

The Racist History of Zoning in Evanston and Across the U.S.

When we discuss the segregationist history of Evanston's 5th Ward, we often focus on redlining which began in the 1930's. But before redlining came zoning which is, in and of itself, rooted in anti-Black racism and a desire to keep Black and white Americans separate and segregated.

Prior to zoning codes, segregation by race in post-Reconstruction America was informally enforced through steering and forced relocation of Black residences. The history of zoning in America, and in Evanston, consists of two distinct periods: Racialized Zoning and Exclusionary (or economic) Zoning. Our current Zoning Code was written in 1993 and retains its Exclusionary (Economic) and Racist roots.

Racial Zoning in the U.S.

1910, Baltimore, Maryland

Baltimore Mayor, J. Barry Mahool, championed the first racial zoning ordinance which prevented Black families from buying in majority white areas, or white in majority Black areas. Similar racial zoning policies spread in cities throughout the country.

1917: *Buchanan v. Worley*

In 1917, the Supreme Court ruled that racial zoning ordinances interfered with the right of a property owner to sell to whomever he pleased. This decision was based on a racial zoning ordinance in Louisville, KY. The case involved a Black man attempting to purchase property on an integrated block where there were already two Black and eight white households. The Supreme Court ruled that Louisville's racial zoning Ordinance violated the Fourteenth Amendment and related statutes which "entitle a colored man to acquire property without state legislation discriminating against him solely because of color." Many cities either ignored the Supreme Court's ruling or tried finding ways to get around it.

Exclusionary (Economic) Zoning

Several cities that practiced racial zoning prior to the *Buchanan* ruling in 1917 quickly shifted to Exclusionary Zoning to circumvent the ruling by using class as a proxy for race.

Exclusionary, or economic, zoning has two facets:

1. Across the U.S., exclusionary zoning was developed, in part, to evade the prohibition on explicitly racial zoning codes. It attempted to keep Black citizens out of white neighborhoods by making it difficult for lower-income families, a large number of whom were Black, to live in expensive white neighborhoods.



2. It attempted to protect white neighborhoods from deterioration by ensuring that few industrial or unsafe businesses could locate in them. These businesses could, however, be located near Black residences leading to the types of environmental racism that still persists.

To prevent lower-income Black residents from living in neighborhoods where middle-class white residents lived, local and federal officials began to promote zoning ordinances to reserve middle-class neighborhoods for single-family homes that lower-income families of all races could not afford. These ordinances were careful not to mention race because of the *Buchanan* ruling. Instead, they relied on arguably “objective” land use rules such as minimum lot sizes, minimum parking, building size, height, density, setbacks, and other physical characteristics of properties to control and shape a community's physical development and character.

Evanston was no different in its approach to zoning. The city passed its first zoning ordinance on January 19, 1921, modeled after legislation which had already been successfully used in other municipalities across the U.S. to enforce residential racial segregation. The city zoned blocks in east Evanston, where Black residents lived, as commercial, forcing those families to relocate to west Evanston, which later became the 5th Ward.

It is important to remember the anti-Black racist roots of zoning in America. Exclusionary zoning continues to have a racial and socioeconomic segregationist impact on Evanston. It keeps Evanston, especially north Evanston, largely white and affluent. If Evanston is to become, as City Council’s Vision Statement says, “the most livable city in America,” we would do well to allow multi-unit, less expensive, development throughout the city of Evanston, in all wards and all neighborhoods.

References

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