICITY, AND RELIGION  
TO DETERMINE SOCIAL  
STANDING IN EARLY 20<sup>TH</sup>  
CENTURY AMERICA



---

Wealthy White  
Protestants

---

Wealthy non-  
Protestant Whites

---

Poor Whites

---

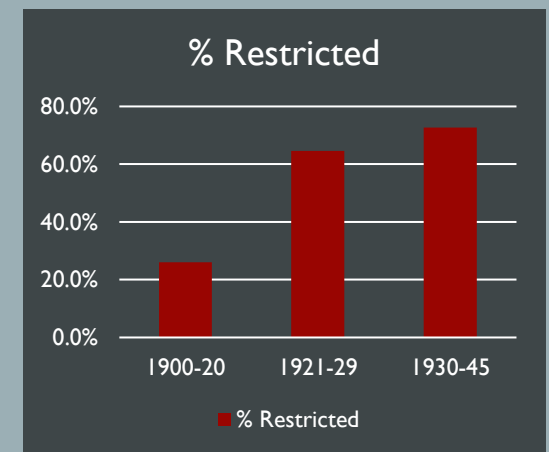
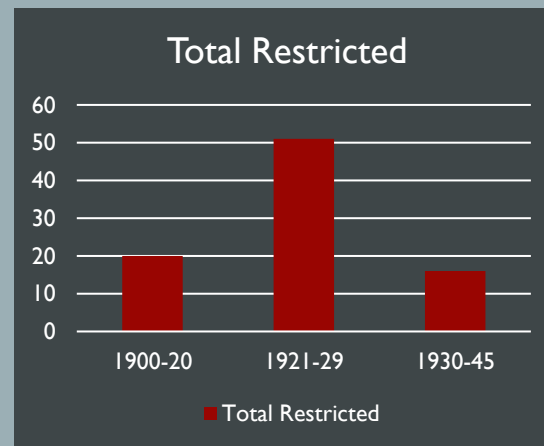
Non-Whites

# RESTRICTIVE COVENANTS

**Subdivisions Platted With Race Restrictions, 1900-1945**

	1900-20	1921-29	1930-45	Total
Columbus or County	8	36	0	44
<i>North</i>	5	6		11
<i>Northeast</i>	3	20		23
<i>East</i>		6		6
<i>South</i>		2		2
<i>West</i>		2		2
<i>Northwest</i>				0
Worthington		1	3	4
Riverlea		1		1
Bexley	3	3		6
Whitehall		4	1	5
Marble Cliff		1		1
Grandview Heights	1		1	2
Upper Arlington	8	5	11	24
Total Restricted	20	51	16	87
Total Platted	77	79	22	178
% Restricted	26.0%	64.6%	72.7%	48.9%

14. *RACIAL RESTRICTIONS*...No property in said addition shall at any time be sold, conveyed, rented or leased in whole or in part to any person or persons not of the White or Caucausian race. No person other than one of the White or Caucausian race shall be permitted to occupy any property in said addition or portion thereof or building thereon except a domestic servant actually employed by a person of the White or Caucausian race where the latter is an occupant of such property.



Burgess, Patricia. *Planning for the Private Interest: Land Use Controls and Residential Patterns in Columbus, Ohio, 1900-1970*. Ohio State University Press. 1994. Table 2.6, page 48.

7. That said premises, or any part thereof, shall not be sold, leased, mortgaged, pledged, given or otherwise disposed of to, or owned, used or occupied by, any person or organization of persons in whole or in part of the Negro race or blood; provided, that nothing herein shall prohibit a person, while occupying said premises in compliance with this restriction, from employing as a servant a person not of the white race.

## **EXAMPLE OF RACIALLY RESTRICTIVE CLAUSE FROM GAHANNA**



2. That no buildings except one single private dwelling house with the necessary out-buildings shall be erected or maintained on the above described premises, such dwelling house to cost not less than \$6500.00; it being intended by this provision to prohibit among other things, any double, duplex or apartment house on said premises.

**EXAMPLE OF USE AND PRICE  
RESTRICTIVE CLAUSE FROM GAHANNA**

**RESTRICTIVE  
COVENANTS WERE  
CODIFIED INTO LAW  
WITH THE ADOPTION  
OF EXCLUSIONARY  
MUNICIPAL ZONING  
CODES**

- Racial zoning: 1910 - 1917
- Shifts to Exclusionary zoning
  - Adopting class-based exclusionary zoning restrictions to support municipal segregation
- And Expulsive zoning
  - Directing undesirable land uses towards areas where minoritized groups were accumulating wealth



**LOOK At These Homes NOW!**

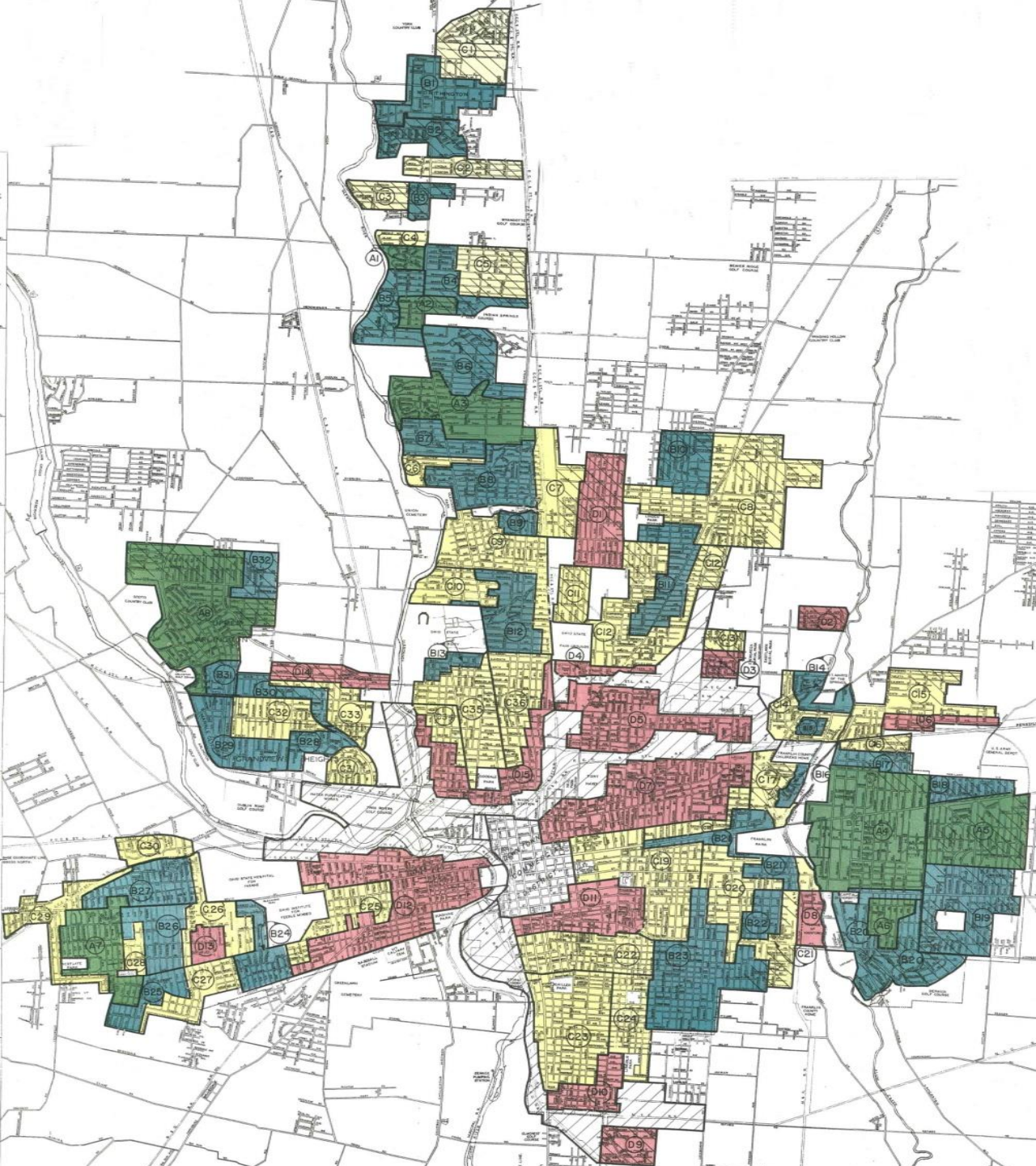
An entire block ruined by negro invasion. Every house marked "X" now occupied by negroes. ACTUAL PHOTOGRAPH OF 4300 WEST BELLE PLACE.

**SAVE YOUR HOME! VOTE FOR SEGREGATION!**

Property ownership is the  
number one way that  
American's built wealth in the  
20<sup>th</sup> century

A photograph illustrating wealth and property ownership. On the right, a large, full burlap money bag with a blue circular pattern is tied at the top. To its left, three stacks of gold coins are arranged in ascending order of height. Each stack is topped with a small, colorful miniature house (red, blue, and orange roofs respectively). The scene is set against a dark, blurred background, and the objects are reflected on a dark surface below them.

**THIS WAS ALWAYS ABOUT WEALTH**

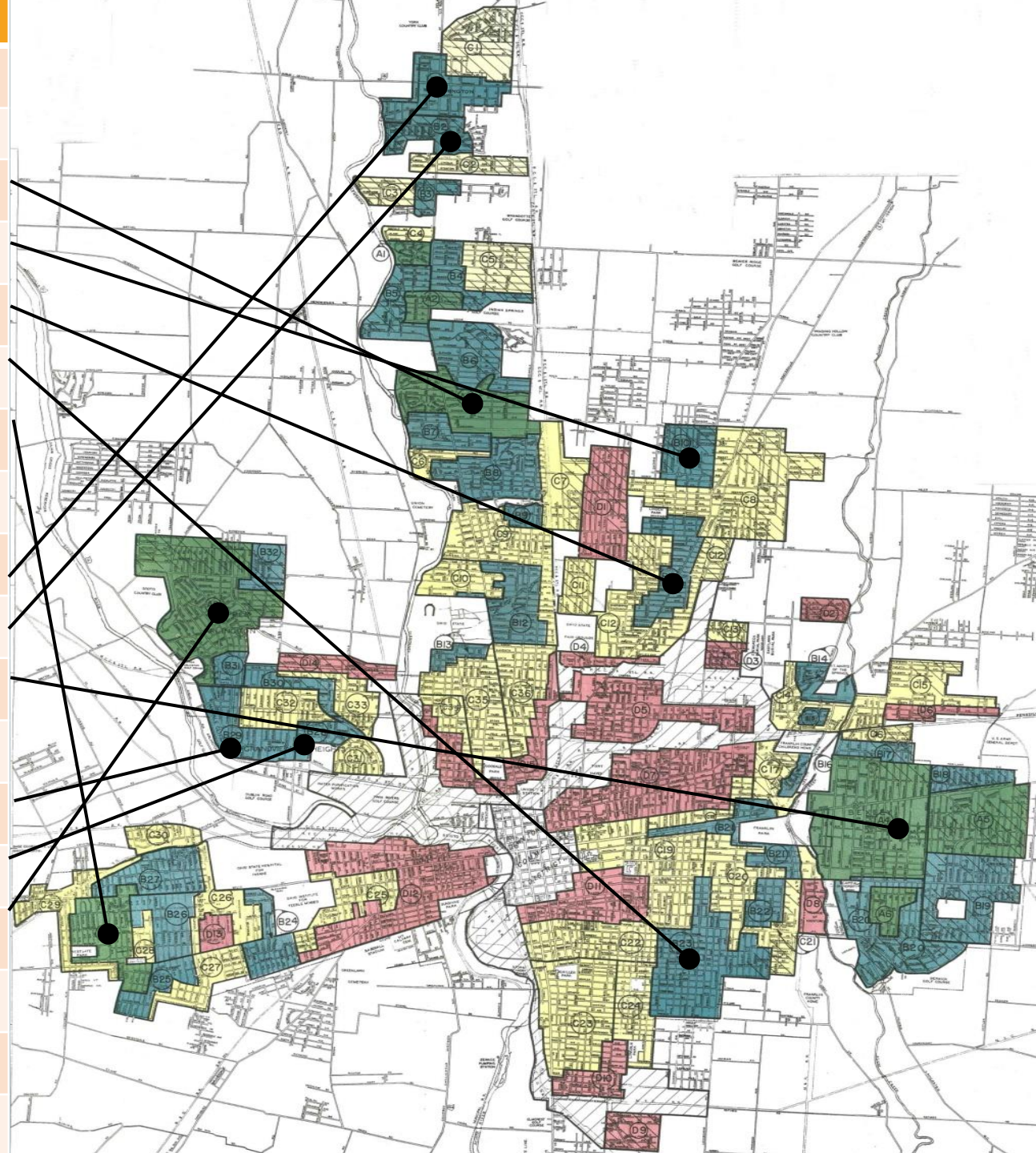


**THESE SEGREGATED  
RESIDENTIAL  
DEVELOPMENT  
PATTERNS WERE  
REINFORCED BY THE  
PRACTICE OF  
REDLINING**

- Redlining proliferated the grading of neighborhoods
- Redlining codified into law an association so very prevalent in society to this day, that  
**Black = Risk**
- Tied access to mortgage insurance to race

# Racial Restrictions and Greenlining

Area	1900 – 1920	1921 – 1929	1930 – 1945	Total Restricted
<b>Columbus</b>	<b>8</b>	<b>36</b>	<b>0</b>	<b>44</b>
North	5	6	0	11
Northeast	3	20	0	23
East	0	6	0	6
South	0	2	0	2
West	0	2	0	2
Northwest	0	0	0	0
Worthington	0	1	3	4
Riverlea	0	1	0	1
Bexley	3	3	0	6
Whitehall	0	4	1	5
Marble Cliff	0	1	0	1
Grandview Heights	1	0	1	2
Upper Arlington	8	5	11	24
<b>Total Restricted</b>	<b>20</b>	<b>51</b>	<b>16</b>	<b>87</b>
<b>Total Platted</b>	<b>77</b>	<b>79</b>	<b>22</b>	<b>178</b>
<b>Percent Restricted</b>	<b>26.0%</b>	<b>64.6%</b>	<b>72.7%</b>	<b>48.9%</b>



# RESTRICTIVE COVENANTS ILLEGAL – TACTICS SHIFT

*Shelley v Kraemer* (1948) was a narrow decision

A white homeowner could sue a black person who moved in next door claiming “loss of property value” until the 1968 Civil Rights Act was passed

Home Ownership Associations began playing a larger role

Require membership of all owners but restrict ownership to whites


“Right of first refusal” clauses added to deeds to enable HOA to purchase homes if they might be sold to nonwhites.

Zoning powers become even more important for suburbs



# WHY DOES ZONING MATTER?

- Zoning Codes are **Values Statements**
  - They not only determine *who* is welcome in a community, they also determine what types of businesses are welcome
- Zoning Codes determine the **foundation for city revenue sources**
  - How you zone your land determines the revenue sources available to fund city services



What's  
**Important**  
to You?

## GAHANNA'S ZONING CODE: EXCLUSIONARY

- Every residential zoning category includes restrictive and exclusionary components including
  - Height restrictions
  - Minimum structure size requirements
  - Lot coverage restrictions
  - Minimum lot size requirements
  - Large setbacks





# ZONING CATEGORIES RANKED

- 69.07% Residential (including mixed use that permits residential development)
- 52.85% single-family residential
- 16.22% permits multi-family in some form

Most Exclusionary	Very Exclusionary	Somewhat Exclusionary	Less Exclusionary	Least Exclusionary
ER-1 (3.61%)	OG-1 (0.29%)	MFRD (4.88%)	PRCD (0.0%)	PUD (10.33%)
ER-2 (4.03%)	OG-2 (0.55%)	MR-1 (0.33%)	PRD (0.13%)	
	R-4 (4.43%)	SF-3 (25.32%)		
	SF-1 (0.12%)			
	SF-2 (15.05%)			

# HOW DOES GAHANNA COMPARE?

## WESTERVILLE

49% RESIDENTIAL; 46.1% SINGLE-FAMILY

Most Excl	Very Excl	Somewhat Excl	Less Excl	Least Excl
RR (3.6%)	R-1 (31.9%)	R-3 (1.2%)	R-4 (1.2%)	PUD (0.0%)
	R-2 (10.6%)		UD (0.6%)	

## UPPER ARLINGTON

83.5% RESIDENTIAL; 74.8% SINGLE-FAMILY

## REYNOLDSBURG

56.2% RESIDENTIAL; 47.3% SINGLE-FAMILY

Most Excl	Very Excl	Somewhat Excl	Less Excl	Least Excl
	SR (47.3%)	ORD-C (0.4%)	RM (7.1%)	
		ORD-N (1.4%)		

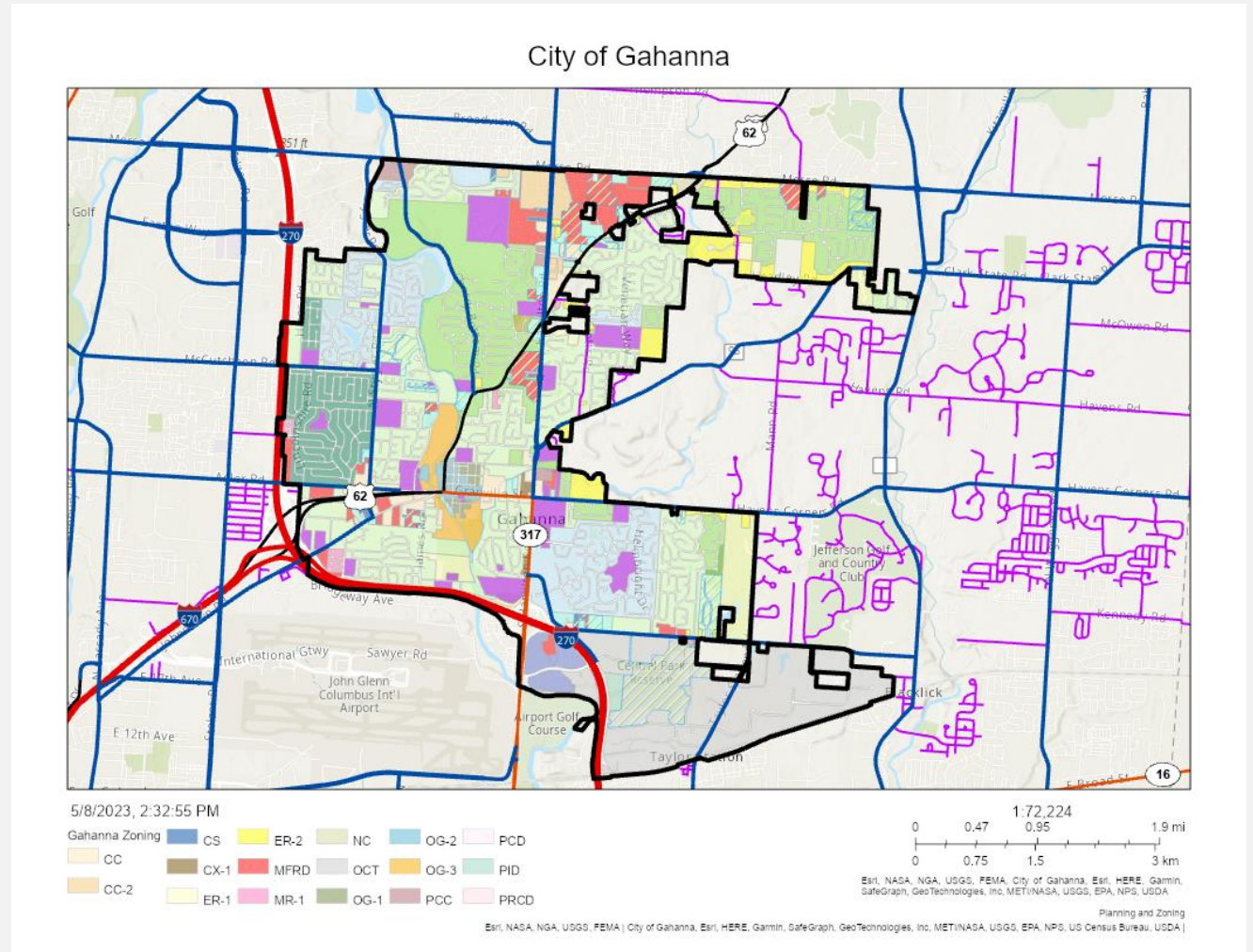
## WORTHINGTON

58.7% RESIDENTIAL; 54.9% SINGLE-FAMILY

Most Excl	Very Excl	Somewhat Excl	Less Excl	Least Excl
RR (3.6%)	R-1 (31.9%)	R-3 (1.2%)	R-4 (1.2%)	PUD (0.0%)
	R-2 (10.6%)		UD (0.6%)	

# HOW CAN GAHANNA ENHANCE EQUITY WHILE MAINTAINING A HEALTHY TAX BASE?

- Create more mixed-use districts
- Increase density in single-family neighborhoods
  - Corner duplexes
  - Accessory Dwelling Units
- Focus commercial development on key sectors that bring high-paying jobs
- Loosen development standards
- Consider ways to incentivize affordable housing



**QUESTIONS?**

**THANK YOU!**

[SWEENEY.270@OSU.EDU](mailto:SWEENEY.270@OSU.EDU)

