

INQUIRY THREE

WHAT TOOLS WERE USED TO EXCLUDE PEOPLE?



Courtesy of the National Archives and Mapping Inequality

INQUIRY THREE'S compelling question makes this history personal and local. It introduces some of the tools and practices that have created segregation and invites students to explore how those practices have impacted their own local histories. Students analyze historical documents, use maps and data, and role-play zoning and planning decisions.

OVERVIEW

SUPPORTING QUESTION 1 | WHAT WAS REDLINING, AND WHAT WERE ITS EFFECTS?

Lesson 1: The Building Boom

Students analyze a historical advertisement to understand how community investment and mortgage lending was influenced by the race and ethnicity of city residents.

Lesson 2: How the Lines Were Drawn

Students work closely with residential security maps and primary documents to understand how neighborhoods received their designations.

SUPPORTING QUESTION 2 | HOW WERE PROPERTY DEEDS USED TO DISCRIMINATE?

Lesson 3: Exclusive Deeds

Students learn about property deeds and how restrictive deed covenants were used to discriminate and segregate.

Lesson 4: Covenant for the Future

Students craft new, inclusive language for future property deed covenants.

SUPPORTING QUESTION 3 | WHAT IS LAND-USE ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

Lesson 5: Zoning Basics

Students learn the reasons for land-use zoning and discover the major zoning categories.

Lesson 6: Zoning Board

Students role-play serving on a zoning board and consider the potential impact of various ordinances, making recommendations for more inclusive policies.

Lesson 7: Yesterday and Today

Students compare a 1930s HOLC residential security map and a contemporary zoning map to discover similarities, differences, and changes over time.

Cover: Portion of a Residential Security Map of Aurora, Illinois, 1938.
Courtesy of the National Archives and Mapping Inequality

TEACHER BACKGROUND

These articles from the *Unvarnished* website are intended to provide background information to prepare you for teaching Inquiry Three.

- [Article 5: “Discriminatory Zoning”](#)
- [Article 6: “Racially Restrictive Covenants”](#)
- [Article 8: “Shady Real Estate Practices”](#)
- [Article 9: “Driving While Black”](#)
- [Article 10: “The New Deal: Government-Sponsored Segregation”](#)
- [Article 11: “Living and Losing in the City”](#)



Student versions of all *Unvarnished* articles are also provided for your use in the classroom. These printable PDFs have simplified language, age-appropriate material, and rich visuals. If you elect to have students read the articles direct from the *Unvarnished* website, we recommend you preview each article and the links within before assigning them to students, as they may contain racial epithets, academic terms associated with the study of race and ethnicity, and other elements that may require scaffolding by the teacher.

SUPPORTING QUESTION 1 | THE BUILDING BOOM

LESSON 1

THE BUILDING BOOM

Overview

Students do a close, guided reading of a historic advertising image and make inferences about its context. They learn about the processes that encouraged new construction after World War II and resulted in the growth of the suburbs as White residents took advantage of loan programs to migrate out of cities.

Time: 2 Class periods

Materials

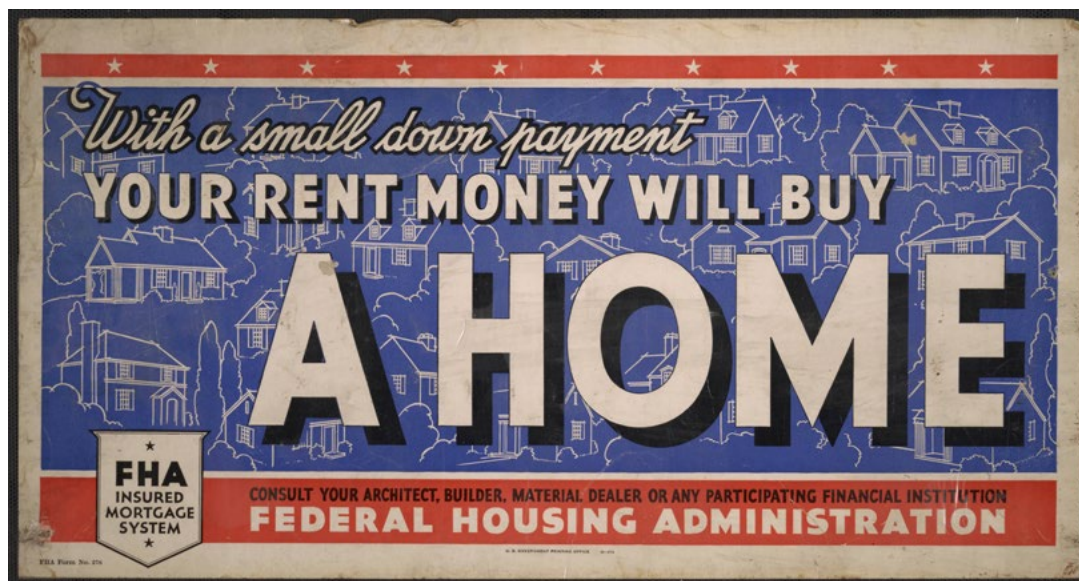
- **INQUIRY THREE IMAGE DECK**
- Copies of **S-I-T NOTES WORKSHEET** for each student
- Copies of *Unvarnished* Student Article 7: “Discrimination and the Suburban Boom” and *Unvarnished* Student Article 10: “The New Deal: Government-Sponsored Segregation” for each student

SHARE
EXPLAINER VIDEO
“Discrimination
and the
Suburban Boom”

Instructions

1. Present • 5 minutes

Share the car card advertising Federal Housing Authority (FHA) mortgages from the **INQUIRY THREE IMAGE DECK**. Ask the class to look at it quietly for 30 seconds to a minute, learning everything they can by viewing.



Federal Housing Administration car card used in streetcars in Minneapolis and St. Paul, Minnesota. Courtesy of the Minnesota Streetcar Museum

SUPPORTING QUESTION 1 | THE BUILDING BOOM

2. Explore • 15 minutes

Guide the students in a close reading of the image, using the following questions. Allow students to make observations and develop hypotheses.

First, have students describe the elements of the image out loud. What do they see? Work with them to identify major components: text, imagery, colors, shape, materials.

What are the largest words? Imagine who this image might be aimed at. Who is “your” in the message? What is implied about “your”? Support student inferences that it’s aimed at someone who is renting their home and who has the money for a “small down payment.”

Can you tell who is responsible for the message? Call attention to the shield shape saying “FHA: Insured Mortgage System.” Ask students if they can infer what that might mean. Also note the tiny print at bottom center that says “U.S. Government Printing Office.” How does that add to their understanding? What do the colors, the use of a shield motif, and the stripes and stars convey?

The image contains a “call to action” in the bottom red bar. What is the viewer being asked to do? The sign urges viewers to talk to “any participating financial institution.” What does that mean?

Why would people be encouraged to talk to an “architect, builder, or material dealer”? What does that imply about the kind of home the ad is encouraging? Draw out the idea that architects, builders, and material dealers are mostly needed for new home construction not existing homes.

Look at the kinds of homes in the image. How would you describe these houses? Students may notice that they are freestanding, single-family homes with trees and yards in a contemporary style of the 1940s and 1950s.

What else makes you wonder about this message? How could we find out more?

3. Discuss • 20 minutes

Identify the image using the [collections information](#) from the keeper of this document, the Minnesota Streetcar Museum.

Title:

Federal Housing Administration car card, Minneapolis and St. Paul, Minnesota

Description:

Streetcar interior advertisement for Federal Housing Administration home financing

The information describes the sign as a “car card,” or advertisement placed in a streetcar for riders to see. For context, show students the image with cardboard advertising cards displayed near the ceiling. Ask students what they know about streetcars.

SUPPORTING QUESTION 1 | THE BUILDING BOOM



A Minneapolis, Minnesota streetcar photographed in 1939. Courtesy of the Library of Congress, Photography by John Vachon

Fill in with the following information as needed. From 1890 to 1920, most cities built extensive streetcar networks that transported people between locations at the heart of the city and its outlying neighborhoods. For the first half of the 20th century, streetcars were the main mode of transit in American cities and larger towns. Vast numbers of people of all ages, races, and classes used them to go to work, go shopping, go out for entertainment and return home. Beginning in the 1950s, streetcar lines were increasingly dismantled in favor of buses and autos.

Ask students: Knowing now that this ad was displayed in streetcars, what else can you infer about the people this ad was targeting? Encourage student inferences, affirming that it was probably aimed specifically at city dwellers who lived close enough to city centers to travel by streetcar. Also, the ad seems to be encouraging city renters not only to buy a home but also to move to a different kind of housing. Do students note anything else?

Share the following background information about the image. It was created as part of a widespread campaign to promote home-ownership rates and to encourage Americans to move into newly constructed houses and neighborhoods. But could everyone take advantage of this offer? What would people need aside from a “small down payment”?

Prepare students to read an article that will discuss mortgages and home loans. Since students are likely not familiar with them, take time to review the concept before reading. You may wish to watch a video. The first four minutes of the video [“Introduction to Mortgage Loans”](#) from Khan Academy is one suggested resource. Another is the first 1 minute 30 seconds of [“What are Mortgages?”](#)

3. Independent Student Work • 30–40 minutes

Assign *Unvarnished* Student Article 7: “Discrimination and the Suburban Boom” and *Unvarnished* Student Article 10: “The New Deal: Government-Sponsored Segregation.” Ask students to look for information as they read that answers their questions about who this ad was aimed at and why.

SUPPORTING QUESTION 1 | THE BUILDING BOOM

Distribute the **S-I-T NOTES WORKSHEET**. Ask each student to complete it after reading the article.

4. Debrief • 10–20 minutes

Review the reading and **S-I-T NOTES WORKSHEET**, checking for comprehension and addressing new questions. See page 46 in this inquiry for the Educator’s Quick Facts page that can help you guide the discussion and responses. Some discussion prompts, along with suggested responses to explore are:

Why did the Home Owners’ Loan Corporation (HOLC) and Federal Housing Authority (FHA) want to invest in homeownership? These programs began during the Great Depression to address challenges of default and credit in the housing market. The FHA went on to play a substantial role in 20th century U.S. housing policy.

Why did these organizations want to assess the possible risk of lending? The money used to guarantee the mortgages came from public funds. Authorities wanted to ensure that public money was not exposed to large-scale loss, potentially causing economic collapse.

What tools did the FHA use to guide banks in making federally insured housing loans? Refer students to HOLC maps, appraisal documents, and FHA underwriting manuals.

Discuss the students’ responses to the **S-I-T NOTES WORKSHEET**. Use their questions and responses to introduce the idea that there were many ways in which communities were divided. Some resulted from government policies, such as zoning and federal programs. Some resulted from financial or real estate practices. And some came down to person-to-person interactions. As we continue exploring the compelling question proposed in *Teaching Unvarnished* **INQUIRY THREE**, we will look at all of these factors.



Name: _____

Date: _____

What is
SURPRISING
about this topic?

What is
INTERESTING
about this topic?

What is
TROUBLING
about this topic?

SUPPORTING QUESTION 1 | WHAT WAS REDLINING, AND WHAT ARE ITS EFFECTS?

LESSON 2

HOW THE LINES WERE DRAWN

Overview

Students analyze a sample residential security map developed by the Home Owners' Loan Corporation, known as HOLC. They use the map legend and detailed observation to understand the division of urban space into zones of different value. Finally, they do a point-by-point comparison of primary documents to compare the two areas and discover the criteria used to declare credit worthiness.

Time: 2–3 Class Periods

Materials

- **INQUIRY THREE IMAGE DECK**
- HOLC residential security map for Aurora, Illinois
- Copies of the **READING A RESIDENTIAL SECURITY MAP WORKSHEET** for each student group
- Copies of *Unvarnished* Student Article 10: “The New Deal: Government-Sponsored Segregation” and *Unvarnished* Student Article 11: “Living and Losing in the City”
- Projector and Internet connection, if projecting the HOLC map
- Magnifiers or magnifying glasses

Instructions

1. Introduce • 20 minutes

Working as a whole class, preview the HOLC map for Aurora, Illinois, in the **INQUIRY THREE IMAGE DECK**. An interactive map is also available online at [Mapping Inequality](#). If possible, use a projector to show the full map. The responsive features of the interactive online map allow the class to zoom in on details.

Review the purpose of the HOLC maps. During the Great Depression HOLC refinanced more than one million loans to Americans at risk of defaulting on their mortgages. Within the HOLC a group emerged that was concerned about that vast amount of debt that the government took on as part of this program. They became determined to establish the risk associated with mortgage lending by studying neighborhood characteristics. HOLC sent out real estate financiers and **appraisers** to walk the streets and write notes about every block. Appraisers were supposed to use the age of the buildings, the quality and size of the buildings, and who the people were that lived in a neighborhood. There were more than 200 cities mapped by HOLC. During that process, they gave ratings to more than 7,000 neighborhoods.

During the preview, identify key parts of the map: legend, scale, and color system.

SUPPORTING QUESTION 1 | WHAT WAS REDLINING, AND WHAT ARE ITS EFFECTS?

2. Independent Student Work • 1–2 class periods

Assign students to small groups of two to four. Distribute the **READING A HOLC RESIDENTIAL SECURITY MAP WORKSHEET** to each group. The worksheet guides students step by step in the process of understanding the map.

3. Debrief • 20 minutes

Review the document analysis exercise with students. Some questions to explore are:

What biases can you see in the design of these documents? In the comments of the appraiser?

Who might be the intended audience for the maps? Would they be used by homeowners? Renters? Lenders/Bankers? Developers? Urban planners? Government agencies?

How do you think these maps would influence decisions about where to build, develop, lend, or invest?

What does “restricted” mean in Area Description A2?

Was this a fair way to make decisions about housing for people?

4. Extend

If appropriate for your students, read [How Redlining’s Racist Effects Lasted for Decades](#). Why is redlining called a “self-fulfilling prophecy?”

Have students use [Mapping Inequality](#) to find out whether their city, or another city in their state, was appraised on a HOLC map.

Invite students to read and explore the *1938 FHA Underwriting Manual*, available from the website of the [Department of Housing and Urban Development](#). Look for the recommendation for restrictive covenants (1980) and the instructions to appraisers on how to use the valuation and location rating data to value a property and a neighborhood. Note where the instructions might have an unequal effect on populations (for example, “Racial Occupancy Designation,” 1850).

Use Google Maps and Google Street View to “visit” the Aurora, Illinois, HOLC map locations as they are today. Do the neighborhood descriptions of 1938 still apply? Ask the students to articulate what is similar and dissimilar. Do the images match student expectations after looking at the map?

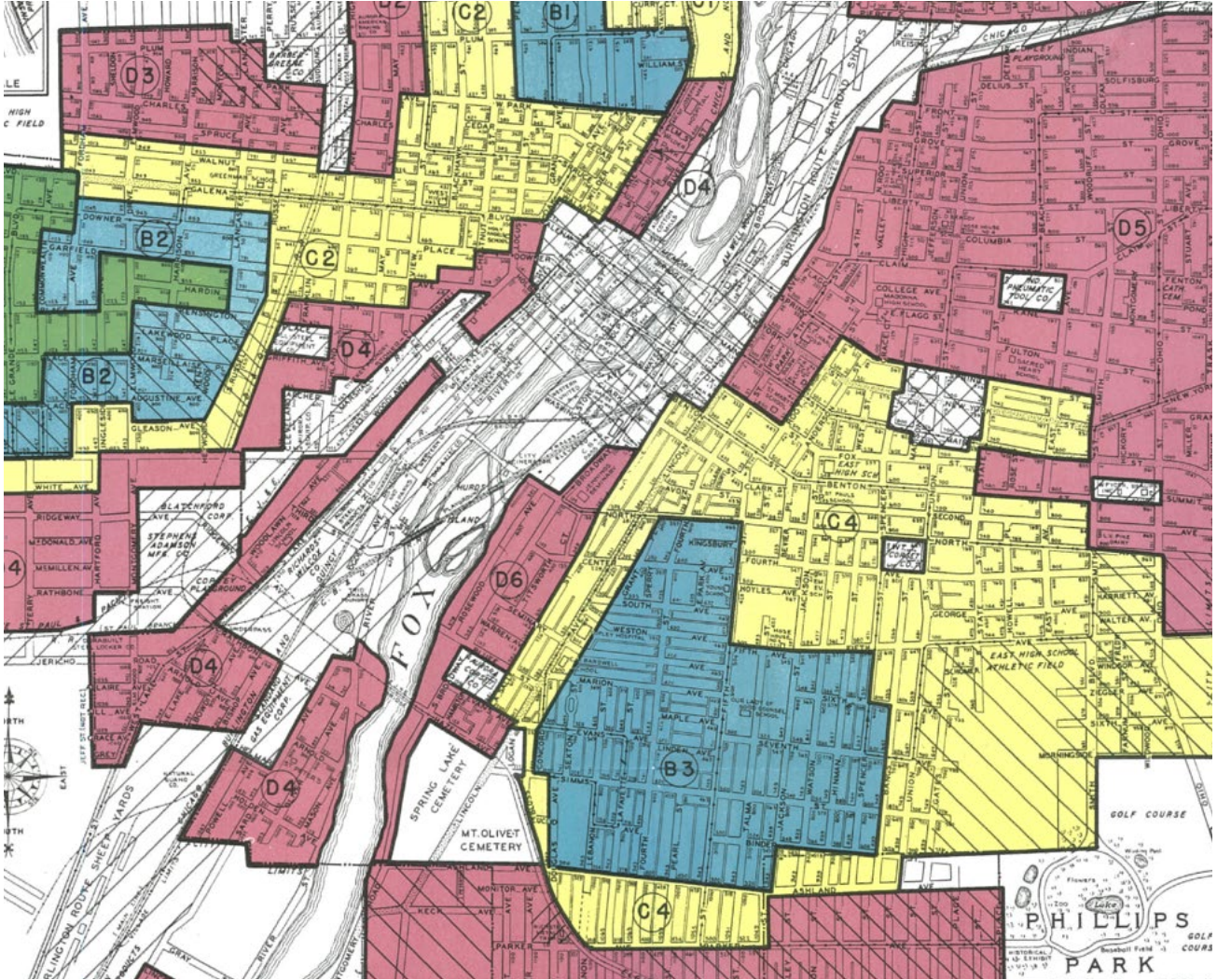
Explore the online exhibit [Undesign the Redline](#) or view the 18-minute animated video [Segregated by Design](#).



Name: _____

Date: _____

Below is a detail from the HOLC residential security map for Aurora, Illinois.



Portion of a Residential Security Map of Aurora, Illinois, 1938.
Courtesy of the National Archives and Mapping Inequality



Name: _____

Date: _____

Questioning the Source

Survey the map together and brainstorm a list of questions about it. What do you need to know to understand this map and how it was used?

1

2

3

4

5



Name: _____



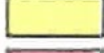




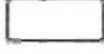
Date: _____

Look at the map legend, located in the bottom right segment of the full map.

What do you think this means?

RESIDENTIAL SECURITY MAP

LEGEND

-  ...A FIRST GRADE
-  ...B SECOND GRADE
-  ...C THIRD GRADE
-  ...D FOURTH GRADE
-  ...SPARSELY BUILT UP
(COLOR INDICATES GRADE)
-  ...INDUSTRIAL
-  ...COMMERCIAL (IMPORTANT RETAIL AND WHOLESALE AREAS)
-  ...UNDEVELOPED OR FARMLAND
(NO PROBABLE CHANGE WITHIN 5 YEARS)

PREPARED BY
 DIVISION OF RESEARCH AND STATISTICS
 WITH THE CO-OPERATION OF THE
 APPRAISAL DEPARTMENT
 HOME OWNERS' LOAN CORPORATION
 JUNE 27, 1938

Portion of a Residential Security Map of Aurora, Illinois, 1938.
Courtesy of the National Archives and Mapping Inequality

Let's look at the map itself to see if we can find some inferences.

1

2

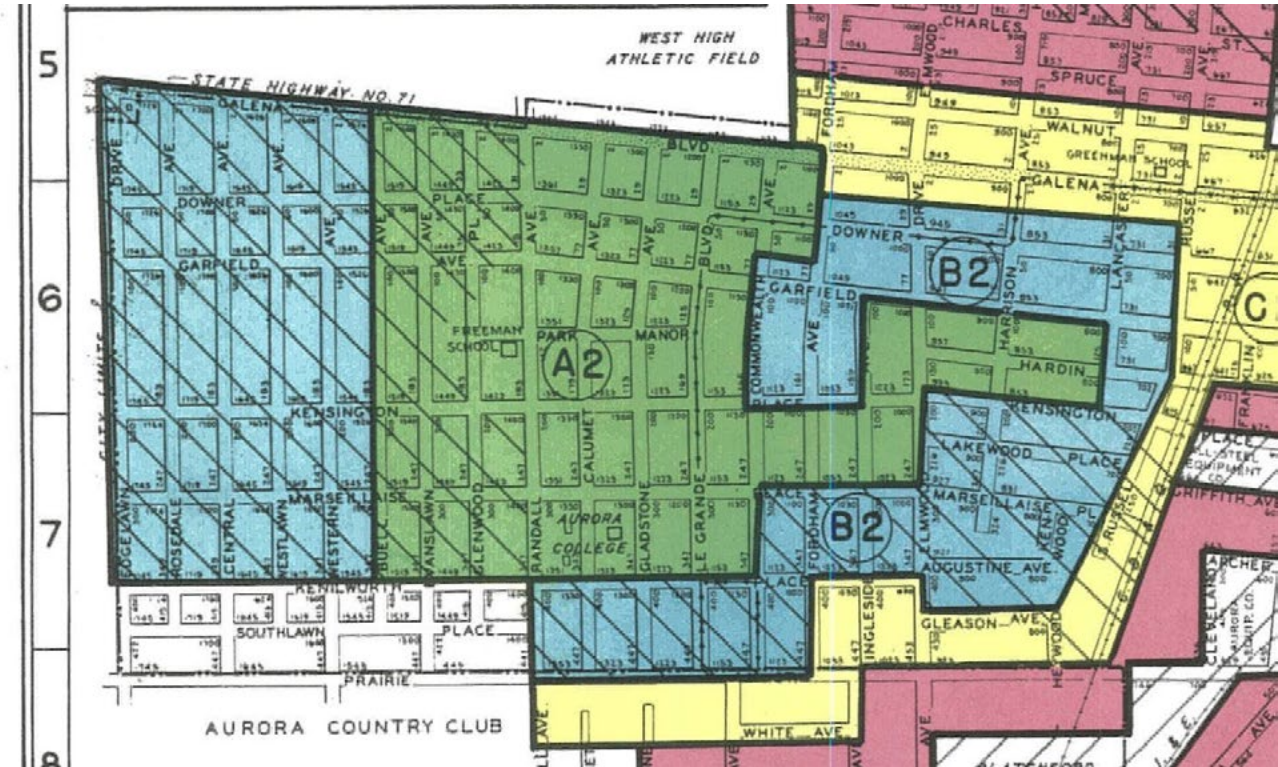
3



Name: _____

Date: _____

Here's a detail of one of the green sections of the map, section A2.



Portion of a Residential Security Map of Aurora, Illinois, 1938.
Courtesy of the National Archives and Mapping Inequality

Look at the layout of the streets and at the edges of the green section. What do you notice about the street layout? What do you see in and near this section?

1

2

3



Name: _____ Date: _____

What is in the small white box surrounded by red? Look at the white section to the left. What is in this area?

Look back at the legend to figure out what type of area is shown in white. List other examples here:

1

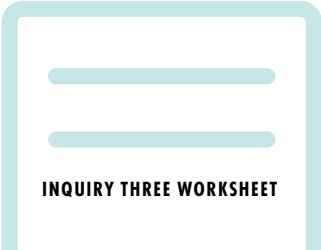
3

2

4

Look at the borders of the white spaces on the map. What colors are the sections next to white sections? Are there any sections that do not border a white section? What colors are those?

Comparing the sections and what is nearby may give you some hints about what the grades indicate. Going solely on what you've noticed in the map, where do you think appraisers, real estate developers, and loan officers would think are the best sections of this city to live in?





Name: _____

Date: _____

The HOLC Neighborhood Grading System

Between 1935 and 1940, HOLC sent workers called appraisers to map all American cities with a population of at least 40,000. HOLC appraisers reviewed the sections block by block and filled out reports called "Area Descriptions." These descriptions were then used to apply ratings to each area based on this scale:

A (FIRST GRADE): Upper- or upper-middle-class White neighborhoods that HOLC defined as posing "minimal risk" for mortgage lenders. These areas were "ethnically homogeneous" and still had room for new buildings. Loans for these areas were easily granted and had lower interest rates.

B (SECOND GRADE): Residents were generally nearly or completely White and U.S.-born. These neighborhoods had some room for more development. HOLC defined these as "still desirable" and sound investments for mortgage lenders.

C (THIRD GRADE): Areas with more working-class and/or immigrants from southern or eastern Europe. These areas often were made up of older buildings that lacked utilities such as hot running water and sewers. HOLC labeled these areas "declining" and considered it a risk to make loans there.

D (FOURTH GRADE): Areas received this grade because they were "infiltrated" with Jewish, Asian, Mexican, and Black families. HOLC considered these people "undesirable populations" that could bring down the value of homes. These areas were more likely to be close to industrial areas and to have older houses. HOLC declared them "hazardous." The FHA did not support lending for single-family homes in these areas. Real estate developers were able to get loans to construct multi-unit rental properties.

How did the valuers arrive at these grades? Let's look closely at some related primary sources, namely the Area Descriptions for each neighborhood.



Name: _____

Date: _____

Area Description - Security Map of Aurora, Illinois, Section A2

NS FORM B
10-1-37

AREA DESCRIPTION - SECURITY MAP OF Aurora, Ill.

1. AREA CHARACTERISTICS:

a. Description of Terrain. Level

b. Favorable Influences. All utilities. Good schools and adequate transportation. Very well maintained, beautiful trees and lawns. Aurora College and Freeman School in area.

c. Detrimental Influences. None except state highway #71 on north. Factory and railroad to east.

d. Percentage of land improved 50 %; e. Trend of desirability next 10-15 yrs. Up

2. INHABITANTS: Business & professional.

a. Occupation High class factory workers; b. Estimated annual family income \$3000-8000

c. Foreign-born families None %; None predominating; d. Negro - %; %

e. Infiltration of None; f. Relief families None, very few, if any

g. Population is increasing Yes; decreasing _____; static _____

3. BUILDINGS:

	PREDOMINATING	100%	OTHER TYPE	OTHER TYPE
a. Type	<u>Singles 5-8 rms</u>			
b. Construction	<u>Frame</u>			
c. Average Age	<u>20</u> Years			
d. Repair	<u>Good</u>			
e. Occupancy	<u>100</u> %			
f. Home ownership	<u>90</u> %			
g. Constructed past yr.	<u>9 \$7000-12,000</u>			
h. 1929 Price range	<u>\$ 6500-14,000</u>	<u>100%</u>	<u>\$</u>	<u>100%</u>
i. 1937 Price range	<u>\$ 4500- 8,400</u>	<u>70-80%</u>	<u>\$</u>	<u>%</u>
j. 1938 Price range	<u>\$ 4000- 8,400</u>	<u>70-80%</u>	<u>\$</u>	<u>%</u>
k. Sales demand	<u>\$ 9000</u>		<u>\$</u>	
l. Activity	<u>Good</u>			
m. 1929 Rent range	<u>\$ 60 - 125</u>	<u>100%</u>	<u>\$</u>	<u>100%</u>
n. 1937 Rent range	<u>\$ 40 - 80</u>	<u>65%</u>	<u>\$</u>	<u>%</u>
o. 1938 Rent range	<u>\$ 40 - 80</u>	<u>65%</u>	<u>\$</u>	<u>%</u>
p. Rental demand	<u>\$ 40 - 65</u>		<u>\$</u>	
q. Activity	<u>Good</u>			

4. AVAILABILITY OF MORTGAGE FUNDS: a. Home purchase Ample; b. Home building Ample

5. CLARIFYING REMARKS: Two new subdivisions to west have building restrictions and the area herein described is also restricted, although there are some garage bungalows or cottages on rear of a few lots, built 10-15 years ago - all zoned for residences. Very stable population. Trend of growth is in this direction. East of Commonwealth are many stone and brick residences with a 35 foot building line restriction. A very uniform and stable neighborhood.

6. NAME AND LOCATION Aurora, Ill. SECURITY GRADE A AREA NO. 2

Area Description, Section A2, Aurora, Illinois, 1937. Courtesy of the National Archives and Mapping Inequality



Name: _____

Date: _____

Area Description - Security Map of Aurora, Illinois, Section D5

NS FORM 8
10-1-37

AREA DESCRIPTION - SECURITY MAP OF Aurora, Ill

1. AREA CHARACTERISTICS:

a. Description of Terrain. Level to rolling

b. Favorable Influences. Has all public utilities. Fair bus transportation. Good schools, including Madonna High (for girls)

c. Detrimental Influences. Nothing particular with the exception of industry to west.

d. Percentage of land improved 90 %; e. Trend of desirability next 10-15 yrs. Static

2. INHABITANTS:

a. Occupation Mechanics & laborers; b. Estimated annual family income \$ 800-1500

c. Foreign-born families 10 %; Mixed predominating; d. Negro Yes; 2 %

e. Infiltration of Foreigners; f. Relief families if any

g. Population is increasing Yes; decreasing _____; static _____

3. BUILDINGS:

	PREDOMINATING	100 %	OTHER TYPE	_____ %	OTHER TYPE	_____ %
a. Type	<u>Singles</u>					
b. Construction	<u>Frame</u>					
c. Average Age	<u>25-40</u> Years		_____ Years		_____ Years	
d. Repair	<u>Fair to poor</u>					
e. Occupancy	<u>90</u> %		_____ %		_____ %	
f. Home ownership	<u>75</u> %		_____ %		_____ %	
g. Constructed past yr.	<u>Few if any</u>					
h. 1929 Price range	\$ <u>2800-5500</u>	<u>100</u> %	\$ _____	<u>100</u> %	\$ _____	<u>100</u> %
i. 1937 Price range	\$ <u>2500-4500</u>	<u>82-80</u> %	\$ _____	_____ %	\$ _____	_____ %
j. 1938 Price range	\$ <u>2500-4500</u>	<u>82-80</u> %	\$ _____	_____ %	\$ _____	_____ %
k. Sales demand	\$ <u>3000</u>		\$ _____		\$ _____	
l. Activity	<u>Fair</u>					
m. 1929 Rent range	\$ <u>75 - 35</u>	<u>100</u> %	\$ _____	<u>100</u> %	\$ _____	<u>100</u> %
n. 1937 Rent range	\$ <u>13 - 25</u>	<u>70</u> %	\$ _____	_____ %	\$ _____	_____ %
o. 1938 Rent range	\$ <u>18 - 25</u>	<u>70</u> %	\$ _____	_____ %	\$ _____	_____ %
p. Rental demand	\$ <u>30</u>		\$ _____		\$ _____	
q. Activity	<u>Fair</u>					

4. AVAILABILITY OF MORTGAGE FUNDS: a. Home purchase Limited; b. Home building Limited

5. CLARIFYING REMARKS: Colored people around Kane, Fulton, Pond Ave. and Trank St., also on North along R.R. Streets are mostly paved. A low priced area. One of the older districts of Aurora with many American-born foreigners of mixed nationalities. A low income community, but percentage of home ownership high. Obsolescence heavy. Well treed.

6. NAME AND LOCATION Aurora, Ill. SECURITY GRADE D AREA NO. 5

There are no slum sections in Aurora.

Area Description, Section D5, Aurora, Illinois, 1937. Courtesy of the National Archives and Mapping Inequality



Name: _____

Date: _____

Use the primary documents to find and compare the key data on this table.

Section	Area A2	Area D5
Favorable Characteristics		
Detrimental Influences		
Trend of Desirability		
Inhabitant Occupations		
Family Identities		
Infiltration		
Housing Type		
Housing Age		
Housing Repair		
Rate of Homeownership		
Availability of Mortgage Funds		
Clarifying Remarks		
Security Grade		



Name: _____

Date: _____

Which neighborhood is being recommended as a good investment? What are the appraiser's reasons?

What are some reasons that the desirability of Area D5 is predicted to be "static"?

The term "redlining" has been used to describe the lending pattern created by these maps. Where do you think the term "redlining" originates? The term has been used to describe the effect created by these maps. What is likely to happen to a redlined neighborhood such as area D5?

SUPPORTING QUESTION 2 | HOW WERE PROPERTY DEEDS USED TO DISCRIMINATE?

LESSON 3

EXCLUSIVE DEEDS

Overview

Properties are documented using the system of deeds to legally record transfers of ownership. These deeds were sometimes used to encode racial and ethnic discrimination to prevent people of certain identities from purchasing homes. In this lesson, students read about the use of deeds and complete a worksheet to learn the parts of a deed.

Time: 1–2 class periods

Materials

- Copies of *Unvarnished* Student Article 6: “Racially Restrictive Covenants” for each student
- Copies of the **DECODE A DEED WORKSHEET** for each student or group
- Projector and Internet connection
- *Unvarnished* Explainer video

Instructions

1. Introduce • 10 minutes

How do we know who is the owner of a property? In the United States, we use a system of **property deeds**. These are written and signed legal documents that show the transfer of a property from a buyer to a seller. Whenever someone buys a piece of property, they file a new addition to the deed, which is recorded in county and/or state records. Many property deeds go back hundreds of years.

Deeds often contain **covenants**, which are formal agreements about how the property can and can't be used. Often, they limit how a house can be used, whether more buildings can be added, or what the house looks like from the street (such as what color a house can be painted or the type of windows that can be installed). Covenants are a way to assure neighbors, buyers, and lenders that the value of their homes will not decline.

Deed covenants have also been used to exclude people from purchasing certain properties. Even when a person could afford to buy a house, they were sometimes prevented from completing the purchase by **restrictive covenants**—agreements that restrict who can purchase or live at that property.



SUPPORTING QUESTION 2 | HOW WERE PROPERTY DEEDS USED TO DISCRIMINATE?

2. Independent Student Work • 30 minutes

Assign students to read *Unvarnished* Student Article 6: “Racially Restrictive Covenants.” When students have finished the reading, distribute the **DECODE A DEED WORKSHEET** and allow time for students to complete it.

Students may do the exercise individually, as a class, or in small groups, as appropriate to facilitate the reading of the legal language.

3. Debrief • 10 minutes

The mock deed includes a covenant. Ask students the following questions: What was the covenant about? What did it require and why? Students should recall that it was about land conservation and required homeowners to preserve a wetland area on their property. It’s one example of a legal covenant that might exist on property today.

However, as they’ve read, there were other covenants used in the past to exclude certain people. In Lesson 4, they will discover restrictive deed language and reinvent it for the future.





Name: _____

Date: _____

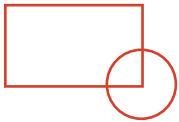
Can you read a deed?

A deed is a written document that records ownership and responsibility for a property when it transfers between a seller and a buyer. Deeds are required by states to document the sale of a home or land. Deeds must contain certain parts to be legally recognized.

See if you can read this deed!

Deeds use traditional legal language and can be hard for anyone to read.

Look for each of the parts listed below, and mark them on the deed as instructed.



Grantor and Grantee Names and addresses.

The Grantor is the person selling the property. The Grantee is the buyer. **CIRCLE** the names of the Grantors. Put a **RECTANGLE** around the name of the Grantee.



Description of the property.

This is a legal description of exact property boundaries. Put a **SQUIGGLY LINE** under the property description.



Words of conveyance.

These words officially transfer ownership to the Grantee. Put **STARS** at both ends of the words of conveyance.



Consideration clause.

Says what the Grantor received in exchange for the property. This is usually money, and the amount must be listed. Find where the deed says how much money the Grantee paid, and put a **CHECK MARK** over it.



Covenants.

These are promises requiring the owner to do or not do certain things with the property. Find a covenant in this deed. Put a box around that section. What does this covenant require? **NOTE IT BELOW.**



Warranty Deed

KNOW ALL PERSONS BY THESE PRESENTS, that Aaron Johnson and Lilian Johnson, of the Town of Fakeville, in the County of Lincoln and State of Illinois, GRANTORS, in consideration of \$150,000 paid to our full satisfaction by Maria Brown, GRANTEE,

by these presents do hereby give, grant, sell, convey, and confirm unto GRANTEE, and its successors and assigns forever, a certain piece of land in the Town of Fakeville, in the County of Lincoln, and State of Illinois, described as follows:

It being all and the whole of the property at 142 Bluebird Lane, extending from the northwest corner of Bluebird Lane and Main Street and extending 60 feet West and 60 feet South to the edge of Little Creek, and recorded as Plot 72 in Book 37, Page 296 of the Town of Fakeville Land Records, together with one (1) dwelling house and (1) garage outbuilding,

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, and to the said GRANTEE, its successors and assigns, to its own use and behoof forever; and we, the said GRANTORS, for ourselves and our heirs, executors and administrators, do covenant with the said GRANTEE, and its successors and assigns, that we are the sole owners of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; and we hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever.

COVENANT OF CONSERVATION RESTRICTION AREA

WHEREAS, wetland transition areas are integral portions of a freshwater wetlands ecosystem and the GRANTOR has entered into a Conservation Restriction/Easement on the Property to restrict subsequent development of the Restricted Area; NOW THEREFORE, the GRANTOR hereby conveys, transfers, assigns and grants to the GRANTEE a Conservation Restriction/Easement with respect to the Southern border of the property along Little Creek. This Restricted Area shall be preserved in its natural state and any/all activities that inhibit the natural succession of vegetation are prohibited.

IN WITNESS WHEREOF, we hereunto set our hands and seals this 14th day of September 2018.

_____ Aaron Johnson

_____ Lilian Johnson

_____ Maria Brown

_____ Notary



SUPPORTING QUESTION 2 | HOW WERE PROPERTY DEEDS USED TO DISCRIMINATE?

LESSON 4

COVENANT FOR THE FUTURE

Overview

Students read examples of restrictive deed language and identify words and phrases used to exclude. They write a new covenant expressing an intent to be inclusive in future land transfers.

Time: 1 class period

Materials

- Copies of the **COVENANTS FOR THE FUTURE WORKSHEET** for each student or group
- **INQUIRY THREE IMAGE DECK**
- Projector and Internet connection



Instructions

1. Introduce • 5 minutes

Now that students have read a deed, they know that the language can be difficult to understand. Homeowners today are sometimes surprised to find that people in the past used deeds to restrict who could buy their houses. In this lesson, students will discover what some of those restrictive covenants stated and will have an opportunity to rewrite deed language for a more inclusive and fair future.

Give students a content warning, as this exercise includes archaic language about racial identification. If your students will need additional preparation to engage with the content, allow time for that.

2. Facilitate • 15 minutes

Distribute the **COVENANTS FOR THE FUTURE WORKSHEET**. Project the **COVENANT FOR THE FUTURE SLIDES** from **INQUIRY THREE** on a screen that everyone can see. Have students read along with each example as you show it on the screen.

Each of these examples comes from a real property deed. Ask students to scan each covenant and ask them to identify racially restrictive language. Have them underline those key words on their sheets as you locate them together. Find and circle exceptions for domestic servants.

For each example, one slide presents the language from the example as plain text. The second slide reveals the racially restrictive language.

SUPPORTING QUESTION 2 | HOW WERE PROPERTY DEEDS USED TO DISCRIMINATE?

3. Independent Student Work • 10–15 minutes

Assign students to complete the **COVENANT FOR THE FUTURE WORKSHEET**. Guide them in developing language that affirms inclusion and open access to housing.

3. Debrief • 20 minutes

Ask what it was like to read the language in the restrictive deed covenants. Allow some time to process the feelings and thoughts that arise. Emphasize that the language is recognized as discriminatory. Some of the terms are also archaic and reflect ideas that we now recognize as offensive and/or understand to be unacceptable.

Use a thumbs up/thumbs down poll to ask students whether they think restrictive covenants such as these are still allowed.

After tabulating the vote, tell students that racially restrictive covenants are no longer legal. They were struck down in two stages. The first was the U.S. Supreme Court decision *Shelley v. Kraemer* (1948). Share the story below, using images from the **INQUIRY THREE IMAGE DECK** to show a photograph of the Shelley home. You might also show the short video from iCivics, [The Shelleys and the Right to Fair Housing](#). As always, preview online content for appropriateness before sharing with your class.

The J. D. Shelley family left Mississippi in 1930 to get away from racial violence. They moved to St. Louis, Missouri. After years of renting, in 1945 they purchased a house at 4600 Labadie Street. The Shelleys and their realtor were both unaware that the property deed included a 1911 covenant prohibiting its sale to anyone of the “Negro or Mongolian race” for 50 years, which would not expire until 1961.

The Louis D. Kraemer family, neighbors who lived down the street, wanted to enforce the restrictive covenant. They joined other local White families to sue the Shelleys, in hopes of declaring their purchase void. The Shelleys won in local court, but the Kraemers appealed, and the Shelleys lost in the Missouri Supreme Court.

Collaborating with the National Association for the Advancement of Colored People (NAACP), the Shelleys appealed to the U.S. Supreme Court. They argued that the **14th Amendment to the Constitution** guaranteed them the equal protection of the law. In a unanimous decision, the U.S. Supreme Court held that racially restrictive covenants do not themselves violate the 14th Amendment, because they are private contracts and don’t involve the government. But the U.S. Supreme Court declared that people could not use the courts or police to enforce racially restrictive covenants, as that would cause the government to violate the Equal Protection Clause. Racial covenants were not made illegal and remained on the books, but no longer could people bring lawsuits to those who ignored them.

This was a partial victory against racial covenants. They continued to be used across the U.S., but there was no means of enforcing them through the courts.

SUPPORTING QUESTION 2 | HOW WERE PROPERTY DEEDS USED TO DISCRIMINATE?

It was not until the Fair Housing Act of 1968 that racially restrictive covenants were declared illegal, with language preventing “discrimination of sale, rental, and financing of dwellings and other housing-related transactions, based on race, color, national origin, or religion.”

Use another thumbs up/thumbs down response to ask students whether they think they could still find racial covenants on deeds today. Let them know that this language does survive on many property deeds. Can they think of some reasons why, even though these covenants are now illegal, they remain on some property deeds to this day? Reasons include: the long lives of these documents, which are permanent and cumulative public records; the rarity of needing to update them (usually only when a home changes hands); the time and legal expense that has usually been required to make changes; and property owners being unaware that their deeds contain this language.

In recent years, a “deed scrubbing” movement has emerged to remove this language. Since 2018, at least 13 states have created legislation allowing property owners to remove racially restrictive covenants more easily from their deeds. Is your state one of them?

4. Extend

Research the status of your state regarding deed-scrubbing legislation. Has it already passed? Is there a bill pending? Are any elected officials working on it? Students might write letters to local officials to ask about introducing this legislation or do a study of states where it has passed or where it hasn't. Look through the resources about removing racial covenants at [JustDeeds](#).

If students' families are homeowners, they may be interested in looking at the deeds to their own homes.



Name: _____

Date: _____

Covenants from the Past

Below are examples of restrictive covenants from 20th-century property deeds. Working with your group, identify the restrictive language and any exceptions.



Sign advertising the Country Club District in Kansas City, Missouri, 1912. This development was built with racial restrictions preventing Black Americans from owning homes.

Courtesy of the State Historical Society of Missouri

Example 1

St. Louis No. 4 Hills, St. Louis, Missouri

House built: 1942

Restriction placed: 1946

“No lot covered by this indenture, or any part thereof, shall ever be sold, resold, conveyed, granted, devised, leased or rented to or occupied by, or in any other way used by, any person or persons not of the Caucasian Race, nor shall any such excluded person live in any main building or subsidiary building or any such lot; provided, however, that this restriction shall not be applicable to domestic servants in the employ of the owner or occupant then living in such building. In the event of a breach of this restriction...the title of said lot shall immediately revert to the corporation and the Corporation may thereupon re-enter and take possession of the lot, with all the improvements thereon.”

Gordon, Colin. “Dividing the City: Race-Restrictive Covenants and the Architecture of Segregation in St. Louis, *Journal of Urban History* 49, no. 1(2023):160-182.

Example 2

El Cerrito, San Diego, California

House built: 1950–1951

“That neither said lots nor any portion thereof shall ever be lived upon or occupied by any person other than the Caucasian Race; provided, however that if persons not of the Caucasian Race be kept thereon by a Caucasian strictly in the capacity of servants or employees actually engaged in the service of such occupant.”

Example 3

Seattle, Washington

House built: 1930

“No part of said property hereby conveyed shall ever be used or occupied by any Hebrew or by any person of the Ethiopian, Malay or any Asiatic Race, and the party of the second part his heirs, personal representatives or assigns, shall never place any such person in the possession or occupancy of said property or any part thereof, nor permit the said property or any part thereof, ever to be used or occupied by any such person, excepting only employees in the domestic service on the premises of persons qualified hereunder as occupants and users and residing on the premises.”



Name: _____

Date: _____

Write a Covenant for the Future

Many homeowners are working to have these covenants removed from their home deeds. Let's take that one step further. Imagine you are a property lawyer who wants to make housing in your community more inclusive. Rewrite new covenant language below to ensure that the property can be sold fairly to any buyer in the future.

SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

LESSON 5

ZONING BASICS

Overview

Students learn about the history of land-use zoning, its endorsement by the federal government, and its intended purposes. They discover how zoning can disproportionately impact different communities. They will experiment with solving zoning problems in a fictional city. Finally, they compare a 1938 HOLC Map with a 2021 zoning map of the same city.

Time: 2 class periods

Materials

- **INQUIRY THREE SLIDES**
- Projector and Internet connection
- Copies of **ZONING BASICS WORKSHEET** for each student



Instructions

1. Introduce • 5 minutes

Begin by asking students two key questions: How do we decide what goes where? Should local governments be able to control where people live? These are the questions that underlie the practice of land-use zoning.

2. Present • 20 minutes

Share some background. Before the introduction of zoning, cities and towns developed haphazardly. Owners of land were relatively free to do whatever they wanted with it, which sometimes resulted in negative outcomes. People began to experiment with a solution called land-use zoning.

Under the 10th Amendment of the U.S. Constitution, states can give municipalities the power to regulate local matters concerning public health, general order, safety, and welfare—an ability termed “police power.” Since about 1900, one of the ways this power has been used is to manage how cities develop. At its most basic, zoning is a way of defining allowed uses in specific spaces. It can also define requirements for buildings and spaces within the designated zones.

At first, zoning sought to protect safety and prevent losses in home value by restricting certain smelly, noisy, or dangerous industries to certain areas. Ask students if they can think of examples of land uses that don’t go well together (for example, a meatpacking plant next to a drinking water reservoir, a rail yard next to a school).

SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

Ask students to imagine zoning use in any space. As a warmup, invite students to look at the classroom. What's an allowed use for the desks or tables? What is not an allowed use? Where in the classroom is a good place to put your coat and backpack? Where is it not? For example, if you drop backpacks in the aisles, what bad outcomes could happen? What should be required in a classroom? Windows for light and fresh air? Fire protection? Where should supplies be kept? Where shouldn't they be kept? Magnify these classroom concerns into ones that impact a large city. Protecting the public and creating a more desirable city to live and work are the goals written into zoning laws.

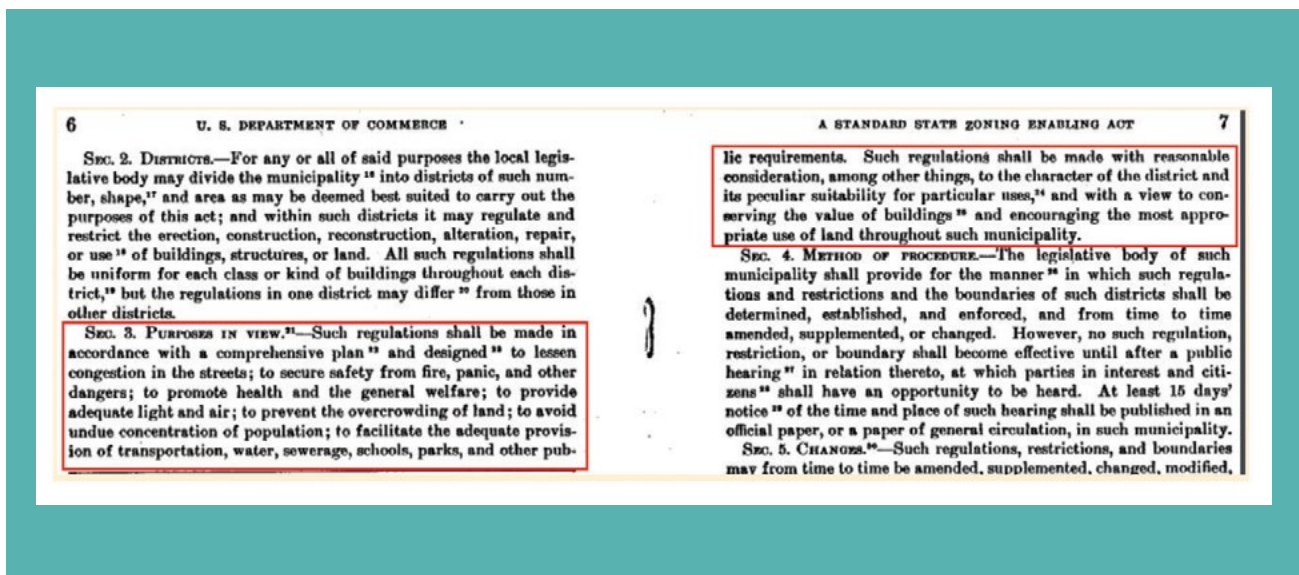
3. Independent Student Work • 30 minutes

Distribute the **ZONING BASICS WORKSHEET**. Have students view the 17-minute video [A Brief History of City Planning](#) and complete their responses based on information learned from the video. The video is very fast-paced, and students may want to go back to specific sections to review. Time codes are included with the questions they relate to.

You may want to facilitate this viewing instead of having students work independently. Work through one section at a time, pausing to check for understanding and add to the worksheet as you go.

4. Discuss • 20 minutes

Review some major events in the history of zoning. In 1917, the Supreme Court declared racially based zoning laws unconstitutional. In 1926, the Supreme Court declared in *Euclid v. Ambler Realty* that the practice of zoning for different land uses was constitutional. At the same time, the federal government issued legal guidance for establishing zoning practices in towns and cities under the Standard State Zoning Enabling Act (SSZEA). Show the excerpt below, included in the **INQUIRY THREE SLIDES**.



www.govinfo.gov

SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

Ask students to list the purposes endorsed in the federal act:

- Lessen congestion
- Secure safety from fire, panic, and other dangers
- Promote health and the general welfare
- Provide adequate light and air
- Prevent the overcrowding of land
- Avoid undue concentration of population
- Facilitate the adequate provision of transportation, water, waste management, schools, parks, and other public requirements

Ask students to note what the SSZEA says about how decisions shall be made “with reasonable consideration to”

- The character of the district
- Improving the value of buildings
- Encouraging the most appropriate use of land

5. Debrief • 10 minutes

Ask students whether they see any potential conflicts with the purposes of the considerations. For example, is improving building value consistent with maintaining the character of a district or providing for the general welfare? Deciding between these competing values is the work of zoning boards.

6. Extend

Today, most communities have an official zoning body. These can be known by different names in different states, such as Planning and Zoning Commission, Zoning Board of Appeals, Board of Adjustment, etc. With students, go to the website of your local municipality and look for zoning information. What is your official zoning body called? Look for a recent zoning-board agenda to see what is being discussed. Look for published zoning maps. If your town or city has a master plan, look at it together and talk about what you see. Do students agree that the proposed changes would be positive? What else would they recommend?



Name: _____

Date: _____

Zoning Vocabulary

View the video [A Brief History of City Planning](#). Match the words in the word bank to their definitions by writing them in the boxes to the left.

WORD BANK	Urbanization	Urban Planning
	Urban Reform	Gentrification
	Zoning	

	The growth of towns and cities due to the growth of populations in a relatively small area
	The process of making city living healthier and safer, such as building water and sewer systems and establishing basic requirements for housing
	A process focused on designing the use of land and the built environment to serve long-term goals
	The process of creating and enforcing rules and regulations that govern the uses of land within a designated area
	Changes in a neighborhood caused by an increase in affluent residents and more costly businesses that forces out people in lower income brackets.





Name: _____

Date: _____

Questions

What is the major reason people migrated to cities in the 19th century?

What are three of the reasons the narrator says “the city of the 1800s was not a nice place to be”? (2:30)

1

2

3

How did each of these new transportation technologies change cities? (4:55)

Streetcars	Automobiles

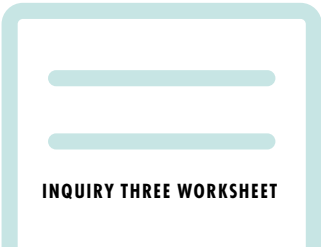
The move of more affluent White people to the suburbs meant more commuting. How did that impact urban populations? (7:30) (10:00)

After the 1960s, urban planning changed focus. What were three new priorities? (10:50)

1

2

3



SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

LESSON 5

ZONING BOARD

Overview

Students role-play members of a zoning board and make decisions about regulations and standards. They discover how zoning regulations can promote inclusion or exclusion in ways that correlate with race, ethnicity, and income.

Time: 2 class periods

Materials

- Projector and Internet connection
- Copies of *Unvarnished* Student Article 5: “Discriminatory Zoning” for each student
- “Discriminatory Zoning” Explainer Video
- **ZONING BOARD WORKSHEET** for each student

Instructions

1. Introduce • 5 minutes

Watch the five-minute video [An Introduction to Zoning](#).

2. Independent Student Work • 20 minutes

Have students read *Unvarnished* Student Article 5: “Discriminatory Zoning.”

3. Present • 20 minutes

By 1910, cities were experimenting with the use of zoning to control where populations could live. Between 1910 and 1917, Baltimore, Los Angeles, St. Louis, Oklahoma City, New Orleans, and many more cities passed race-based zoning ordinances (local laws), mostly preventing Black people from moving to majority-White neighborhoods.



SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

Share the following story with students.

In Louisville, Kentucky, in 1915, William Warley was a Black postal carrier, newspaper editor, and lawyer. He wrote about local race relations and believed in using community power to challenge racially based restrictions. After leading a successful boycott of a local theater that challenged its segregated entrances and seating, he looked for the next opportunity to expand equality and Black residents.

At the time, Black professionals in Louisville looking for better housing were beginning to move into neighborhoods that were once majority White. Some White residents resisted. In November 1913, a White newspaper printer proposed a new ordinance, arguing that the presence of Black people in mostly White neighborhoods could increase racial strife and cause home values to decline. Though this was unlikely because Black residents were already living in almost all areas of the city, concerned White people formed neighborhood associations and pushed for a segregation ordinance. In December, city officials passed a law stating that a person of one race could not move into a block where the majority of residents belonged to another race.

William Warley saw an opportunity to challenge that ordinance. Quickly forming a new chapter of the National Association for the Advancement of Colored People (NAACP), he and his allies prepared a test case by making an offer to buy a piece of property in a majority-White neighborhood. They cooperated with White realtor Charles Buchanan, who also opposed the segregation ordinance. They made a deal in which Warley made an offer to buy the house, documenting the specific conditions in a written agreement. These conditions were noted in the U.S. Supreme Court case, *Buchanan v. Warley* (1917):

It is understood that I am purchasing the above property for the purpose of having erected thereon a house which I propose to make my residence, and it is a distinct part of this agreement that I shall not be required to accept a deed to the above property or to pay for said property unless I have the right under the laws of the State of Kentucky and the City of Louisville to occupy said property as a residence.

The terms of the agreement made it clear that Warley would not have to pay for the house if it were illegal for him to live there. Buchanan then sued for breach of contract, creating a test that directly challenged the new law. The county court and state court of appeals ruled against Warley. He appealed to the U.S. Supreme Court, which found the use of zoning to exclude people based on race as unconstitutional. In the 1917 case *Buchanan v. Warley*, the court supported the city's right to use zoning ordinances in "promotion of the public health, safety, and welfare" but affirmed that the 14th Amendment guaranteed "to the colored race the enjoyment of all the civil rights...enjoyed by white persons."

But this didn't bring an end to the use of zoning to exclude people based on race. Nor did it stop cities and towns from using zoning to locate detrimental facilities farther from higher-income, mostly White neighborhoods and closer to those of immigrant, Black, Indigenous, or Hispanic residents.

SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

Ask students: Based on what they know, did the U.S. Supreme Court’s clear declaration that racially based zoning was now illegal result in integrated neighborhoods? Clearly, simply outlawing the use of zoning law to discriminate did not by itself create more integrated communities. Why not?

In this activity, we’ll explore how zoning can have discriminatory effects, even when race isn’t explicitly mentioned in the law.

4. Independent Student Work • 20–30 minutes

Divide students into groups of four. Each group will role-play as a local planning board that has the goal of developing an inclusive community that is welcoming to people of all backgrounds and walks of life. They are tasked with reviewing 12 proposed regulations that their city is considering. They must decide as a group whether to keep, change, or eliminate this regulation.

Distribute the **ZONING BOARD WORKSHEET**. Working as a group, students work through the 12 regulations and decide whether to keep, eliminate, or change them.

5. Debrief • 15 minutes

Review group decisions and discuss potential implications. Ask what they have noticed about the regulations on the books. They may have identified the following issues, all of which contribute to the situation known as exclusionary zoning.

RESTRICTIONS ON DENSITY (REG #1, 2, 3, 6, 8). It is very common for communities to limit the total population within city or town borders by creating regulations that reduce density. Requirements for lot size, minimum square footage, and maximum building height reduce the total number of housing units, limiting the number of homes available and often increasing the price of each home. Prohibitions against **Accessory Dwelling Units**, such as basement or garage apartments or tiny houses, do the same. Where single-family homes are the basic housing unit, there are fewer opportunities for higher-density living in apartments, townhouses, and multifamily homes. That works against co-housing, extended family living, and other more dense arrangements.

SEGREGATION OF USES (REG #1, 4, 5, 6, 7): Zoning often separates different uses into different zones. Designating a downtown as “commercial” or a factory area as “industrial” limits the total housing available and makes entire sections of the community uninhabitable. Distances between commercial, industrial, and residential areas require more transportation and longer commutes. Limiting the use of one’s home for business can prevent lower-income families and parents with young children who work from home from living there.

APPEARANCE REQUIREMENTS (REG #10): Sometimes, communities impose rules about how buildings must look. These rules can include historic district requirements, expectations for yard and sidewalk maintenance, and limits on fences, pools, playscapes, and other structures allowed in visible areas. In some cases, these requirements pose a significant financial burden.

SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

AGE RESTRICTIONS (REG #11): Communities are often required by law to provide affordable housing. Often, they meet this obligation by creating affordable housing for senior citizens only, rather than housing that includes families with young children or younger adults.

INCLUSIONARY ZONING (REG #8 AND 12) Only two regulations reflect ideas from the practice of inclusionary zoning (IZ). Also known as **smart growth** or **inclusive urbanism**, IZ is a planning movement that uses zoning to create cities that can include all income levels, household/family types, ages, and racial groups. Ask students about ideas they have that could further the goal of inclusionary zoning.

Exclusionary zoning has disproportionate effects on racial groups. Because there are disparities in income and accumulated wealth between racial groupings, people who have the funds to buy more expensive housing are disproportionately White. The effect is that many communities with exclusionary zoning regulations are majority White. In 1971, in *James v. Valtierra*, the U.S. Supreme Court ruled that most exclusionary housing practices were legal, because income was not a protected factor under the 14th Amendment. Exclusionary zoning continues to be common across the United States.

Remind students that not all zoning is bad and many regulations are necessary for safety. Offer additional examples of zoning that's helpful to communities, such as creating design guidelines for pathways, parks, and streets; improving pedestrian and bike safety with walkways, sidewalks, curb cuts, and dedicated lanes; and requiring building setbacks to allow more air, light, and open space to penetrate city streets.

6. Extend

Zoning boards have great power to determine how a town grows over time. Encourage students to visit a local zoning-board meeting and/or write a local government representative to weigh in on a zoning issue that matters to them.



Name: _____

Date: _____

As a group, choose a name for your city:

Congratulations!

You have just been asked to serve on the

(city name) Zoning Board.

Your group is tasked with revising and updating the old zoning regulations for your city. You all share the goal of creating an inclusive city with zoning regulations that support affordable housing and welcome people of all kinds.

The following regulations are part of your existing zoning code. Review and discuss each one in turn. **Decide if you will KEEP this regulation, ELIMINATE this regulation, or CHANGE the wording of the regulation to be more inclusive.** Try to reach full agreement on your group's recommendation for each regulation.

Remember, your goal is to be inclusive. For each regulation, ask yourselves: Is there a need in the community for this regulation? Does this ordinance promote residents' health, safety, or welfare? Who does this ordinance exclude? Whose interests does this ordinance serve?

Reg #	Regulation	Decision
1	New dwellings in residential zones must be constructed on lots no smaller than one acre per single-family home	
2	Accessory dwelling units (basement or garage apartments, cottages, or other second dwellings on the same property) are prohibited in residential zones	
3	Floor plans for new dwellings built in residential zones must enclose a minimum of 1,200 square feet of floor space	
4	Commercial Zone 1A (downtown) may contain only retail and service businesses that welcome the public	
5	No retail stores, child-care businesses, hair salons, or other home-based businesses may be operated in residential zones	
6	In Commercial Zone 1A (downtown), maximum building height shall not be greater than five stories, measured from roof cornice to street level.	
7	No new dwellings may be constructed within 250 yards of an industrial zone	
8	Dwellings in residential zones other than Mixed-Use Zone 1B may contain only one building designed for or containing one dwelling unit. Townhouses, duplexes, triplexes, and other multifamily dwellings are nonconforming uses and are not allowed.	
9	In Mixed-Use Zone 1B, 25% of the apartments in multi-unit buildings must be offered for sale or rent only to qualifying households with total earnings of 30% to 50% of local median income	
10	Dwellings in Historic Residential District 1C must be restored and maintained in a manner consistent with their appearance in the 1880s	
11	Residential zone 1D is set aside for age-restricted senior housing. Any development proposal for this zone must admit only qualified tenants of age 62 or older.	
12	Mixed-Use Zone 1B may contain commercial, light industrial, residential, and open space uses adjacent to one another, subject to environmental and safety reviews	

SUPPORTING QUESTION 3 | WHAT IS ZONING, AND HOW HAS IT BEEN USED TO EXCLUDE?

LESSON 7

YESTERDAY AND TODAY

Overview

Students explore how one city has evolved by comparing a 2021 zoning map with a 1938 HOLC map of the same area.

Time: 1 class period

Materials

- Projector and Internet connection
- Aurora, IL, Zoning Map Book 2021 via the [City of Aurora website](#)
- Aurora, IL, HOLC Map via [Mapping Inequality](#)
- Copies of **YESTERDAY AND TODAY WORKSHEET** for each student or group

Instructions

1. Introduce • 5 minutes

Invite students to compare city maps over time to see how places have evolved.

2. Independent Student Work • 30–40 minutes

Distribute the **YESTERDAY AND TODAY WORKSHEET**. This shows a section of the HOLC map for Aurora, Illinois, and roughly the same section from the city's 2021 zoning map.

Allow students time to examine both maps and make comparisons. The question guide asks them to compare the two maps and draw conclusions about how land uses have changed and how past decisions about a particular area can influence its development long into the future. Students are asked to make and support a claim.

3. Debrief

Discuss students' answers with special attention to the question of whether past views of the city correlate with how neighborhood development proceeds today.



Name: _____

Date: _____

Do things change?

Compare the two maps in this packet:

- 1938 HOLC Map
- 2021 Aurora, IL, Zoning Map Section AU-22.

1

Locate the **RED STAR** on both maps. Both of them mark the southern end of Stolps Island in the Fox River. Look at the lower west bank of the river. On the HOLC map, what color covers most of the river bank?

1a

Compare this to the AU-22 Zoning Map. What can you say about how the use of this neighborhood has changed?

2

Compare the upper-right quadrants of the two maps. Find the area between West Park Avenue and Plum Street on both maps. On the HOLC map, what grades were given to C1 and B2?

2b

What do those grades mean?

2c

On Zoning Map AU-22, what is the most common kind of housing in this area today?

3

On the HOLC map, find section D4 on the west bank of the river. Now find the same area on Map AU-22. What is there now?



Name: _____

Date: _____

3a

What questions do you have about the changes in area D4 between 1938 and 2021?
Write at least two questions here:

4

Judging by the number of multifamily dwellings, what are the most and least dense residential areas on AU-22 today?

5

Where would you expect to find the most expensive housing in Aurora today?

6

Study both maps a little longer. What other changes can you find?

7

In your opinion, is there a connection between the way communities such as Aurora were viewed in the 1930s and the way they are planned today? Respond yes or no, and give supporting reasons for your response.

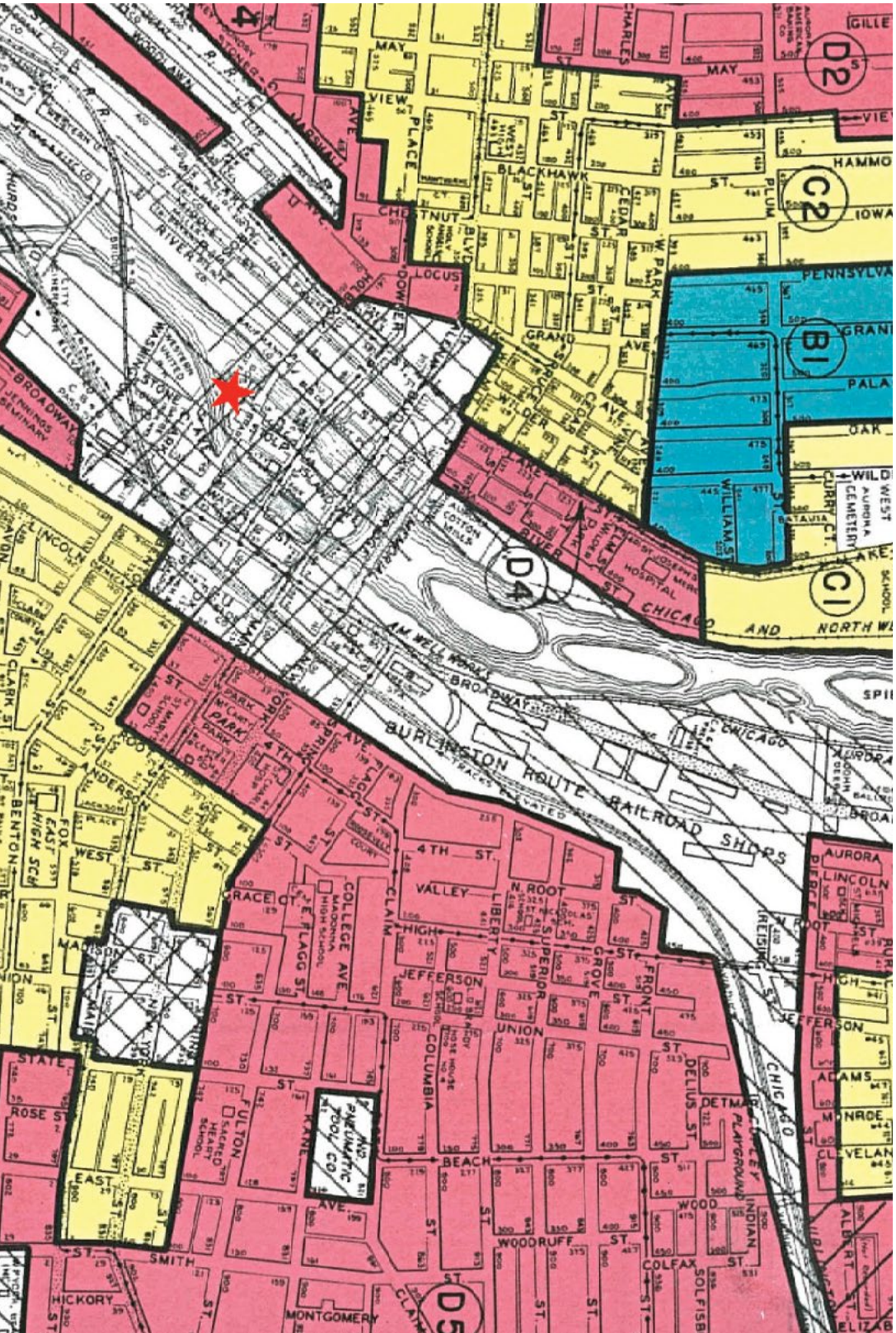
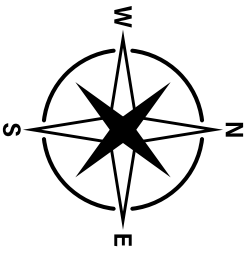


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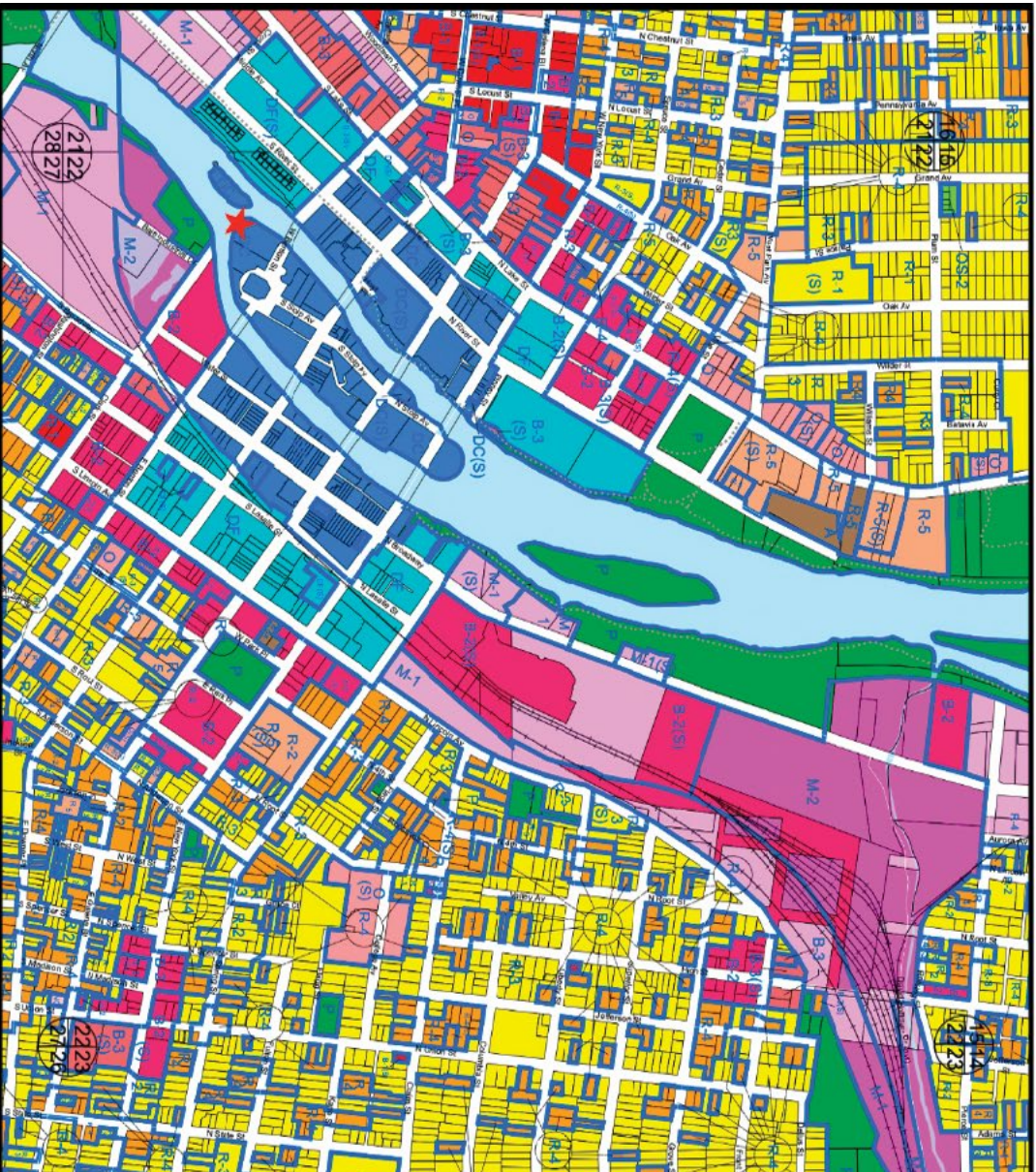
YESTERDAY AND TODAY

Name: _____

Date: _____



Section of a Residential Security Map of Aurora, Illinois, 1938.
Courtesy of the National Archives and Mapping Inequality.



AU-22

Symbol Zoning District

E	Estate Dwelling District
R1, R2, R3	One Family Dwelling District
R4, R5, R6	Two Family Dwelling District
R7	Multiple Family Dwelling District
R8	General Residence District
R9	Business District - Local Retail
R10	Business District - General Retail
R11	Business & Wholesale District
R12	Business Boulevard District
R13	Neighborhood Commercial
R14	Downtown Core
O	Office
O1	Office/Research/Light Industrial
R15	Research & Development District
M1	Manufacturing District - Limited
M2	Manufacturing District - General
M3	Planned Development District
P1	Park / Open Space
OS-1	Conservation, Open Space and Drains District
OS-2	Open Space and Recreation District
(S)	Special Use District
---	Zoning Boundaries
---	Railroads
---	Paths
---	Section Corners

[CLICK HERE TO RETURN TO INDEX PAGE](#)



Scale: 1" = 600'
 Prepared By:
 IT Division
 City of Aurora
 1/19/2021

Section: AU-22

Courtesy of the City of Aurora, Illinois, Information Technology Department

FOR EDUCATORS: QUICK FACTS

Home Owner's Loan Corporation

Created in 1933 as a government-sponsored corporation, the Home Owner's Loan Corporation (HOLC) sold bonds and used proceeds to buy mortgages from banks where borrowers were behind in payment. HOLC then refinanced these mortgages with a longer repayment time frame and at a lower interest rate. The goal was to prevent people from losing their homes at a time of tight credit. HOLC made over one million loans with 800,000 people successfully paying off their refinanced loans.

Residential Security Maps

From 1935 to 1940, the HOLC surveyed over 200 cities. Some in the HOLC were concerned about the debt the government acquired in refinancing loans and sought to calculate default risk. Neighborhoods were ranked from A/Green to D/Red. Race was a part of these calculations as was income and housing quality. Almost all neighborhoods with Black people had D ratings. These maps show how real estate interests thought about neighborhood risk and stability and represent the federal government's acceptance of housing segregation. The maps did not circulate beyond the HOLC, but the ideas represented were widely discussed. By the 1930s the connection between race and risk was broadly accepted. People of color, poor people, and immigrants were prevented from accessing the credit they needed to improve their homes and communities while lending practices at the FHA pushed loans into White suburbs for the middle and upper class. This is the origin of the term redlining.

Federal Housing Administration

Created by the National Housing Act of 1934, the Federal Housing Administration (FHA) was designed to regulate the mortgage industry by insuring mortgages with down payments as low as 10% and payment periods of 20 to 30 years. As part of this, the FHA set standards for the type of housing and neighborhoods they would insure. Within their Underwriting Manual, mixed-race or minority neighborhoods were deemed ineligible for FHA-insured loans. White homeowners received most of the benefits of affordable loans.

Shelley v. Kraemer

In 1945, the Shelley family purchased a home in St. Louis that had a 1911 restrictive covenant that banned "people of the Negro or Mongolian races." The neighbors challenged that a Black family such as the Shelleys could remain in their home. In a landmark decision, the U.S. Supreme Court ruled that courts could not enforce racially restrictive covenants. This government action violated the 14th Amendment's Equal Protection Clause. The restrictions remained on deeds and could be added to new ones. They were outlawed by the Fair Housing Act of 1968.

Department of Housing and Urban Development (HUD)

An executive department of the U.S. government that oversees federal housing and urban development laws. It was created in 1965 as part of Lyndon B. Johnson's "Great Society." HUD is responsible for implementing national fair housing laws.

Fair Housing Act of 1968

Title VIII and IX of the Civil Rights Act of 1968 are known as the Fair Housing Act. This act made discrimination in the sale, rental, advertisement, and financing of housing based on race, color, religion, or ethnicity illegal. The act was amended in 1974 to include sex and again in 1988 to include people with disabilities and families with children. Terms were often not defined and have been subject to changes as well. In 2010 and 2021, HUD released guidance that "sex" included sexual orientation and gender identity. In 2021, more than 31,200 fair housing complaints were filed.

IMAGE DECK

TEACHING UNVARNISHED

INQUIRY THREE IMAGE DECK

With a small down payment
YOUR RENT MONEY WILL BUY
A HOME

FHA
INSURED
MORTGAGE
SYSTEM

CONSULT YOUR ARCHITECT, BUILDER, MATERIAL DEALER OR ANY PARTICIPATING FINANCIAL INSTITUTION
FEDERAL HOUSING ADMINISTRATION

FHA Form No. 276
U. S. GOVERNMENT PRINTING OFFICE

Courtesy of The Minnesota Streetcar Museum

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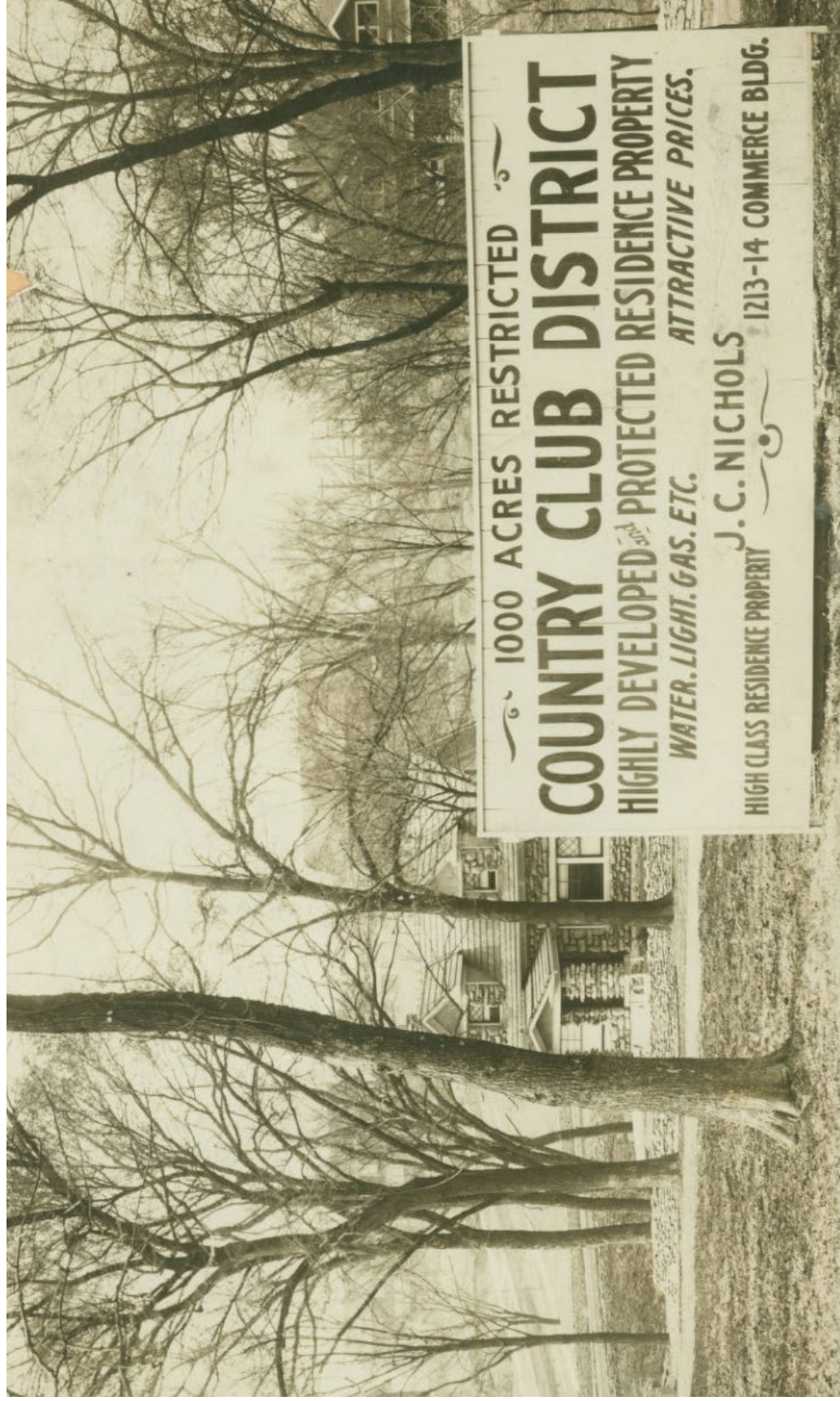
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INQUIRY THREE IMAGE DECK



TEACHING UNVARNISHED

INQUIRY THREE IMAGE DECK



TEACHING UNVARNISHED

INQUIRY THREE IMAGE DECK



*'All We Wanted Was a Decent Place
To Rear The Children,' Negro Mother Says*



Star-Times Photo.

THE FAMILY OF J. D. SHELLEY pictured at their home, 4600 Labadie ave. From left: Mrs. Minerva Coleman, a daughter, holding her son Jesse Jr.; Chatiee, Mrs. Shelley, Mr. Shelley, Leatha and J. D. Jr.

DEPARTMENT OF COMMERCE
HERBERT HOOVER, SECRETARY

A STANDARD STATE ZONING ENABLING ACT UNDER WHICH MUNICIPALITIES MAY ADOPT ZONING REGULATIONS

BY THE
ADVISORY COMMITTEE ON ZONING
APPOINTED BY SECRETARY HOOVER

- CHARLES B. BALL Secretary-Treasurer, City Planning Division, New York City
- EDWARD M. BASSETT Counsel, Zoning Committee of New York, Lawyer
- ALFRED BETTMAN Director, National Conference on City Planning, Boston
- IRVING B. HIETT Ex-President, National Association of Real Estate Boards
- JOHN HILDER Manager, Civic Development Department of the City of New York
- MORRIS KNOWLES From the Chamber of Commerce of the United States; Chairman, City Planning Division, American Society of Civil Engineers, Consulting Engineer
- NELSON P. LEWIS From the National Housing Board and National Municipal League; Past President, American City Planning Institute, Municipal Engineer
- J. HODGE McFARLAND Ex-President, The American Civic Association, Municipal Engineer
- FREDERICK LAW OLMSTED Ex-President, American Landscape Architects; Ex-President, American Society of Civil Engineers
- LAWRENCE VELLER Secretary, The National Housing Board; Past President, The National Housing Experts

JOHN M. GRIES
Chief, Division of Building and Housing, Bureau of Standards
Department of Commerce



[Revised Edition, 1926]

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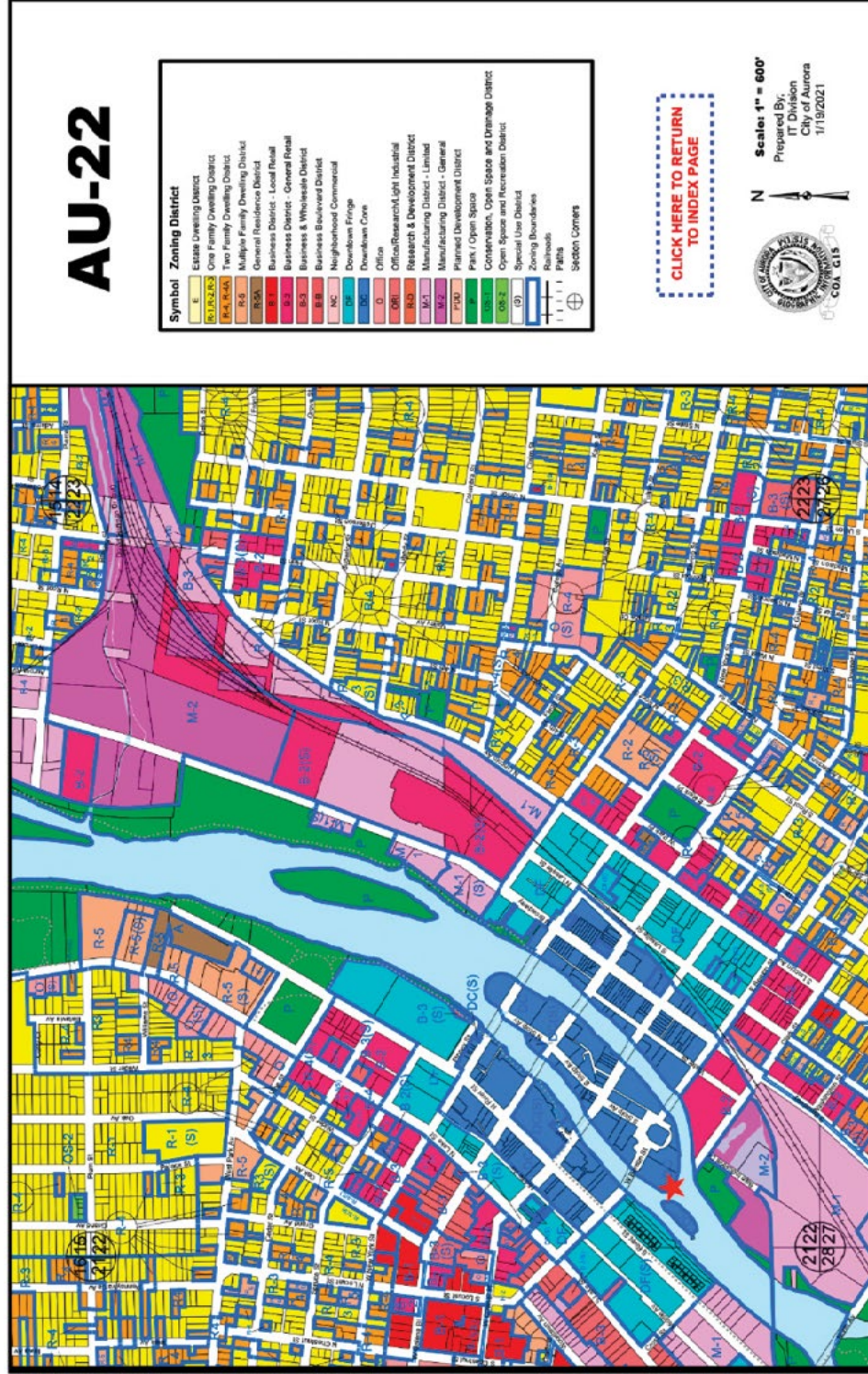
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1926

TEACHING UNVARNISHED

INQUIRY THREE IMAGE DECK



Courtesy of the National Archives and Mapping Inequality



Section: AU-22

SLIDES

Restrictive Covenant Example 1

St. Louis No. 4 Hills, St. Louis, Missouri

House built: 1942

Restriction placed: 1946

“No lot covered by this indenture, or any part thereof, shall ever be sold, resold, conveyed, granted, devised, leased or rented to or occupied by, or in any other way used by, any person or persons not of the Caucasian Race, nor shall any such excluded person live in any main building or subsidiary building or any such lot; provided, however, that this restriction shall not be applicable to domestic servants in the employ of the owner or occupant then living in such building. In the event of a breach of this restriction...the title of said lot shall immediately revert to the corporation and the Corporation may thereupon re-enter and take possession of the lot, with all the improvements thereon.”

Restrictive Covenant Example 1

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Restrictive Covenant Example 2

El Cerrito, San Diego, California

House built: 1950 – 1951

“That neither said lots nor any portion thereof shall ever be lived upon or occupied by any person other than the Caucasian Race; provided, however that if persons not of the Caucasian Race be kept thereon by a Caucasian strictly in the capacity of servants or employees actually engaged in the service of such occupant.”

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Restrictive Covenant Example 3

Seattle, Washington

House built: 1930

“No part of said property hereby conveyed shall ever be used or occupied by any Hebrew or by any person of the Ethiopian, Malay or any Asiatic Race, and the party of the second part his heirs, personal representatives or assigns, shall never place any such person in the possession or occupancy of said property or any part thereof, nor permit the said property or any part thereof, ever to be used or occupied by any such person, excepting only employees in the domestic service on the premises of persons qualified hereunder as occupants and users and residing on the premises.”

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SEC. 2. DISTRICTS.—For any or all of said purposes the local legislative body may divide the municipality ¹⁶ into districts of such number, shape,¹⁷ and area as may be deemed best suited to carry out the purposes of this act; and within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use ¹⁸ of buildings, structures, or land. All such regulations shall be uniform for each class or kind of buildings throughout each district,¹⁹ but the regulations in one district may differ ²⁰ from those in other districts.

SEC. 3. PURPOSES IN VIEW.²¹—Such regulations shall be made in accordance with a comprehensive plan ²² and designed ²³ to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other pub-

lic requirements. Such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses,²⁴ and with a view to conserving the value of buildings ²⁵ and encouraging the most appropriate use of land throughout such municipality.

SEC. 4. METHOD OF PROCEDURE.—The legislative body of such municipality shall provide for the manner ²⁶ in which such regulations and restrictions and the boundaries of such districts shall be determined, established, and enforced, and from time to time amended, supplemented, or changed. However, no such regulation, restriction, or boundary shall become effective until after a public hearing ²⁷ in relation thereto, at which parties in interest and citizens ²⁸ shall have an opportunity to be heard. At least 15 days' notice ²⁹ of the time and place of such hearing shall be published in an official paper, or a paper of general circulation, in such municipality.

SEC. 5. CHANGES.³⁰—Such regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified,

Captions

- 1 Car cards were small cardboard placards used for advertising on streetcars, buses, and subway cars. This Federal Housing Administration car card was used in streetcars in Minneapolis and St. Paul, Minnesota and advertised Federal Housing Authority (FHA) mortgages. It was printed by the U.S. Government Printing Office. Courtesy of the Minnesota Streetcar Museum
- 2 Minneapolis, Minnesota streetcar photographed in 1939. Courtesy of the Library of Congress
- 3 The Country Club District is a series of upscale neighborhoods outside of Kansas City, Missouri. Developer J.C. Nichols included racially restrictive covenants on home deeds, preventing Black Americans from purchasing homes. Courtesy of the State Historical Society of Missouri
- 4 This modest, two-story masonry residence built in St. Louis, Missouri in 1906 is associated with a Black American family's struggle for justice that had a profound effect on American society. It was the home of the Shelley family, the plaintiffs in the landmark U.S. Supreme Court Case *Shelley v. Kraemer* (1948) that ruled unconstitutional the enforcement of racially restrictive covenants in housing. Still privately owned, the Shelley family no longer lives in the home, which was designated a National Historic Landmark in 1990. Courtesy of FrancisNancy, Wikimedia Commons, CC By 3.0 license [https://en.wikipedia.org/wiki/Shelley_House_\(St._Louis,_Missouri\)#/media/File:Shelley_house_lg.jpg](https://en.wikipedia.org/wiki/Shelley_House_(St._Louis,_Missouri)#/media/File:Shelley_house_lg.jpg)
- 5 Photograph circa 1948 - St. Louis, Missouri. Because the J. D. Shelley family decided to fight for the right to live in the home of their choosing, the U. S. Supreme Court addressed the issue of restrictive racial covenants in the landmark case of *Shelley v. Kraemer* (1948). In 1930, J. D. Shelley, his wife, and their six children migrated to St. Louis from Mississippi to escape the pervasive racial oppression of the South. For several years they lived with relatives and then in rental properties. In looking to buy a home, they found that many residences in St. Louis were covered by racially restrictive covenants in which the building owners agreed not to sell to anyone other than a Caucasian. The Shelleys directly challenged this discriminatory practice by purchasing a home at 4600 Labadie Avenue from an owner who agreed not to enforce the racial covenant. Louis D. Kraemer, owner of another property on Labadie Avenue, covered by restrictive covenants, sued in the St. Louis Circuit (State) Court to enforce the restrictive covenant and prevent the Shelleys from acquiring title to the building. The trial court ruled in the Shelleys' favor in November of 1945, but when Kraemer appealed, the Missouri Supreme Court, on December 9, 1946, reversed the trial court's decision and ordered that the racial covenant be enforced. The Shelleys then appealed to the United States Supreme Court. On May 3, 1948, the U. S. Supreme Court rendered its landmark decision in *Shelley v. Kraemer*, holding, by a vote of 6 to 0 (with three judges not sitting), that racially restrictive covenants cannot be enforced by courts since this would constitute state action denying due process of law in violation of the 14th Amendment to the Constitution. Although the case did not outlaw covenants (only a state's enforcement of the practice), in *Shelley v. Kraemer* the Supreme Court strongly reinforced the 14th Amendment's guarantee of equal protection of the laws, which includes rights to acquire, enjoy, own, and dispose of property. The Shelley case was a heartening signal for Black Americans and others unable to purchase homes because of ethnic, racial, or religiously exclusionary covenants that positive social change could be achieved through law and the courts. Courtesy of the *St. Louis Post-Dispatch*/Polaris
- 6 "A Standard State Zoning Enabling Act "(SZA) was a foundational law for U.S. states to enable zoning regulations in their jurisdictions. First issued in 1922, it was drafted by a committee of the Department of Commerce and was the basis for all land use planning in the United States going forward. Courtesy of www.govinfo.gov. https://planning-org-uploaded-media.s3.amazonaws.com/legacy_resources/growingsmart/pdf/SZENablingAct1926.pdf

- 7 From 1935 to 1940, the Home Owners' Loan Corporation (HOLC) surveyed over 200 cities. Some in the HOLC were concerned about the debt the government acquired in refinancing loans and sought to calculate default risk. Neighborhoods were ranked from A/Green to D/Red. Race was a part of these calculations as was income and housing quality. Almost all neighborhoods with Black people had D ratings. These maps show how real estate interests thought about neighborhood risk and stability and represent the federal government's acceptance of housing segregation. The maps did not circulate beyond the HOLC, but the ideas represented were widely discussed. By the 1930s, the connection between race and risk was broadly accepted. People of color, poor people, and immigrants were prevented from accessing the credit they needed to improve their homes and communities while lending practices at the FHA pushed loans into White suburbs for the middle and upper class. This is the origin of the term redlining. This map is a section of Residential Security Map of Aurora, Illinois, 1938. Courtesy of the National Archives and Mapping Inequality

- 8 This map, included in the 70-page 2023 Zoning Map Book guides contemporary policy in Aurora, Illinois. It establishes distinctions between different types of land use areas such as residential (by housing type--single-family, multi-family), commercial, office, research, manufacturing, recreation, and open space. Courtesy of the City of Aurora, Information Technology Department



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