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Zoning, Aldermanic Prerogative, and Segregation in the City of Chicago: A Quantitative and Qualitative Analysis

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Abstract

Theories about segregation and its effects argue that disparate life expectancies and economic opportunities for Black and White Chicagoans are the results of public policies and private investment. Few attempts have been made, however, to peel back the layers of influence guiding investment to see how zoning designation of parcels and the zoning process itself—both affected by machine politics—underlie these racial discrepancies. Using city zoning and Census racial data, I show that as of 2022, the density of Business (B) and Commercial (C) zones is strongly correlated with neighborhood racial composition. White residents live in census tracts that have a higher density of B and a lower density of C districts, a relationship that is reversed for Black residents. Efforts to reverse the effects of segregation and improve life outcomes for Black Chicagoans should include proactive zoning in Black wards to encourage positive development and discourage businesses harmful to community structure.

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Introduction

The summer of 2022 I am sitting in on a meeting between Joshua Mark, Director of Development and Infrastructure for 47th Ward Alderman Matt Martin, and a developer looking to build in the ward. Developers often ask for meetings with the Alderman to discuss their plans. If a developer wants to build where their plans are prohibited because of how the plot is zoned, they will need a zoning change, a city process that requires aldermanic approval. Developers seeking zoning changes always meet with Mark, who provides an overview and assistance in the rezoning process. Today, however, the developer isn't asking to initiate the zoning change process—his plans don't require one. In fact, his plans don't involve the Alderman's office at all. Legally, the developer is well within his rights to start building tomorrow, provided he has all the necessary permits. I ask Mark after the meeting why the developer wanted to meet with us. "He's old school," Mark responds. He explains that older developers tend to come to the Alderman's office for permission, even when they don't need it. This expectation of so-called "aldermanic prerogative"-and thus, that developers must come and "kiss the ring"-is a nearly 100-year-old holdover from Chicago's history of machine politics and has deep roots in the 47th Ward (Interview with Joshua Mark, 2023).

Zoning is where law meets everyday lives. It determines the physical makeup of neighborhoods with untold consequences for a person's livelihood, life experiences, and long-term health. In the city of Chicago, zoning not only determines a ward's mix of businesses and manufacturing districts, but also whether neighborhoods have liquor stores, grocery stores, or affordable housing. Today, Chicago is one of the most segregated cities in the United States according to the White to Non-White Racial Dissimilarity Index. Zoning is partly to blame. The corruption of the Democratic political machine in the mid-1900s seeped into every corner of Chicago's politics including the zoning process, which, by virtue of being so secretive and nearly completely under the purview of aldermen, became an easy target for unscrupulous politicians. Despite the language of a "machine" which would seem to be impersonal, machine politics reflected the prejudices and racism of its operators—White-ethnic mayors and aldermen—and its patrons—White residents. The consequences of zoning decisions for Black residents have been and continue to be significant and deleterious.

The city of Chicago came to be segregated through many policies, including zoning, over nearly a hundred years, and now this sustained segregation has ongoing impacts on future zoning and development. Persistent segregation reinforces the city's unequal physical landscape and affects the interplay between new development and zoning changes, exacerbating and entrenching racial discrepancies in Chicago's neighborhoods.

My research examines the interplay between zoning, machine politics, and racial segregation. I argue that Chicago's history of machine politics has had an unprecedented and often overlooked impact on its physical makeup through zoning changes. Zoning in Chicago is, for the most part, an unregulated area of politics. At best, aldermen attempt to be enlightened despots, working in the public interest. At worst, aldermen use their zoning power to serve themselves or specific interests, disenfranchising others. Neighborhood covenants and redlining have been reformed, removing overtly unjust laws and ordinances. However, the zoning process itself has perpetuated unequal physical and economic landscapes, which has translated into significantly disparate opportunities and even life expectancies for Black people.

My evidence comes from an analysis of the relationship between racial composition and zoning designations in the city of Chicago. Using census tract and city zoning data, I show that race is strongly correlated with the density of business (B) and commercial (C) zones. Interviews with 47th Ward Alderman Schulter's former zoning director and Chief of Staff provide a window into the zoning process of a machine alderman, contrasting it with the zoning process of a modern reformer alderman, current 47th Ward Alderman Matt Martin. The 47th Ward as a case study provides a window into the zoning process of a former machine stronghold that is now a White-majority ward and therefore offers possible reasons for the racial discrepancies I have uncovered. Before presenting the data, I contextualize my findings by presenting the history of Chicago machine politics, zoning policy, and racial segregation, and previous scholarship on these topics.

Corruption, Zoning, and Racial Segregation in Chicago

Machine Politics and The Patronage System

Chicago's political structure since the late 1920s differs from most other large cities in the United States. Gosnell (1937) argues that it is best described by so-called "machine politics," characterized by the dominance of a single party—in this case the Democrats—in a city's government and bureaucracy. The transition from two-party to single-party Democratic leadership in Chicago in the 1900s was not immediate. Following the Great Depression, offices gradually turned over as positions came up for reelection, and it was Democrats who were swept into office on the local and state levels. The political shift was remarkable for the efficacy of its mechanism—the machine. In 1931, Chicago elected a Democratic mayor, effectively securing all city hall jobs for Democrats, and by 1936, Democrats had gained control of all of Chicago's governmental agencies (Gosnell 1937, 8-9).

In holding all city office positions, Democrats in Chicago's city government had complete control over all city employment, allowing them to create a patronage system with residents and businesses. Gosnell (1937) argues that precinct captains offered incentives in the form of employment in exchange for fiscal and electoral support (Gosnell 1937, 8). When patronage jobs were unavailable, Democrats placated constituents with city services. Aldermen and city departments had exclusive say over infrastructure projects such as road, sidewalk, and alley repairs. They also had discretion over the enforcement of building codes and the power to help grant licenses and permits (Gosnell 1937, 40). Thus, in exchange for an alderman's favorable treatment, businesses would pledge their loyalty with votes and often campaign contributions (Gosnell 1937, 41). The patronage system was the central self-perpetuating mechanism of Chicago's political machine as Democrats were the only option for those in search of jobs or favors (Gosnell 1937, 40). The Democratic party and machine aldermen, therefore, held immense power in service of this vast and well-oiled "machine" that functioned to keep Democrats in power and serve their supporters.

To maintain this single-party dominance and keep incumbents in power, the machine ran by the principle of "don't make no waves, don't back no losers," keeping those who made up its cogs (including aldermen) on a short leash (Rakove 1975). Aldermen were expected to run their wards quietly and keep their constituents happy by maintaining roads, keeping streets clean, and providing patronage jobs. Making waves by calling too much attention to oneself or advocating for significant policy changes was frowned upon and cause for an alderman to lose party backing. As Rakove (1975) notes, the machine cared little for ideology, instead requiring "loyalty and political efficiency" from its members (5). Aldermen were expected to effectively function as a rubber stamp in the legislature, not to be policy innovators. In keeping machine members on a tight leash, the machine required party members and political leaders to subordinate all personal objectives–political, financial, or personal—to the objectives of the machine. Stepping out of line meant risking losing the party's endorsement and thus one's job.

Gosnell (1937) argues that the patronage system headed by aldermen, executed by precinct captains (aka ward heelers), and guided by ward committeemen or ward bosses was the oil that kept the machine running smoothly. These individuals functioned as street-level bureaucrats, defined as those who "interact with and have wide discretion over the dispensation of benefits or the allocation of public sanctions" (Lipsky 2010, xi). Traditionally, the concept of street-level bureaucrats has applied to policing and education, but it is not a far stretch to apply Lipsky's analysis to aldermanic offices, which function as the intermediary between residents and public services. After all, these offices strongly influence—if not outright decide—who is allocated public goods or benefits and who receives public sanctions. And since these offices are headed by people who make these decisions, those decisions are informed by the interests and biases of the people making them.

Rivlin (1992) argues that the machine, especially under the leadership of Mayor Richard J. Daley, who was in power from 1955 through 1976, largely ignored the wants of Black Chicagoans and was often openly racist. For example, though Black Chicagoans accounted for 30% of residents in the 1960s, they only made up 16% of city jobs, often working jobs which–on paper–they were vastly overqualified for (Rivlin 1992, 11). Daley insisted that patronage jobs went to people in his ward, the 11th Ward, expressly to "keep white residents in the neighborhood," and keep Black Chicagoans out (Rakove 1976, 55). Daley was so opposed to integration that, after a federal court ruled that Chicago had to build federally subsidized housing in areas besides Chicago's Black Belt, he decided that Chicago would stop receiving federal

money rather than build housing in White neighborhoods (Rivlin 1992, 13). In other words, Black Chicagoans' needs for integration and housing were often ignored and even suppressed by the machine. Daley marshaled the patronage and spoils systems and kept Black Chicagoans living in survival mode so that the machine was able to retain their electoral support while offering them almost nothing in return (Rivlin 1992, 11).

So when Rakove (1975) asserts that the machine was highly efficient and provided residents with reliable city services, that may have been accurate for the White-ethnic residents whose votes and support were valued by the machine (4). However, the machine was neither efficient nor reliable for all Chicagoans: Chicago's Black residents were only further disenfranchised. For example, for the twenty years between 1971 and 1991, the 10th Ward was run by infamous White-ethnic machine aldermen in the Vrdolyak family. In addition to heading the opposition to Mayor Washington, the Vrdolyaks were known for trying to keep Black people from moving into their ward. They traded infrastructure repairs and funds (Menu money) for constituents' loyalties, often refusing to allocate these funds to the Black and Latino areas of the ward (Interview with Clem Balanoff and guests, 2022). Poor Black people, Rakove (1975) notes, were "driven, almost by necessity, to support the status quo" (265). They needed the machine to survive since there was no alternative.

Unequal distribution of benefits continues today: Ermagun & Tjlahun (2020) have found that areas with a higher percentage of minority, low-income, low educational attainment, and elderly residents are at a clear disadvantage in accessing Chicago's mass transportation systems.

Consequences of Aldermanic Prerogative in Zoning

While Chicago's city politics today are no longer regulated by a Democratic machine and thus no longer rely as heavily on the patronage system, zoning is one of the few areas in city politics and public policy where aldermen still have nearly complete control. Aldermen direct the rezoning process of their wards and enjoy almost total aldermanic prerogative when it comes to introducing and passing laws through the City Council. Despite this great power, zoning processes and outcomes in the City of Chicago have received little scholarly attention-and not because zoning is inconsequential. On the contrary, changes to zoning laws physically alter Chicago's landscape. These changes have countless downstream impacts on the character of the city and its many distinct neighborhoods as well as the lives, fortunes, and futures of its residents. Rather, zoning in Chicago has received little scholarly attention because traditionally, most of the process has been completely hidden from public view. Aldermen sort through zoning requests within their own offices, and the public often only sees those ordinances introduced into the City Council. Some wards have implemented zoning advisory councils, groups of ward residents who consult on zoning-change cases brought before them and offer suggestions to the alderman. However, these groups are often insular and tight-lipped. In 2019, the 47th Ward began publishing all zoning decisions and Alderman Martin's decision-making rationale, but this is a very recent and still uncommon practice for ward offices across the city.

The City of Chicago was first zoned by the City Council in 1923. As that the 1923 ordinance did not account well for non-conforming properties nor Chicago's explosive growth in population, an amended zoning ordinance was passed in 1957 (Schwiterman and Caspall 2005). The 1957 ordinance mapped new zones onto the entire city and defined allowed floor-area ratios, setbacks, and the building uses permitted in all zones ("Chicago Zoning Ordinance" 1957). For

over 40 years, this ordinance served as a baseline for future development and zoning changes in the city. In 2000, the city began a further revision of the zoning ordinance. Much of the existing map was left as-is The new zoning ordinance focused on adding clauses that would create new pedestrian zones and make it easier to conserve historical buildings. It also built in incentives to create affordable housing developments. This revision was approved in 2004, reflecting over 80 years of zoning history and serving as the current map from which Chicago's aldermen structure zoning changes (Schwiterman and Caspall 2005).

On paper, the process of changing the zoning for a parcel entails little aldermanic involvement. Applicants must fill out an extensive application for an ordinance to effect the change in zoning as well as pay a fee to the city. The city's Zoning Administrator issues a recommendation on their application, the Department of Planning and Development Review gives a recommendation, and the city holds a public hearing. Next, the Committee on Zoning holds a hearing and issues a final recommendation, at which point the ordinance moves to be considered at the next City Council meeting. Finally, the City Council votes on the ordinance and if the vote passes, the zoning law is amended (Municipal Code of Chicago 1990, 17-13).

In practice, aldermen have first–and final–say over zoning amendments. As noted on the 40th Ward's "Community Driven Zoning" page, the Committee on Zoning (which is made up of 19 aldermen) prevents ordinances from being voted on by City Council until they receive a recommendation from the alderman of the ward the zoning change has been initiated in. This tradition has led to the creation of complex processes on the ward level that applicants must engage with to gain aldermanic approval. Typically, then, the rezoning process is initiated when an individual or developer comes to the alderman of their ward asking for a zoning change. The most common reasons for rezoning requests are to bring an existing non-conforming property

more in-line with zoning, to allow for a larger building to be constructed on the premises, or to allow for an existing or new property to be used for a different purpose than is allowed under the current zoning. The process for obtaining aldermanic approval differs across wards and administrations, even in the same ward. Historically, aldermen have also introduced zoning changes in the absence of any petitioners—downzoning or up-zoning areas of their ward at their discretion. Almost all the zoning ordinances introduced into the City Council successfully pass and are implemented as Chicago has a long history of deferring to the zoning wishes of the alderman from whose ward the zoning ordinance has been introduced. Of course, aldermen are held accountable by elections, but legally there is little stopping them from zoning however they wish in the moment. Zoning is a vestige of the machine aldermanic power still in operation, and a great source of power, especially given the opaqueness of the process.

Because, as scholars have noted, the rezoning practice lacks the transparency necessary to formulate theories and analysis, the intersection of Chicago's machine politics and zoning outcomes has received little scholarly attention (Charles 2020). What has emerged recently within the legal system, however, are examples of corruption for aldermanic enrichment or communal reinforcement of segregation. In 2021, Michael J. Madigan was indicted on racketeering charges related to his conduct as an alderman. Though the court has not yet ruled on the case, the 106-page indictment makes specific reference to racketeering in the context of the rezoning process (*United States v. Michael J. Madigan and Michael F. McClain 2021*). The rare zoning decision that faces legal challenges is another infrequent window for the public into the process. For example, in *Hanna v. City of Chicago* 2022, Hanna claimed that an ordinance resulting in the downzoning of his property violated his right to due process, and unduly deprived him of his property rights by negatively affecting his property's value. In analyzing this

case, Jaffe (2001) argues that Chicago has long traditions of aldermanic prerogative, discretion, and power when it comes to the rezoning process. As such, even when it comes to the rezoning of significant areas of land – not just single properties—the type of scientific urban-design-motivated planning one might expect is conspicuously lacking. In the case of *Hanna v. City of Chicago*, the Cook County Circuit Court specifically critiqued the ward's lack of scientific planning when it issued its final decision.

Jaffe (2001) asserts that the City's decision to downzone an area of the Lincoln Park neighborhood was motivated more by the fear that Chicago's booming population would change the character of the neighborhood (i.e., result in higher-density developments replacing single-family homes) than any real public interest or need. Interestingly, the downzoning request was initiated by a community association, one which Judge Jones found to not be representative of the Lincoln Park neighborhood or the city as a whole. Downzoning also potentially has effects on neighborhood racial composition. By decreasing the allowed buildable density, developers are limited in the number of units they can build in multi-unit buildings, which can lead to increased rent prices. This affects the available stock of affordable housing, creating pockets of high rents and housing prices that are more accessible to White people and less accessible to people of color.

Zoning Designations and Allowed Uses

Zoning has long-reaching effects on the character of a community and the experiences of its residents as zoning designations determine allowable building uses and density.

Title 17 of The Municipal Code of Chicago: Chicago's Zoning Ordinance divides zoning designations into two sections: conventions inside and outside of downtown. Inside of

downtown, zoning is separated into four distinct districts: Downtown Residential (DR), Downtown Mixed-use (DX), Downtown Core (DC), and Downtown Service (DS). Outside of downtown, zoning is separated into six distinct districts: Residential (RS, RT, and RM), Business (B), Commercial (C), and Manufacturing (M). RS, RT, and RM zones allow by right for residential uses, some public and civic uses (including but not limited to schools and hospitals), some public safety uses (including but not limited to fire stations and religious assemblies), commercial cemetery, mausoleum, and columbarium uses, and some office uses (Municipal Code of Chicago 1990, 17-12).

B districts are divided into B1: Neighborhood Shopping, B2: Neighborhood Mixed-Use, and B3: Community Shopping (Municipal Code of Chicago 1990, 17-2). C districts are divided into C1: Neighborhood Commercial, C2: Motor-Vehicle Related Commercial, and C3: Commercial, Manufacturing, and Employment. Both B1 and C1 are designed for "small-scale retail and service uses," though the code explicitly notes that B1 is designed to be pedestrian friendly while "C1 permits more intensive, more auto-oriented commercial use types" as well as liquor stores and taverns (Municipal Code of Chicago 1990, 17-2, 3). C2 is also designed to be auto-centric, with the code assuming that "a very large percentage of customers will arrive by automobile" (Municipal Code of Chicago 1990, 17-3). Whereas B2 only differs from B1 in that it allows for ground-floor residential. B3 is intended to allow for larger shopping centers than B1 and B2, and contrasts with C3 in that C3 districts also allow for manufacturing uses and are intended to "serve as a buffer between M-zoned areas and other B, C, and R- zoned areas" (Municipal Code of Chicago 1990, 17-3). C districts allow for adult commercial uses such as adult entertainment, cannabis dispensaries, and firearm dealers with a special use permit, whereas B districts do not (Municipal Code of Chicago 1990, 17-3). Liquor stores are allowed by right only in C1, C2, and C3 districts (Municipal Code of Chicago 1990, 17-3). Outside of commercial zones, liquor stores are only allowed to operate in B3 zones, and downtown (DC, DX, and DS) zones if they first obtain a special use permit, an arduous process that requires city and (traditionally, though not by law) aldermanic approval.

Individuals can build or operate a liquor store in a C-zoned parcel without being required to engage the city or the rezoning process so long as it is not in an area classified as a moratorium zone. The fact that C zones allow for liquor stores by-right highlights the importance of the racial discrepancy in the density of B and C zones. Liquor moratoriums exist throughout the City of Chicago and restrict licenses for the retail sale of alcohol within 100 feet of any church, hospital, school, home for the elderly, or library. Aldermen can also introduce liquor moratoriums that restrict the sale of packaged liquor and or the consumption of alcohol on premises along certain stretches of land in their wards, which prevent businesses from obtaining the licenses necessary to operate liquor stores. A 'consumption on premises' license is required for restaurants and other businesses (such as breweries or wine-tasting establishments) that want to sell alcohol, and 'packaged goods' licenses are required for liquor stores to operate.

Research by Kwate (2020) shows that liquor stores are parasitic in Black communities and pose a disproportionate health risk to Black people. Unlike commercial businesses in White neighborhoods, Kwate (2020) argues, where both merchant and customer benefit, liquor stores extract capital and resources from their customers while "introducing and perpetuating dysfunction in retail markets and community life," contributing to the oppression of Black people (309). Black neighborhoods are also more exposed to liquor stores than their White counterparts: Kwate and Loh (2016) found that Chicago's liquor stores are spatially most densely located in Black neighborhoods, a trend that is replicated on the national level (Romley et al. 2007). This is not a phenomenon that is driven by demand (Berke et al. 2010).

Liquor store density, a business only allowed by right in C zones, can be conceived of as one of the many indicators of segregation. In general, B districts are more pedestrian and community friendly than C zones—with fewer drive-way curb cuts common in auto-centric areas and stricter allowed business uses. By requiring a special use permit for adult commercial uses, they allow the city a greater measure of control over market forces. Developers cannot alone determine where these business types are located. This is an example of, as Logan and Molotch (2007) argue, city governments using zoning to manage development and "social deviance" by restricting activities deemed to be morally inferior to certain areas (158).

Manufacturing districts are divided into M1: Limited Manufacturing/Business Park District, M2: Light Industry District, and M3: Heavy Industry District (Municipal Code of Chicago 1990, 17-5). Some uses that manufacturing districts allow by right include Vehicle Sales and Services, Business Support Services, Restaurants, and Animal Services (Municipal Code of Chicago 1990, 17-5). M districts are primarily intended for "manufacturing, warehousing, wholesale and industrial uses" (Municipal Code of Chicago 1990, 17-5).

Chicago's zoning code also accounts for Special Purpose Districts including Parks and Open Space (POS), Transportation (T), and Planned Manufacturing (PMD) (Municipal Code of Chicago 1990, 17-6). POS districts are "intended to preserve, protect and enhance lands set aside for public open space, public parks and public beaches" and apply to cemetery grounds as well (Municipal Code of Chicago 1990, 17-6).

Segregation and its Effects in Chicago

As of 2023, Chicago is one of the United States' most segregated cities, but it was not always so. In the 1870s, despite facing racism and racist policies, most Black people lived in mixed-race neighborhoods (Spear 1967, 14). There was no Black ghetto (Spear 1967, 15). Between the 1880s and 1910s, the migration of Black people to Chicago increased their visibility to White people, who responded with racism and violence. White antagonism came to a head in 1919 in an event known as the 1919 Chicago Riot. The riot lasted six days, from July 27th to August 3rd. Twenty-three Black Chicagoans and fifteen White Chicagoans were killed, and over 500 people were injured, the majority of whom were Black. The violence occurred, for the most part, at the edges of Black neighborhoods on the South Side, indicating that White Chicagoans traveled out of their way to instigate conflict. Racial violence was not constrained to this riot. The 1910s and 1920s saw many instances of White Chicagoans responding violently to the perceived encroachment of Black Chicagoans into "White" areas. In a misguided attempt to prevent further race-based conflict, Chicago leaned in heavily to segregationist policies.

Two of the most impactful segregationist policies implemented in Chicago were racial covenants and redlining. Racial covenants in Chicago originated with the Chicago Real Estate Board which explicitly worked to keep Black Chicagoans out of White neighborhoods by implementing racially restrictive covenants and deeds that prevented properties from being sold to Black people. In 1927, a member of Chicago's Planning Commission, Nathan MacChesney, drafted a restrictive covenant that quickly became the standard across Chicago. It explicitly prevented properties from being sold to or inhabited by Black people ("Chicago Restrictive Covenant" 1927). Redlining also contributed to segregation. In 1934, the Federal Housing Administration refused to issue home mortgages to Black people or houses in Black

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neighborhoods, regardless of the homeowner's race. Banks and government agencies responded by refusing to invest in redlined neighborhoods, initiating a cycle of disinvestment in Black primarily located on the South and West sides of Chicago. White hostility relegated Black Chicagoans to the Black Belt which, the victim of racist municipal policies and real estate agents, came very quickly to have slum-like conditions (Spear 1967, 34). It was also nearly impossible for Black people to move to more desirable neighborhoods given resistance from White residents and real estate developers (Spear 1967, 34-35). Racist policies in the 1920s and 1930s in Chicago created the Black ghetto in the area formerly known as the Black Belt.

The Black ghetto in Chicago, located along a corridor that extended from 22nd Street to 31st Street along State Street, began to expand in the mid-1900s and was institutionalized as a result of public policies and private pressures in the 1940s and 1950s. This institutionalized or Second Ghetto, as scholar Arnold Hirsch (1983) characterizes it, further segregated Black Chicagoans and literally cemented their oppression. The Second Ghetto formed as a result of private and public pressures and policies. Post-war renewal policies in the late 1940s and early 1950s were guided by those with the political and economic influence to do so, and these were largely White people with strong interests in resisting integration and relegating Black Chicagoans to the Black Belt. Racist White Chicagoans used political power and violence to transform Chicago's Housing Authority (CHA) from an agency that originally intended to integrate neighborhoods, bringing affordable and public housing to White neighborhoods, to one that "served as a bulwark of segregation" (Hirsch 1983, 213). Though the CHA initially proposed developments across Chicago, "more than 98% of the 21,010 family units constructed since 1950, and more than 99% of the 10,256 built after 1955...were located in all-black neighborhoods" (Hirsch 1983, 243). Furthermore, the CHA projects located in White

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neighborhoods had exclusionary tenant selection practices as they were designated as elderly rather than family housing (Hirsch 1983, 244). As a result, the growing population of Black Chicagoans was relegated to and institutionalized in the Black Belt.

Since the 1960s, another transition has contributed to the further segregation and subjugation of Black Chicagoans. Scholar William Wilson (1987) argues that a combination of factors, but most importantly a loss of low-skilled manufacturing jobs and the migration out of the Black Belt by middle-class Black Chicagoans has led to the creation of a "truly disadvantaged" group of Black Chicagoans who make up the large majority of today's ghetto residents and who are "denied the resources to compete effectively in a free and open market" (143, 147).

Historically, segregation has involved both public and private influences. Private influences including the investment, or lack thereof, of individual developers, retail, and other business owners in Black neighborhoods are a result of Chicago's history of public policy-directed segregation and simultaneously play a significant role in maintaining and exacerbating segregation in Chicago. Disparate economic opportunities and crime rates resulting from Chicago's history of segregation and uneven public and bank-driven investment have led to a vicious cycle perpetuated by developers and businesses because it is less economically rewarding for them to invest in Black neighborhoods. This is a similar pattern to trends of disparate investment that occurred following redlining in the 1940s. Disinvestment affects not only the types of businesses that people have access to patronize but the availability of jobs as well. Wilson (1996) argues that a lack of employment opportunities and the exodus of businesses from Black neighborhoods in Chicago has further exacerbated discrepancies in White and Black neighborhoods. Socially, Wilson argues, Black neighborhoods have deteriorated due to this lack of investment and educational opportunities. Without a neighborhood community to enforce social expectations of behavior, Wilson argues, crime rates have increased, and future prospects have decreased (Wilson 1996, 32).

Segregation has stark consequences for the economic successes and life expectancies of Black Chicagoans. Black neighborhoods receive much lower levels of investment than White neighborhoods: between 2012 and 2018, banks loaned just 12 cents to Chicago's Black neighborhoods for every \$1 they invested in Chicago's White neighborhoods (Fan and Lutton 2020). The racial income gap is also striking: the median income of White Chicagoans is \$70,960 compared to \$30,303 for Black Chicagoans (Marksjarvis 2018). White Chicagoans are making on average, more than twice the average Black Chicagoan. The trend is similar for home values: the median value for White-owned homes is double that of Black Chicagoans (Marksjarvis 2018). The gap in life expectancy between White and Black Chicagoans is also stark–White Chicagoans live an average of 10 years longer than Black Chicagoans ("Life Expectancy in Chicago" 2022). Research by Acevedo-Garcia et al. (2003), Kramer and Hogue (2009), Alson et al. (2021), Landrine and Corral (2017), and Mehra et al. (2017) indicate that segregation is correlated with numerous negative health outcomes including higher rates of cancer, pregnancy and birth complications, and vascular diseases.

Clearly, zoning and private investment impact the health outcomes of Black people. There are many hypothesized reasons for these discrepancies. Two are the densities of liquor stores and grocery stores. Many Black neighborhoods are food deserts, defined as large areas of land with few or no grocery stores. The term "food-desert" was popularized by Mari Gallagher's 2006 study of food retailers in Chicago which found that food-desert communities "have increased premature death and chronic health conditions, holding other influencers constant" (9). Moore (2016) finds that food deserts are not the result of a lack of demand, but rather retailers' racist aversion to South Side neighborhoods, "regardless of residents' incomes" (296). Food-deserts lead to an overreliance on gas stations and liquor stores, entrenching health disparities between Black and White Chicagoans (Moore 2016, 296).

Another hypothesized reason for this discrepancy is access to open or green spaces (Browning et al. 2022). Black people in the United States have poorer access to parks and open space when compared with White people, research shows. Duncan et al. (2013) found in Boston a negative correlation between the proportion of Black residents and parks, fields, and playgrounds. Even in cities where Black people do have better access to parks, like Baltimore for example, Boone et al. (2009) found that parks in Black neighborhoods are of poorer quality than in White neighborhoods.

Literature Review

Chicago, as a metropolis with an extensive bureaucracy and legislative apparatus, shares political characteristics including legislators' incentives and a general trend towards nationalization or so-called brand politics with many other major cities in the United States. However, Chicago is also a politically unique city characterized by a long history of machine politics that differentiates it from other otherwise similar United States metropoles. Chicago's history of machine politics affects not only legislators' incentives and general approach to politics and public policy but also the rezoning process. First, I will outline past literature and research regarding Chicago's machine politics, before turning to literature on the connection between zoning and segregation and the negative impacts associated with zoning that segregates.

Chicago's Machine Politics

The theory of machine politics was first conceived of by Gosnell (1937) and then followed by Royko (1971) and Rakove (1975) who analyzed how the Chicago machine evolved through mayors Richard J. and Richard M. Daley. Scholars assert that the democratic machine that characterized Chicago's politics from the 1930s through the 1970s has gradually waned in power, in part due to corruption scandals that have marred the machine's reputation since its inception and a lack of strong centralized mayoral leadership after Mayor Richard J. Daley (Rakove 1975, Diamond 2017, Roth 2019). Current research by Pasotti (2010) places Chicago in post-machine era politics: one characterized by similar organizational structures on the ward level to the machine of the 1930s-1980s but lacking in the centralized and controlled leadership characteristic of early machine politics.

Over time, scholars have generally approached machine politics' role in the distribution of services and goods through two main lenses. The first assumes that resources and services are distributed relatively equally across the wards and groups that economically and electorally supported the machine while the other lens, through which the majority of recent analyses of machine politics subscribe, highlights the machine's highly unequal distribution of resources. Inglot and Pelissero (1993), Joyce (1997), and Krebs (2005) assert that resources are funneled primarily to the machine's inner group of supporters, which almost always coincided with white-ethnic politicians, wards, and interest groups. Keiser (1993) argues that the distribution of machine resources depended significantly on the machine's strength: in periods when the machine was relatively strong and successful, it would distribute most of its resources to its inner group of supporters. He maintains that when the machine was more vulnerable, whether because it was riddled with scandal or was facing significant electoral opposition, it would distribute resources outside of its inner group of supporters to garner favor and therefore electoral support (Keiser 1993).

Chicago's aldermen are street-level bureaucrats concerned with reelection. Koehler and Wrightson (1987) find that the distribution of public services in Chicago is significantly affected by political factors in addition to bureaucratic professionalism. In his analysis of United States congressional politics, David Mayhew (1974) popularized the well-known and researched theory that politicians are "single minded seekers of reelection." Roth (2019) shows that most of Chicago's aldermen have sought reelection and enjoy a strong incumbency advantage, rarely being upset by new challengers (24). This is consistent with literature on incumbency which suggests that the electoral advantage for incumbents is present on all levels of government, including the city level (Krebbs 1998; Abramowitz 1991; Karnig and Walter 1977).

Zoning and Segregation

Zoning forms cities, guides growth, and has long been a tool of segregation. Theories of the impact of zoning on segregation focus primarily on exclusionary zoning laws which restrict the types of dwellings that can be built in different neighborhoods, resulting in economically segregated cities, or cities with areas of concentrated poverty (Rigsby 2016). Exclusionary zoning laws have been shown to lead to de facto segregation in both suburban and urban areas (Rigsby 2016, Mangin 2014). Silver (1991) writes about southern cities where zoning was used to segregate, and Fischler (1998) found that New York's zoning code was also motivated by race and class concerns of legislators. Zoning is not uniquely affected by legislators, however. Logan and Molotch (2007) acknowledge the immense determining force of the market on zoning and land use, arguing that the "commercial manipulation of land and buildings" drives the formation

of cities and that capitalist enterprises seek to maximize their economic prospects by exerting influence on local governments (3).

Racial discrepancies in zoning are not unique to residential zones. Shertzer et al. (2018) ran regressions on Chicago's original 1923 comprehensive zoning plan and racial data, finding that it was racially motivated as neighborhoods with higher percentages of Black residents were more likely to be zoned for higher density and manufacturing (M). Similarly, Twinam (2018) conducted linear regression modeling on Seattle's 1923 zoning laws and found that areas with Black residents were more likely than areas with White residents to be zoned for manufacturing and commercial.

Zoning and Life Outcomes

Research indicates that neighborhood composition, in large part determined by zoning, has significant consequences for the "development of human capital," including children's future earnings (Chetty et al. 2020). Using census tract data, Chetty et al. (2020) created a univariate regression that estimated children's expected outcomes given their parents' household income and found that the very immediate neighborhood a child grows up in has a more significant effect on a child's outcomes than the characteristics of census tracts even one mile away. Using GIS and statistical analysis of public-school test data, Rothwell (2012) found that restrictive zoning is correlated with higher housing cost gaps across neighborhoods and that neighborhoods with high-scoring public schools are surrounded by housing that is more expensive than the housing surrounding low-scoring public schools. In addition to lower-quality schools, research by Voelkel et al. (2018) involving the mapping of temperature by census tract and available heat refuge combined with statistical analysis indicates that neighborhoods with higher concentrations of racial minority groups and low-income individuals are at higher risk for heat exposure, which they theorize is at least in part due to poorer access to trees, and a higher density of parking lots. Research by Park et al. (2020) further finds that high temperatures have a negative impact on student outcomes.

In addition to heat exposure, research indicates that zoning is correlated with health outcomes, including incidences of asthma and cancer. Kelton et al. (2022) found that in Santa Ana, California, proximity to industrial zones was correlated with increased incidences of childhood asthma. Research by Nicholson et al. (2017) found a correlation between pedestrian and cyclist-friendly zoning and reduced cancer incidence in the population. Finally, research by Jones et al. (2022) found that areas with inclusionary zoning policies were correlated with lower percentages of people who were physically and mentally distressed, poverty, and unemployment when compared with cities that did not have inclusionary zoning.

Conclusion

In sum, private and public influences come together in the Alderman's office: private developers work with aldermen, and often the existing community, to get zoning changes and develop parcels. Zoning changes are public policy but inherently political and, I will argue, are affected by Chicago's history of machine politics. My research aims to bridge the gap in literature between zoning, machine politics, and segregation. There is a gap in scholarship because as scholars such as Charles (2020) have noted, rezoning practices lack the transparency required for analysis and to formulate theories. This paper aims to address this oversight by shining a light on aldermanic zoning processes and outcomes. I hypothesize that race is correlated with the density of business and commercial districts. That is, areas of Chicago with

higher proportions of white residents have fewer commercial districts and more business districts than areas of Chicago with higher proportions of Black residents. These discrepancies are the result of segregation and the nature of the zoning process and contribute to disparate life outcomes for White and Black Chicagoans.

This research adds to the body of existing literature on mechanisms and effects of segregation in Chicago and demonstrates how decisions made at the parcel level between aldermen, developers, and sometimes the local community have a significant and overlooked effect on Chicago's physical, segregated, landscape. My research updates Shertzer et al.'s (2016) analysis of Chicago's original 1923 zoning by painting a picture of Chicago's racial zoning discrepancies in 2022. Through a case study of the 47th Ward's rezoning practices across aldermanic offices, I aim to provide context to this picture of city-wide racial zoning discrepancies. These interviews will provide some answers as to how small and seemingly isolated zoning decisions have constructed the disparate life experiences and outcomes for White and Black people in modern segregated Chicago.

Methods

My study is limited to the 20th and 21st centuries, specifically 1923 – 2022, and is geographically limited to the city of Chicago. I am looking at the zoning map as of December 2022 as well as how aldermanic approaches to zoning have changed over the years. In working to answer these questions, I utilize a mixed-method approach: large n data analysis and interviews. I chose a mixed-methods approach because of the complexity of the zoning process and the immense role that political incentives and Chicago's history of machine politics play in it. Without context, the finding from my large n data analysis is striking. Even so, formulating adequate public policy recommendations requires an understanding of how zoning processes work on the ground, which can only be supplied by a qualitative study of aldermanic prerogative through interviews with key players. The quantitative and qualitative approach to understanding the effect of zoning on Chicago's populations I have chosen complements the complexity of my study's focus.

I captured a snapshot of Chicago's zoning map in December of 2022 which reflects aldermanic-initiated changes to Chicago's zoning since 1923 as well as the city-wide overhauls of 1957 and 2004. Through my data analysis, I analyze the zoning makeup of Chicago's neighborhoods, separated by census tract, through the lens of race. Through this analysis and my interviews, I aim to shed light on rezoning processes, procedures, and incentives across time and contribute to a better understanding of the impact of Chicago's history of segregation and machine politics on zoning in Chicago.

Data Analysis

I have constructed a dataset to determine if Chicagoans' race is correlated with the density of commercial, business, manufacturing, and parks and open space designated zones. To do this, I used GIS analysis in Stata to grid the City of Chicago into equidistant points. I then gathered the City of Chicago's zoning data from 2022, which contains the zoning of each parcel in coordinate form. I merged the zoning data with the coordinate grid of Chicago. I then collected census tract data for the state of Illinois from the Census website. I merged the census tract data with the spatial points of Chicago, which allowed for the zoning data to be sorted by census tract. I then calculated the relative area of each zoning designation for each census tract. Census tracts are relatively uniform in that they are generally made up of 4,000 residents. This

allows for a comparison across census tracts. I collected the census's 2020 decennial data for Cook County which includes racial distributions by census tract. Finally, I matched this racial data to the census tracts in the original dataset. According to the University of Chicago Library, the city of Chicago is made up of 866 census tracts. There are 828 total census tracts in my data set, which excludes the 38 tracts in downtown Chicago with downtown zoning designations.

It is important to note that for a number of reasons, this dataset contains some noise. First, census tracts do not all contain the exact same number of residents. While the census aims for each tract to be around 4,000 residents there is some variability. Second, I am comparing racial census data from 2020 to zoning data from 2022. The census only collects racial data every ten years, and I was only able to obtain the city's most recent zoning data, which was updated in 2022. Thus, there are two years of potential movement of residents that are unaccounted for in my data.

Additionally, these findings exclude zoning districts located downtown. Parcels in the downtown area have a different zoning designation than those located outside of downtown. Downtown zones do not easily line up with zoning designations outside of downtown. Downtown presents further challenges to analysis because it is not a collection of neighborhoods in a community sense and is therefore not representative of the zoning processes and outcome I aim to explore. As such, I removed from the analysis the 38 tracts with downtown-designated zoning. Finally, zoning data includes a designation (Commercial, Business Residential, etc.) followed by a number that denotes allowed size and uses. This is followed by a dash and another number that defines the bulk and density standards (Municipal Code of Chicago 1990, 17-3). My analysis focuses on the first part of the zoning designation (C, B, M, POS). I am not analyzing relationships between race and the bulk and density part of Chicago's zones.

Interviews

Within Chicago, I focus my interviews regarding zoning practices on the 47th Ward due to its history as a machine ward. The 47th Ward is located on the east side of the Chicago River and is made up of the Lincoln Square, Ravenswood, and Northcenter neighborhoods. The 47th Ward has been historically made up of White-ethnic populations, including a significant ethnic German population. From 1975 to 2011, the 47th Ward alderman was Eugene "Gene" Schulter, who had been recruited for alderman by 47th Ward committeeman Ed Kelly to run against a long-time enemy of Richard J. Daley, John Hoellen Jr. The 47th Ward has had strong machine organizations and ties since the height of the machine. Gosnell may have characterized it as a quintessential machine ward-with active ward heelers and Democratic committeemen, accusations of corruption and misuse of power, and a history of "handing down" the office of alderman to similarly inclined politicians until 2011, when, in a shocking upset, rookie politician Ameya Pawar beat out Schulter's hand-picked replacement, Ward Heeler Tommy O'Donnell. 2011 began for the 47th Ward a new era of "reformer" aldermen who stressed the need for "systemic change" and promised "transparency, responsiveness, and community engagement" ("Pawar to the People" 2015).

I also focused on the 47th Ward because I have unique access as I have worked as an intern for the last two years and have aided my colleagues with work related to the zoning process. I interviewed former Alderman Schulter's chief of staff, Daniel Luna, who worked on zoning for Schulter starting in 2000, as well as current Alderman Martin's Director of Development and Infrastructure, Joshua Mark who has worked in zoning for Alderman Martin since 2019. As such, I selected a small subset of cases to construct a case study. This method of interview selection was targeted to best augment the quantitative data I analyze by filling in

conceptual gaps and investigating the motivations and reasons a ward might undergo zoning changes. The 47th Ward is a majority White ward, and my case demonstrates how private investment and aldermen have worked together to create more pedestrian-friendly neighborhoods and ones with businesses that promote community development and better life outcomes, the opposite of what I argue has occurred in Black neighborhoods. Thus, the 47th Ward provides some insight into how racial discrepancies in zoning across the city have formed. Research should build off of my study by conducting case studies and analysis of the zoning approaches and history of majority Black wards.

The strength of choosing my cases is that I have greater access to interviewees and therefore data than I would by randomly choosing. I am also intimately familiar with the 47th Ward which allowed me to streamline the interviews I conducted. However, given that I did not employ random sampling for interviews, my study is hesitant to make more general claims. In other words, this data is investigatory but not completely explanatory. Nonetheless, the case study I have conducted is a significant contribution to research into aldermanic politics and zoning processes because it begins to fill in a gap in academic scholarship and uncovers striking relationships between zoning and race that deserve further exploration and immediate action.

I asked interviewees about the zoning process, political incentives, and constituent relations. Some questions related to the zoning process include how their ward approaches rezoning in general, how they made decisions on which properties to rezone and which to not rezone, if they collaborated on larger rezoning projects with the Department of Planning and Development, who they believe initiated the zoning process most often (individual residents, the office, developers, city departments, etc.), if they have strong feelings in favor or against any particular zoning designations or densities (specifically commercial, business, and manufacturing zones) and why, and how they approach liquor stores. A full list of my questions is available in the Appendix.

Key Findings

In this section, I present findings from the data analysis and interviews I conducted. The data indicate large discrepancies in access to B and C zones for White and Black Chicagoans. Most notably, White Chicagoans are underrepresented in tracts with high densities of commercial designated zoning while Black Chicagoans are overrepresented in these same tracts. The opposite relationship holds for B-designated zoning. The interviews I conducted offer some potential explanations for these discrepancies including aldermen's unfavorable views of C zones, political incentives to move from C to B zones, and the impact of investment and developer interest.

	Average percent of tract	Standard deviation (%)	Observations
Commercial	5.22868	5.89419	603
Business	10.09033	8.79428	743
Manufacturing	14.43325	18.15105	391
POS	11.29523	19.04959	483
White	46.90533	33.15404	828
Black	34.946	39.71832	828

Table 1: Summary statistics for all Chicago census tracts with zoning data excluding downtown

Commercial Districts

Table 2: Summary statistics for the average racial makeup of tracts with commercial-designated	
zoning	

Mean	Percent White	Difference from mean	Percent Black	Difference from mean	Observations
All tracts	46.90533	0	34.946	0	828
Any commercial	42.69168	-4.21365	38.80295	3.85695	603
Commercial mean and above	44.0807	-2.82463	37.51032	2.56432	206
Commercial 1 SD and above mean	42.5668	-4.33853	38.64023	3.69423	67
Commercial 2 SDs and above mean	36.69614	-10.20919	43.89557	8.94957	30

Table 2 displays the White and Black racial makeup of all of Chicago's census tracts (excluding downtown), those that contain any commercial, and those with a density of commercial zoning designations average and above, one standard deviation and above, and two standard deviations and above the average. Compared to the average population of Black and White Chicagoans in each of Chicago's census tracts, White Chicagoans are underrepresented in tracts with commercial zones, a trend which is most striking in tracts with well over the average density of commercial districts (two standard deviations above the mean). Inversely, Black Chicagoans are overrepresented in tracts with commercial districts, a trend which is also most striking in tracts with well over the average density of commercial districts (two standard deviations above the mean). Inversely, Black Chicagoans are overrepresented in tracts with commercial districts, a trend which is also most striking in tracts with well over the average density of commercial districts (two standard deviations above the mean). Although there are not many census tracts two standard deviations

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above the mean, for tracts containing any commercially zoned districts, the average White, and Black populations are under and overrepresented by about 4% respectively.

Commercial districts are the only designation that allows for liquor stores to be built by right, that is to say without engaging with any city processes, and literature demonstrates that liquor stores are more densely located in Black neighborhoods. This table provides evidence consistent with this correlation. Black people are overrepresented in commercial-heavy tracts, and thus have greater ease of access to the building uses these zones allow for, including liquor stores. Commercial zones also allow for auto-related businesses such as car detailing and auto-repair shops by right as well as adult commercial uses such as adult entertainment, cannabis dispensaries, and firearm dealers with a special use permit. This begins to construct an image of White and Black neighborhoods in Chicago: though the commercial zoning of a parcel does not guarantee it will be used for the uses only C zones allow by right or special-use permit, these uses are *only* allowed by right or permit in commercial zones.

Business Districts

Table 3: Summary statistics for the average racial makeup of tracts with business-designated zoning

Mean	Percent White	Difference from mean	Percent Black	Difference from mean	Observations
All tracts	46.90533	0	34.946	0	828
Any business	47.31815	0.41282	34.6863	-0.2597	743
Business mean and above	51.89416	4.98883	30.21617	-4.72983	292
Business 1 SD and above mean	63.69892	16.79359	15.78864	-19.15736	95
Business 2 SDs and above mean	67.91057	21.00524	14.44959	-20.49641	31

Table 3 displays the White and Black racial makeup of all of Chicago's census tracts, those that contain any business, and those with a density of business zoning designations average and above, one standard deviation and above, and two standard deviations and above the average. Compared to the average population of Black and White Chicagoans in each of Chicago's census tracts, White Chicagoans are overrepresented in tracts with business districts, a trend which is most striking in tracts with well over the average density of business districts (one and two standard deviations above the mean). Inversely, Black Chicagoans are underrepresented in tracts with business districts, a trend which is also most striking in tracts with well over the average density of business (one and two standard deviations above the mean). In tracts with business zoning density greater than or equal to one standard deviation above the mean, White Chicagoans are overrepresented by almost 17% and Black Chicagoans are underrepresented by 19% compared to the racial makeup of the average tract. At two standard deviations above the

mean, this increases to 21% and 20% respectively. Even for tracts containing an average or above zoned density of business districts, the average White and Black populations are under and overrepresented by about 5% respectively. The racial gap in access to B-zoned districts is striking. White Chicagoans live in areas that are far more densely zoned for business districts than Black Chicagoans.

Commercial and Business Interplay: Implications and Politics

The relationship between commercial and B-zoned districts is important to draw

out-this correlation is not by chance. Daniel Luna, former 47th Ward Alderman Schulter's chief

of staff noted that Alderman Schulter's office "encourage[ed] B zonings," away from C zonings:

"Schulter tried to eliminate [C zoning] and change to the B zoning because the C zonings would allow more uses, some would call 'em obnoxious uses. But uses, you know, car painting, tattoo parlors, liquor stores, Gentleman's clubs, you know, stuff like that. So, he really tried to eliminate the C zonings, especially on the main arterial streets, like Clark Street, like Irving [Park Road], where you had a lot of automotive repair shops. A lot of auto related businesses. And he tried to, he would support developers coming in and building [away from these uses]"

In addition to "obnoxious uses" allowed in C zones, Luna spoke to the

pedestrian-friendly nature of B zoning, and Schulter's focus on creating community:

"Trying to get rid of the automotive uses was, was an angle that he [Schulter] really wanted to do because when you can get rid of automotive uses, you can get rid of driveways and when you get rid of driveways, it becomes more pedestrian-friendly. And that's when you, that's when you wanna encourage more businesses. Walkable. Walkability, et cetera. So that was his angle and that, so the big goal was just improve walkability, improve the neighborhood environment in general...Gene Schulter was like, I want community, I want people to talk, I want people, neighbors to see neighbors. I want people sitting on their porches. So that's why we granted a lot of front yard relief to get porches out there. He was, Gene Schulter was very community driven."

Clearly, one of the reasons Schulter was interested in moving from C to B zoning was

creating community, and by extension neighborhood desirability. As Luna alludes to, foot traffic,

in addition to creating a real sense of community and neighborhood, encourages businesses and sales, and thus future development (New York City Department of Transportation 2014). It is a cyclical process, one nearly opposite from what Wilson (1996) argues has occurred in Black neighborhoods in Chicago, where after work disappeared, community ties began to disintegrate, leading to a cycle of disinvestment.

Mark stressed similar community-centric and pedestrian-friendly concerns when it came

to B and C zoning noting that Alderman Martin's priorities from a zoning perspective are:

"affordability, front and center, replenishing the affordable housing we're losing, and taking the opportunity to preserve existing housing, encouraging alternative modes of transportation and pedestrian-friendly design. Limiting curb cuts and parking, encouraging transit-oriented development." He stressed, "drive-thrus are very much opposed to our vision."

Part of the process of moving from C to B zones in Schulter's tenure that Luna did not mention but Mark brought up was downzoning—the proactive zoning across the ward from C to B districts and from higher density, such as C-2 and C-3 to lower density B1 and B2, or B3 to B1

or B2.

Mark noted, "We don't have a lot of C. C is bad because C is car oriented. I'm sure there were a lot of things that were zoned C, we've got a lot of drive-thrus especially on Irving Park, but as part of the downzoning process, Schulter downzoned everything to B because C also means you can do liquor without asking"

Downzoning, as Mark points out, allows aldermen more control over zoning, "the point of downzoning was to require an up-zoning from him [Schulter] if anything else were to happen," and by extension, the physical makeup of their wards. There are many reasons for wanting increased control. Politically, Mark explains, due to traditions of aldermanic prerogative in the zoning process "anything [that] happens the alderman owns." Any and all zoning changes are traced back to the alderman. This harkens to the history of machine politics in Chicago. If an alderman has complete control over the developments in their ward, come election time, they can point to all of them as evidence of their value. Vote for me because *I* am the reason your favorite business opened up, or a liquor store or tattoo shop was replaced with a bookstore, or a dilapidated building was converted into a new two-flat.

However, "owning" all zoning decisions is politically a double-edged sword. In talking about *removing* liquor moratoriums, Mark notes that "if the alderman opts to create situations in which the zoning is more permissive, then the alderman is intentionally creating situations in which he can be blamed for something that is out of his control because he is intentionally relinquishing control." Schulter's zoning process implicitly reflected these political concerns. Luna explained the community process for zoning changes:

"He [Schulter] would invite all the neighbors. At those meetings representatives of the developers or property owners would be there to explain the projects, why the zoning relief is needed. And then it would be a decision made by the community. And then Alderman Schulter would then support what the community supported. They [neighbors] would receive a flyer in the mail, and then I, along with another rep from the alderman's office would be at the door for every meeting. They [neighbors] would come in, we would ask 'em to bring the envelope that they received the flyer in to show proof of residency so that it wasn't someone outside the area making a decision for that area. So, they would bring in the letter, check 'em off, and then they would use those envelopes to vote. And it was usually just a hand up vote. It was basically just a show of hands."

By leaving the final vote on a zoning project up to the immediate neighbors, when residents were happy about new developments and zoning changes, the alderman could take credit. And when they were upset, the alderman could point to the neighbors—after all, the neighbors voted for the development. Schulter's voting process may seem completely democratic, removing his input from zoning completely, but this is far from the case. As Luna explained, Schulter would first speak with developers: "He would tell 'em that, you know what, that's too high, that's too dense, the units are too small, I mean, Gene Schulter was a staunch believer of larger units. With one-to-one parking."

Political incentives impact the approach to liquor stores in the 47th Ward as well. When asked about liquor stores, Luna noted:

"But always remember there's a moratorium and I believe the 47th Ward is almost like the 48th Ward when it comes to moratoriums. And as long as there are moratoriums in place on all the streets for packaged goods and for consumption on premises [...] it doesn't matter what the zoning is, you still have the moratorium in place, the only way the moratorium can be lifted is through the alderman. So that's a safeguard."

By safeguard, Luna most likely is referring to the literal safeguard that moratoriums provide against the development of new liquor stores or other undesirable businesses, even in C zones where they are normally allowed by right. Moratoriums are also a political safeguard, however. They provide the alderman with control, ensuring that any business in the moratorium area that wants a liquor license has to go through the alderman's office to have the moratorium lifted. It allows aldermen full "ownership" over liquor businesses, preventing them from having to deal with the political repercussions of a liquor store or unruly business.

Mark discussed a likely unintended consequence of these moratoriums, reduced investment in the area. The moratorium means that the process for opening a new restaurant, bar, or even grocery store, anything that would need or want a packaged goods or consumption on premises liquor license needs to go through the alderman's office and the city's process for passing ordinances. Even though aldermanic prerogative means the city will effectively rubber stamp an ordinance introduced to remove or institute a moratorium, it is a lengthy process that takes months. Mark explains, "one guy called me, he said, 'tell me about this bar, I own bars in the city, I'd like to open one,' and the second I mentioned the moratorium, he hung up." Before introducing an ordinance, lifting a moratorium often means the alderman will engage the neighbors in a community process to ensure the measure has sufficient support. Mark explains that a business owner asked them to remove the packaged goods liquor moratorium on Irving Park Road in order to sell packaged liquor at their 7-Eleven. Mark notes:

"There's a liquor moratorium on Irving Park in GWCA (Graceland West Community Association), GWCA is an old school neighbor's association, they've existed since the 80s I think, and they've existed since a time where Graceland West was, they'll tell you, gang ridden [...] this is a neighbors association that was created in the context of the fight against gangs, and they remember a time when liquor was terrible"

The office ended up removing the moratorium, but only temporarily so that the 7-Eleven could obtain their licenses, before introducing another ordinance to reinstate it. Mark notes, "I promised them [GWCA] to put the liquor moratorium back in place on Irving." To savvy developers and business owners who understand aldermanic and city processes, the time and energy it takes to have a liquor moratorium removed are not worth the investment or risk. There are liquor moratoriums in Black neighborhoods, some Black wards are almost entirely covered in them. The higher density of liquor stores in Black neighborhoods despite these moratoriums suggests they were instituted in response to liquor store development in order to prevent new liquor stores from opening. As Mark notes, however, these moratoriums discourage non-parasitic development, such as that of restaurants or family-owned bars that unlike liquor stores might have a positive relationship with the surrounding community.

A similar zoning process to the removal and replacement of the liquor moratorium on Irving Park, though unrelated to liquor, transpired in the 47th Ward at 1616 W. Montrose, zoned originally for B1-3. A massage establishment wanted to occupy the building, which required a zoning change to C1-3 as massage establishments are not allowed by right in B designated zones. After consulting the community, Alderman Martin agreed to grant the zoning change with the understanding that after the business obtained its license, it would zone the property back to its original B1-3 zoning.

These so-called 'backzones' highlight residents' and aldermen's concerns when it comes to C districts and liquor. The zoning code was not intended to be used on a back-and-forth basis like this, but traditions of aldermanic prerogative, a history of downzoning and moratoriums, and neighbor's expectations in the 47th Ward have created this dynamic. As Mark argues, "we are functioning within a system where the zoning was perverted through downzoning."

Interestingly, Mark noted that developers "seldom [request changes] from something to B." Mark reasons, "there are very few things you can do in B that you can't do in C, so there are very few reasons someone would want to zone away from C." Instead, he noted, "more so we actually have requests for changes in the other direction, from B to C, most often involving liquor." Perhaps the reason for the lack of requests from C to B zones is due to the lack of remaining C districts in the 47th Ward following Schulter's downzoning. Or perhaps, C to B zoning requests do not come from developers often, regardless of how many existing parcels there are. Given Luna's comments about explicitly encouraging movement away from C to B districts and Mark's speculations, this seems more likely to be the case. It would also indicate that the correlation between race and B and C zones may be a new phenomenon, one I have hypothesized is driven by public and private forces: aldermen and developers. Perhaps there have been more aldermen like Schulter who have either proactively downzoned from C to B districts or have nudged developers in the direction of B districts.

Now, though, as Mark noted, "proactively making changes is hard." Aldermen zoning proactively are met with accusations of corruption from residents and raised eyebrows from the city. Whereas downzoning large areas as was done in the 47th Ward may have been possible

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prior to the 2000s, it is nearly impossible now. As indicated by *Hanna v. City of Chicago*, downzoning now, when initiated by aldermen, may be more readily met with legal challenges from residents.

The interplay between C and B districts and the politics of liquor stores and rezoning is consistent with Wilson's analysis of the importance of community structure. Luna, Mark, and 47th Ward residents are very concerned with how zoning, development, and business decisions impact the neighborhood community feel: from pedestrian-friendly, walkable areas that aim to encourage neighbors to interact with each other and new businesses to invest in the area, to restricting liquor stores in order to manage social deviance. These concerns implicitly reflect the opposite process to what Wilson (1987) argues has occurred in Black neighborhoods, where a cycle of disinvestment and a lack of employment opportunities has led to the dissolving of neighborhood social ties, and, in the end, the creation of a "truly disadvantaged" group.

Interestingly, Shertzer et al.'s analysis of Chicago's 1923 zoning map found no significant correlation between commercial zoning and race. Their study utilized different analytical methods, and a different definition of race, looking specifically at Southern-born Black people, so it cannot be completely certain if the difference in my analysis and theirs is a result of noise or a real change in the spatial distribution of commercial districts in the last 100 years. However, given Luna's comments, it seems likely that the discrepancy in the density of C and B districts by race is a change that has occurred since 1923, one that is the result of the combination of positive pressures from aldermen and developers.

The Impact of Investment

Aside from the down or up-zoning of large portions of a ward, zoning changes originate with developers or residents. Development projects require developers and private funding (investment). Luna spoke to the impact of the 2008 financial crisis on development in the 47th Ward:

"Between '04 and '08, there were projects coming left and right. Everywhere. Materials were cheap. Land costs were cheap. It was a perfect time. And then the recession hit. Everything went on hold. Everything. I mean, half of the projects just stopped. It was that bad. At one point, it seemed like we were doing zoning meetings once a week. From 2008 to almost 2010, there was no development. People were losing properties."

One of the reasons Chicago is so segregated and why segregation is so impactful on life outcomes is because of uneven investment by developers. Clearly, development has a significant impact on the zoning of a ward, as developers either request zoning changes or allow for aldermen to work with them to move from less desirable to more desirable zoning designations. Given the number of vacant parcels in some of Chicago's Black wards, it's likely Black wards experience significantly less development than a majority White ward like 47. Luna noted that the 24th ward that covers the Lawndale neighborhood has over 3,000 vacant lots, exponentially more than the "one, maybe two" vacant lots in the 47th Ward. If Black wards experience development as the 47th Ward did in 2008-2010, it's easy to see how zoning discrepancies have become ingrained, especially if majority Black wards that do not have histories of machine politics were not downzoned as Alderman Schulter did in the 47th Ward.

Manufacturing Districts

Mean	Percent White	Difference from mean	Percent Black	Difference from mean	Observations
All tracts	46.90533	0	34.946	0	828
Any manufacturing	39.04714	-7.85819	41.1258	6.1798	391
Manufacturing mean and above	58.83802	11.93269	22.94052	-12.00548	165
Manufacturing 1 SD and above mean	37.50889	-9.39644	39.54706	-4.60106	43
Manufacturing 2 SDs and above mean	35.84089	-11.06444	35.18801	0.24201	23

Table 4: Summary statistics for the average racial makeup of tracts with manufacturing-designated zoning

Table 4 displays the White and Black racial makeup of all of Chicago's census tracts, those that contain any manufacturing, and those with a density of manufacturing zoning designations average and above, one standard deviation and above, and two standard deviations and above the average. The results of this analysis are mixed. As expected, given Shertzer et al.'s (2016) analysis, White Chicagoans are underrepresented in tracts with any manufacturing districts and tracts with well over the average density of manufacturing density (one and two standard deviations above the mean). However, though Black Chicagoans are overrepresented in tracts with average and above manufacturing, they are very underrepresented in tracts with average and above manufacturing (two-standard deviations and above). This indicates that either Black Chicagoans have moved out of tracts with high densities of manufacturing, manufacturing zones have been zoned to other zoning designations, or some combination of these factors since 1923.

Data for manufacturing density average and above conforms even less to expectations, indicating that White and Black Chicagoans are overrepresented and underrepresented in these tracts by 12% respectively.

My interviews in the 47th Ward offer some context. Both Luna and Mark noted that zoning away from manufacturing was and is not a priority. Luna said, "But that was one of the things was try to keep the manufacturing zones intact but eliminating a lot of the C zoning because of what was there previously." Mark told me that "Chicago has a stated policy of maintaining manufacturing corridors [...] we have seldom touched things in M." Manufacturing districts are one area that the city has taken an active role in when it comes to the zoning process. The City's "Industrial Corridor Modernization Initiative" website notes that the Department of Planning and Development (DPD) started in 2016 "to refine land use policies for continued growth and private investment in the City's Industrial Corridor system" ("Industrial Corridor Modernization Initiative" 2022). The goals of this initiative include:

"unleash[ing] the potential of select industrial areas for advanced manufacturing and technology-oriented jobs while reinforcing traditional industrial activities in other areas; maintain[ing] and improv[ing] the freight and public transportation systems that serve industrial users; support[ing] new job growth and local job opportunities; and leverage[ing] the unique, physical features of local industrial corridors to foster demand."

Today, DPD seems to have taken the lead on zoning related to manufacturing districts in Chicago, shifting some power over the zoning process away from aldermanic offices. The explicit goal of the City to maintain and revitalize manufacturing areas is respected by aldermanic offices and guides their zoning process when changes to M districts are proposed.

In the 47th Ward, existing manufacturing districts are rarely, if ever, used for traditional manufacturing uses. "True" manufacturing uses such as factories can still be built in

manufacturing districts, but these parcels in the 47th Ward are more often used to house office

spaces or breweries. Mark noted:

"No one's going to open a new factory here. But they are going to open a new brewery, that's allowed under M. 'Malt Row' on Ravenswood is made possible by the fact that breweries are allowed in M. M allows for office spaces, and that's not the point of M, but we're not mad at it. Maintaining an M zoning doesn't mean you're going to get manufacturing."

Parks and Open Space Districts

Table 5: Summary statistics for the average racial makeup of tracts with parks and open space-designated zoning

Mean	Percent White	Difference from mean	Percent Black	Difference from mean	Observations
All tracts	46.90533	0	34.946	0	828
Any POS	45.42229	-1.48304	37.42178	2.47578	483
POS mean and above	53.67396	6.76863	28.17005	-6.77595	250
POS 1 SD and above mean	50.46366	3.55833	34.97849	0.03249	59
POS 2 SDs and above mean	51.11887	4.21354	35.86808	0.92208	31

Table 5 displays the White and Black racial makeup of all of Chicago's census tracts, those that contain any POS, and those with a density of POS zoning designations average and above, one standard deviation and above, and two standard deviations and above the average. White Chicagoans live in tracts with slightly more parcels zoned as Parks and Open Space than Black Chicagoans. They are overrepresented by nearly 7% in tracts with average and above POS density while Black people are underrepresented by the same amount in these same tracts. This relationship, interestingly, becomes smaller as the density of POS in tracts increases. The findings for the density of POS average and above are consistent with Duncan et. al's (2013) study of parks and open space in Boston which found a negative correlation between the proportion of Black residents and parks, fields, and playgrounds.

Policy Implications and Recommendations

My analysis of census racial data and city zoning data indicates a racial discrepancy in the zoning of B and C districts as of 2022. On average, areas of the city that have higher densities of C districts also have higher densities of Black residents than the average census tract, a relationship that is reversed for White residents. On average, areas of the city that have higher densities of B districts have lower densities of Black residents than the average census tract, a relationship that is also reversed for White residents. Interviews with key players in the 47th Ward, a majority white ward, reveal explicit attempts by aldermen to move from C to B zoning designations in the last 30 years for at least partially political reasons. The C and B racial disparity appears to be a recent development, and the result of many factors including segregation, uneven investment, and Chicago's history of machine politics.

Based on the results of this study, policymakers should work to delimit the influence of private investment through developments. Where investment is desirable to developers, such as the 47th Ward, aldermanic prerogative and developers have together created more pedestrian-friendly, community-oriented neighborhoods. Clearly, though, zoning that merely reacts to developer interest is insufficient. Areas of the city that do not experience significant private investment because they do not have many developers looking to build do not have access to opportunities to use reactive zoning to make neighborhoods more pedestrian-friendly and community-oriented. Thus, uneven developer interest and investment perpetuates disinvestment in Black neighborhoods and inequality in an already extremely segregated city. Reactive zoning can be positive in neighborhoods with sufficient developer interest, and in neighborhoods where businesses and residents have reciprocal and non-parasitic relationships. Aldermen, when given opportunities from developers, can work to make neighborhoods more community-oriented, for instance, more pedestrian and family-friendly.

But ultimately, aldermen are too limited to resolve the numerous issues outlined in this study given the physical scope of the city, its ongoing development, and the history of machine politics. Because zoning is inherently political, any attempts by aldermanic prerogative now to fix disparities are viewed with suspicion of corruption and can lead to legal action as in *Hanna v. City of Chicago* 2022. Also, most significantly, Aldermen are not, and cannot be expected to be, experts in city planning and development. Neither are their zoning staff, who are often juggling multiple responsibilities. Additionally, aldermen have limited timeframes. Even if they hope to be in power for more than a four-year term, they are most likely not approaching zoning in anticipation of what the city will look like thirty to fifty years in the future. Given these factors, it is unlikely that those serving a specific ward will understand or take into account how their individual, small-level, decision-making in the zoning process will play out across the city as a whole and for decades if not centuries to come.

The party which has that larger perspective of both space and time is the Department of Planning and Development (DPD), the principal planning agency for the City. If DPD took on a greater role in the zoning process by giving zoning guidelines on a macrolevel, it could address the landscape of the whole city and consider the well-being of all its residents. Currently, DPD does not have a significant role in the zoning process due to Chicago's history of aldermanic prerogative in the zoning. Both Luna and Mark noted that DPD "stays out" of zoning for most of

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the process, sometimes offering design suggestions, but rarely speaking to the zoning of a parcel or suggesting that zoning be proactively changed. Their general consensus seems to be that DPD is not helpful to aldermanic offices from a zoning perspective. When DPD did get involved with design on 47th Ward projects, Luna noted that they had a tendency to "overstep our community process." Instead, I suggest that DPD creates comprehensive zoning guidelines and works with aldermen and their communities in service of community-building goals. With guidelines in place and clarity of their role, micro-level involvement by DPD could be reasonably avoided. This means DPD would not be involved in zoning on a parcel-by-parcel basis. Instead, they would work with aldermen, specifically those in wards with high volumes of vacant parcels and low developer interest, to create comprehensive neighborhood plans for large areas or stretches of parcels that involve proactive rather than reactive zoning, including crucially the proactive zoning away from commercial to business zones.

DPD also has the advantage of being more likely to act with less bias than an alderman by having a larger image of the entire city in mind. Although political in origin by nature of its commissioner being appointed by the mayor, the department is staffed by experts in city planning and development, architecture, design, economic development, and historic preservation. DPD staff and leadership are likely much less concerned about politics and reelection than aldermen and their staff. The current aldermanic zoning process is inherently biased in favor of the people already living in a community. DPD can act to mitigate this effect by providing macro-level guidance dictated by a whole-city view, which may be able to counteract racially uneven zoning. Crucially, this would require a reimagining of DPD. Given the concerns highlighted by Luna and Mark, in its current state, DPD would likely not be a helpful planning or consulting zoning entity. However, DPD's work with the Industrial Corridor Modernization Initiative indicates that the department has the potential for a more significant role in the zoning process.

Before DPD takes on a more active role there are several key areas that need to be addressed with further research and analysis. There should be more research into racial zoning discrepancies across Chicago. Future research should look more closely at liquor moratoriums across Chicago in order to analyze their effectiveness and impact on development. Additionally, work by DPD with aldermen and their communities to develop proactive zoning plans that prioritize community building (including zoning away from C to B districts) does not guarantee investment from developers. It may even temporarily decrease investment in areas where corner liquor stores are the most common type of new development. Ultimately, however, because Kwate's (2020) research shows liquor stores destabilize other nearby retail in areas with little development, not all development is good development. The immediate goal for Black neighborhoods dealing with high densities of liquor stores and the fallout of these developments is positive development. City-wide, DPD could have an eye-and guidelines-for employment and business opportunities that will reinvest in the community rather than acting as parasites. Finally, it is important for future research to conduct further interviews with aldermanic zoning staff, with a specific focus on wards with high percentages of Black residents and wards that do not have a history of machine politics.

The City's DPD has a unique opportunity. It can create comprehensive proactive zoning plans and guidelines that promote healthy community development for a more integrated city that offers the chance to thrive to all Chicagoans. These guidelines would give legitimacy to aldermen working to *proactively* zone away from so-called obnoxious uses, limiting the decision power of developers and private investors in determining the makeup of Chicago's

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neighborhoods. These comprehensive zoning plans and guidelines could shape the City of Chicago with a clear eye for a scope and a timeline that are greater than a single ward's size or a single alderman's term.

Conclusion

By determining the physical landscape and use of neighborhoods, zoning impacts the availability of fresh produce or liquor, quality of schooling, job and career opportunities, and even whether someone develops asthma or cancer. Analysis of Chicago's zoning data and racial makeup reveals uneven zoning across the city of Chicago, most notably in regard to C and B zoning designations. Interviews reveal one reason this may be the case: explicit attempts by aldermen in traditionally White and White-ethnic neighborhoods to zone away from C to more community-friendly B zones. But from my data and interviews, there is no "bad guy" in the narrative of 21st-century zoning in the 47th Ward. Racial discrepancies in zoning are influenced by many factors including neighborhood-level politics (which are sometimes remnants of machine politics), available investment, and an over 100-year-long history of segregation. All of these factors have combined to lead to self-reinforcing systemic disparities. The City of Chicago needs to end this cycle by uplifting the areas of the city that have been historically at a disadvantage.

The solution is not to strip aldermen of their power in the zoning process but to expand the City's DPD input on a macro level. By virtue of being immersed in their communities and having a stake in the process, aldermen and their staff have been at the forefront of positive changes to the zoning process. For example, Chicago amended the Affordable Requirements Ordinance (ARO) in 2021 to require that 20% of the units in all new developments with ten or

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more units meet the city's affordability requirements. This new requirement is double the original 10% and was implemented after Alderman Martin's office proved to the City that the 20% threshold was feasible by requiring developers to provide 20% affordable units for two years preceding the new ARO (Agrelo 2022). As the 47th Ward also demonstrates, aldermen have worked to create more community and pedestrian-friendly neighborhoods. One of the tools that Schulter used to accomplish these goals, downzoning, is no longer available to aldermen in an era of increased scrutiny of large-scale zoning decisions. Nor should the practice of large-scale rezoning projects initiated by aldermanic offices without city input continue. Instead, DPD should step in to provide expertise and guidance on large-scale zoning projects. This would grant legitimacy to aldermen of Black neighborhoods looking to correct the effects of over a century of segregation and disinvestment on neighborhood zoning. And it would support all aldermen across the City of Chicago to realize neighborhoods that benefit their residents' health and economic well-being.

Appendix

Interview Questions:

- What is/was your role in the aldermanic office?
- How long were you in this role?
- What are your thoughts generally on the City of Chicago's zoning process?
- What part did you play in the rezoning process?
- What was (or) is the 47th Ward's approach to rezoning?
- What are your considerations from a public policy standpoint specifically in regard to C, B, and M districts?
- Do you ever initiate zoning changes, or do they all originate from applicants, developers, and/or residents?
- Do you have a plan for the entire ward or neighborhoods, or did you approach rezones on a plot-by-plot basis?
- What role did/does the Department of Planning and Development play in zoning/plans for the ward?
- Can you speak to your approach to liquor stores in 47?
- Are there businesses/uses you try to avoid bringing into the ward?
- Do developers come to you for the Alderman's blessing even when their plan is allowed by right--when they don't need a zoning change?
- What are your thoughts generally on Chicago's history of machine politics? Do you think machine politics are still relevant?
- Have you noticed any lasting effects of machine politics on constituent relations?

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