

The spatial politics of urban character:  
Analyzing the roles of historic districts in neighborhood land use activism to resist displacement,  
New York City and Los Angeles, 2000-2020

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## **Abstract**

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This three-article dissertation uses a mixed-method research design to examine a contemporary phenomenon related to grassroots resistance to urban gentrification. In New York City, Los Angeles, and other high-growth US cities, community-based organizations are utilizing National Register of Historic Places listing and local designation of historic districts as strategies to resist residential displacement in the context of gentrification and diminishing housing affordability. The central issue with this practice is quantitative research overwhelmingly finds that neighborhood socioeconomic trends follow indicators of gentrification after the implementation of historic districts. Qualitative studies also demonstrate that historic districts are most often associated with the interests of homeowners who seek districts to protect or increase property values. Therefore, the use of historic districts for anti-displacement purposes can appear counter-intuitive.

Arguably, the few existing studies of this practice do not thoroughly analyze the value of publicly stating the intention of districts for anti-displacement purposes or how organizational entities hypothesize causal links between historic districts and the reduction of displacement by gentrification. This gap between research and practice presents an opportunity to examine the functions of historic preservation regulations and participatory venues within the uneven distribution of racial, political, and economic resources necessary to affect authoritative land use decisions.

The three articles are sequential. The first article uses logistic regression to estimate the organizational, contextual, and neighborhood socioeconomic factors that influenced a sample of community-based organizations in New York City, NY, and the City of Los Angeles, CA, between 2000-2020 to state motivations for anti-displacement purposes at public hearings for new historic districts. The second article further examines organizations' motivations through archived conference proceedings and focused interviews with the key informants of six (6) New York City community-based organizations on the political, socioeconomic, and racial processes that influenced their use of local and NRHP districts as anti-displacement strategies. The interviewed organizations were identified by the review of public hearing testimony and correspondence for Article 1. Finally, Article 3 uses a difference-in-differences statistical technique to test the neighborhood socioeconomic impacts of contextual rezoning in New York City between 1986-2020 as a type of non-FAR rezoning. Contextual zoning and historic districts are similar in that their implementation depends on the presence and maintenance of neighborhood character. Unlike historic districts, new development in contextual zones functions as an administrative process with the Department of Buildings without reliance upon discretionary review of proposals by a city agency.

The articles find that community-based organizations pursue historic districts for a blend of procedural, regulatory, and financial benefits related to anti-displacement activism. Some organizations seek historic districts as substitutes for neighborhood-wide downzoning due to rezoning's high financial and administrative costs, reflecting power inequalities in urban politics. The articles' findings also suggest that there are causal links between regulatory restrictions on development and the exclusion of new socioeconomic groups, albeit in the interest of excluding residents of higher-socioeconomic status to resist gentrification. Ostensibly neutral, character-based discourse in urban development is implicated in preserving historical patterns of urban racial and economic isolation. Without state and federal interventions in the provision of urban growth, historic districts and character-based rezonings have limited influence on long-term urban equity.

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## **Dedication**

I dedicate my dissertation to my father, John P. Dublin.

## **Introduction to the 3 Articles**

This three-article dissertation uses a mixed-method research design to examine a contemporary phenomenon related to grassroots resistance to urban gentrification. In New York City, Los Angeles, and other high-growth US cities, community-based organizations are utilizing National Register of Historic Places listing and local designation of historic districts as strategies to resist residential displacement in the context of gentrification and diminishing housing affordability. The central issue with this practice is quantitative research overwhelmingly finds that neighborhood socioeconomic trends follow indicators of gentrification after the implementation of historic districts. Qualitative studies also demonstrate that historic districts are most often associated with the interests of homeowners who seek districts to protect or increase property values. Therefore, the use of historic districts for anti-displacement purposes can appear counter-intuitive.

Arguably, the few existing studies of this practice do not thoroughly analyze the value of publicly stating the intention of districts for anti-displacement purposes or how organizational entities hypothesize causal links between historic districts and the reduction of displacement by gentrification. This gap between research and practice presents an opportunity to examine the functions of historic preservation regulations and participatory venues within the uneven distribution of racial, political, and economic resources necessary to affect authoritative land use decisions.

The three articles are sequential. The first article uses logistic regression to estimate the organizational, contextual, and neighborhood socioeconomic factors that may have influenced a sample of community-based organizations in New York City, NY, and the City of Los Angeles, CA, between 2000-2020 to state motivations for anti-displacement purposes at public hearings

for new historic districts. The sample of organizations was created from the archived public hearing testimony and public correspondence for National Register of Historic Places listed historic districts and local districts approved between January 1, 2000, through June 15, 2020, in NYC and LA.

There are few studies on this particular topic, so existing literature on the diverse motivations for historic preservation was used to develop the first article's hypothesis. The literature suggests that the pursuit of historic districts for anti-displacement purposes is a largely ad-hoc approach based upon the premise that historic districts' regulatory and procedural requirements will stop incoming gentrifying development. In contrast, community-based organizations with development capacity seek historic districts for federal rehabilitation tax credits and local grants as part of long-term inclusive rehabilitation strategies. Access to economic incentives is based solely on demonstrating historical significance or special character. The logistic regression tests the hypothesis that development capacity reduces the likelihood that organizations will pursue and state intentions to use new historic districts for their regulatory and procedural benefits related to anti-displacement activism.

The regression result demonstrates that there is no relationship to development capacity. Organizations with and without development capacity blend historic districts' potential regulatory, procedural, and financial benefits. Instead, for organizations located in neighborhoods where the percentage of non-Hispanic white and percent college-educated residents are higher, the likelihood of stating motivations for anti-displacement purposes falls. Change in poverty rate between 2000 and 2020 is also included in the model to measure neighborhood risk of displacement. Each unit increase in the poverty rate between 2000 and 2020 also decreases the likelihood that organizations seek districts for anti-displacement

purposes. Organizations are responding to the loss of residents below the poverty line with historic districts as protective interventions. The findings point to racial imbalances in exposure to more intensive land uses and the use of preservation in the absence of sufficient political and economic resources to persuade decision-makers to stop the implementation of growth policies.

Supplementary analysis of public hearing records shows that organizations hypothesize designation/listing as a mechanism for mitigating neighborhood gentrification by maintaining existing building heights and protecting existing housing stock from demolitions for newer, denser housing construction that appeals to the luxury end of the housing market.

The second article further examines organizations' motivations through archived conference proceedings and focused interviews with the key informants of six (6) New York City community-based organizations to examine the political, socioeconomic, and racial processes that influenced their use of local and NRHP districts as anti-displacement strategies. The interviewed organizations were identified by the review of public hearing testimony and correspondence for Article 1.

The political economic literature demonstrates that privileged groups consistently block or modify urban development through city agencies' procedural, public participation requirements, including landmarks agencies. Entities' speaking positions and the value of their opinions are also awarded differently by social status. Drawing upon the existing literature and the findings of Article 1, the central hypothesis of Article 2 is that anti-displacement concerns are being displaced from consideration of more appropriate city agencies, like city planning, to historic preservation due to racial variations in groups' access to the political and economic resources necessary to influence decision-makers.

Analysis of interviewee responses demonstrates that in some instances, organizational representatives find that historic districts are less financially costly to attain than downzoning and function similarly to disincentivize the addition of new market-rate rental units through regulations. The pursuit of districts is not related to a lack of political resources or reliance upon landmarks commissions' discretionary review as a veto power to contest development. National Register and local historic districts act as institutional pathways to join urban planning activities outside of NYC's Uniform Land Use Review Process and assert community-driven approaches to land use, including for organizations that produce affordable housing. Community leaders also find that racial segregation created the economically disinvested neighborhoods that are now the targets of gentrification.

Article 3 uses a difference-in-differences statistical technique to test the neighborhood socioeconomic impacts of contextual rezoning in New York City between 1986-2020 as a type of non-FAR rezoning. Contextual zoning and historic districts are similar in that their implementation depends on the presence and maintenance of neighborhood urban character. For example, most low-density contextual zones require pitched roofs, and regulations prioritize rowhouses. Unlike historic districts, new development in contextual zones functions as an administrative process with the Department of Buildings without reliance upon discretionary review of proposals. In the absence of discretionary review, the study's findings may firmly represent the impacts of physical, character-based regulations independent of the subjective and political factors that influence which neighborhoods receive special protections and which do not.

The difference-in-differences model controls for the initial differences in socioeconomic trends between NYC census tracts that would or would not become contextually zoned by 2020

and then evaluates if those trends changed after policy implementation. The regressions demonstrate that the percentage of contextually zoned parcels in census tracts is related to increases in neighborhood socioeconomic status and decreases in the percentages of black and Latino residents. These changes are likely not due to gentrification since neighborhoods had similar characteristics in 1980. The findings represent a further entrenchment of white isolation that solidifies related privileges.

The articles find that community-based organizations pursue historic districts for a blend of procedural, regulatory, and financial benefits related to anti-displacement activism. Interviews with New York City community-based organizations indicate that National Register of Historic Places and local historic districts are most often used as part of deliberate engagements with decision-making outside formal participatory channels, such as community forums and self-initiated neighborhood planning. Uses of historic districts as an anti-displacement strategy do not necessarily reflect organizations' lack of development capacity or political resources to engage with decision-makers as initially hypothesized. Interview responses indicate that in some instances, community-based organizations seek historic districts based on the premise that their strict development guidelines can resist the introduction of new, gentrifying market-rate rental units. This lends itself to the interpretation that regulations can affect neighborhood socioeconomic change, independent of organizations' community activism. Article 3 demonstrates that the character-based regulations of contextual zoning are related to increases in neighborhood socioeconomic status and decreases in percentages of black and Latino residents.

Across the mixed-method approaches and findings, the articles are unified by the conclusion that ostensibly neutral, character-based discourse in urban development is tied to

preserving historical patterns of urban racial and economic isolation, even if in the interest of excluding residents of higher-socioeconomic status to resist gentrification. Without state and federal interventions in the provision of urban growth, historic districts and non-FAR rezonings have limited influence on long-term urban equity.

It may be true that historic district regulations can reduce the introduction of gentrifying market-rate rental units, but uses of districts as an anti-displacement strategy are too seldom of an occurrence in this study to quantify the effects of groups' alternative motivations. Although not addressed by interviewees, future studies can evaluate if historic districts disincentivize the introduction of city-initiated upzoning. Or, studies can consider how community-based organizations hypothesize and act on downzoning as a mitigator of gentrification.

# **Article 1: Historic Preservation’s Motivational Discourses and Uses of Historic Districts to Mitigate Displacement in New York City and Los Angeles, 2000-2020**

## **1.1 Introduction**

Historic preservation in the US is increasingly invested in social equity. Research, policy, and practice are increasing the diversity of the types and origins of resources considered historically significant and advancing the political, economic, and aesthetic functions of heritage preservation to society (Avrami 2016; Avrami, Mason, and de la Torre 2000; Minner 2016). This focus on equity is driven by historic preservation’s relationships to advocacy planning, equity planning, and the Just City (Davidoff 1965; Fainstein 2010; Krumholz 1982) as well as postmodernist theories (Sandercock 2003; Thomas 2008; Yiftachel 1998) that together, seek to redress the racial segregation, oppression, and inequalities created by urban planning policy. A central contention within historic preservation is that the rehabilitation, listing, and designation of individual landmarks, sites, and districts have been recognized as mechanisms for economic development (Birch 2005; Listokin, Listokin and Lahr 1998; Rose 1981; Rypkema 1995, 1991), but these tools are also scrutinized for their influence on gentrification and the displacement of residents (Beauregard 2010; Coulson and Leichenko 2001; Leichenko, Coulson, and Listokin 2001; Listokin, Listokin, and Lahr 1998; Ryberg-Webster and Kinahan 2014; Smith 1998; Werwath 1998). In addition to issues of inclusion around whose history is considered worth preserving, increasing equity in historic preservation must attend to the “distribution of preservation’s [socioeconomic] benefits and costs” (Minner 2016, 73).

Journalistic sources document an emerging trend in using preservation for equity. Local designation and National Register of Historic Places listing of historic districts are currently being utilized by community-based organizations in high-growth US cities to maintain affordability and reduce the risk of displacement of lower-income, black and immigrant communities by gentrification. For example, in response to New York City's Mandatory Inclusionary Housing (MIH) policy, community groups in East Harlem, East New York, Gowanus, and Inwood neighborhoods desired historic districts as preventive measures against the production of luxury housing despite the requirement that 10 to 20 percent of newly constructed units must be affordable (Dolkart 2019; Gill 2016; Historic District Council 2018; Hubert 2018; New York Landmarks Conservancy 2018; Vande Panne 2017). Other examples include Durham, NC, where a resident-driven process led to the designation of the Gold Belt Millhouse area in advance of anticipated gentrification by middle-class renters (Abrams 2016; Willets 2017). San Francisco and San Diego groups utilize cultural districts for similar purposes (Kaufman 2016; Mento 2018). The use of historic districts as anti-displacement strategies also presents several issues. Mainly, the capacities of historic preservation for mitigating displacement are not well known, and seeking designation for these purposes appears counter-intuitive given existing knowledge on the gentrifying impacts of designations. Therefore, this study examines the following research questions: How do historic preservation's existing laws accommodate residents' gentrification concerns? What factors influence community-based organizations' choices to pursue historic districts as anti-displacement strategies? How is this application of preservation policy related to the organizations' influence on urban development?

There are no current directories of organizations involved in historic preservation and minimal existing studies on districts' uses for anti-displacement purposes in the face of

impending development. This article takes a quantitative approach to answer these questions by using logistic regression to estimate the organizational, contextual, and neighborhood socioeconomic factors that influenced a sample of community-based organizations in New York City, NY, and the City of Los Angeles, CA, between 2000-2020 to state intentions for National Register listing and local designation of districts as means to reduce land use changes that organizations identify as drivers of resident displacement.<sup>1</sup> New York City and Los Angeles were chosen for this study as large US cities in high-growth contexts with documented gentrification pressures and complex arrays of land use planning tools (Angotti 2008, 234). The sample of organizations was created from the archived public hearing testimony and public correspondence for district designations/ listings (and extensions) approved between January 1, 2000, through June 15, 2020, in NYC and LA.<sup>2</sup> One hundred thirty-nine (139) community-based organizations were identified from all interest groups represented in the district public hearings, and their statements of motivation were coded.

Drawing upon the literature, the uses of historic districts by organizations that support urban equity can be further categorized into two explanations. Organizations attempting to block incoming development pursue districts for regulatory or procedural benefits. Community-based organizations with development capacity are less likely to seek a district for its regulatory or procedural benefits. Instead, they utilize National Register and local districts for tax credit incentives as part of long-term, inclusive neighborhood rehabilitation. Access to economic incentives is based solely on demonstrating historical significance or special character. These

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<sup>1</sup> This research approach depends on the assumption that organizations' public hearing statements to justify district designation/listing are valid representations of their motivations.

<sup>2</sup> For NYC, LPC's records for districts are not available online, so the sample is limited to archived materials collected in person between August 2019 and January 2020 before the city office was closed to the public due to covid-19.

organizations' motivations would be indistinguishable from other motivations based solely on historical or architectural significance. This paper utilizes logistic regression to test the hypothesis that development capacity reduces organizations' choice to state use of districts as an anti-displacement strategy.

The main result is there are no demonstrated relationships between organizations' development capacity and statements to use districts for their regulatory and procedural benefits. Organizations with and without development capacity likely seek districts for a blend of potential regulatory, procedural, and financial benefits for advancing urban equity. Instead, the regression results indicate that for organizations located in neighborhoods where the percentage of non-Hispanic white and college-educated residents are higher, the likelihood of seeking designation for anti-displacement falls. This points to historic racial imbalances in exposure to intensive land uses and the use of historic preservation in the absence of sufficient political power to resist city growth policies. Each unit increase in the poverty rate between 2000 and 2020 also decreases the likelihood that organizations seek districts for anti-displacement purposes. Organizations are responding to the loss of residents below the poverty line with historic districts as protective interventions. Supplemental qualitative analysis of public hearing records indicates that organizational representatives hypothesize that district regulations act as a mechanism for mitigating neighborhood gentrification by maintaining existing zoning restrictions and disincentivizing demolitions of existing housing stock for newer, denser housing that appeals to the luxury end of the market.

In this study, historic preservation acts as a lens to incrementally understand how grassroots organizations, often with limited political power, are choosing different strategies to challenge the inabilities of development processes to address the needs of lower and middle-

income city residents. In the journalistic examples of organizations using designation/listing as an anti-displacement strategy, the primary antagonist is publicly subsidized real estate ventures in the context of neoliberal governments (Angotti and Morse eds. 2017; Hackworth 2007, 61). With the rise of market-based governance, the pullback of social welfare, and the movement of capital back to urban real estate, communities often struggle to shape the futures of their neighborhoods (Ibid., 2007).

## **1.2 Background**

### 1.2.1 District Designation and Listing Processes in NYC and LA

This section provides a background of National Register of Historic Places (NRHP) listing and local designation in NYC and LA as governmental tools used to implement historic preservation programs (Thornsby 1997) and often act as “gatekeeper[s] for other tools [such as incentive programs] and as preservation’s primary interface with other planning practices,” (Avrami 2016, 105). Procedural background enables the study of the approaches used by stakeholders to interact with the administrative and legal structures of historic districts. Currently, there are 150 locally designated districts and 106 NRHP-listed districts in NYC, with the majority concentrated in Manhattan. Los Angeles has 35 local districts and 22 NRHP-listed districts, including View Park, most in downtown LA.

The National Historic Preservation Act of 1966 (NHPA)<sup>3</sup> funds and administers the nationwide identification of resources through the NRHP program, which State Historic Preservation Officers carry out. Eligibility for listing is based primarily on the demonstration of

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<sup>3</sup> The NHPA is primarily concerned with federal agencies and the adverse impacts of their activities on historic resources.

resources' physical integrity and at least one of the four Criteria for Evaluation: A) association with historical events; B) association with the lives of significant individuals; C) embodies distinctive architectural style, authorship, or high artistic value; and D) demonstrates important historical information.<sup>4</sup>

New York City and LA are identical in NRHP listing processes. State-level public hearings are held, and the State Historic Preservation Office submits reports with its determination of eligibility to the National Park Service Keeper of the NRHP for approval. Although anyone may nominate properties to the NRHP, a neighborhood cannot be listed if most property owners object to a proposed district (National Park Service 2019).<sup>5</sup> NRHP listing does not restrict owners' rights to alter or demolish properties and provides access to grants and tax breaks for income-producing properties,<sup>6</sup> such as the federal Rehabilitation Tax Credit (Conde 2007; Tyler, Ligibel, Tyler 2009). Both states possess complementary tax credit programs for commercial properties (NYS Parks, Recreation and Historic Preservation; Schneider 2001).

At the local level, both cities implement historic districts distinct from the zoning management overseen by city planning. New York City's preservation agency is the New York City Landmarks Commission (NYC LPC). In LA, designations and regulations are overseen by the Office of Historic Resources, with districts referred to as historic preservation overlay zones (HPOZs). Local designation of properties and districts is guided by criteria similar to those used for the NRHP, although NYC and LA ordinances do not cite them directly. Their implementation requires public hearings held by community boards (NYC) and neighborhood councils (LA), the historic preservation commission, city planning commission, and city council subcommittee

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<sup>4</sup> The criteria were first published in 1969, and as of 2010, Criterion C is the most commonly utilized (Sprinkle 2014, 20, 79).

<sup>5</sup> But can be deemed eligible for listing.

<sup>6</sup> The federal tax credit program was instituted during in the 1970s and 1980s. Archaeological sites and owner-occupied homes are excluded. Non-profits may use tax credit transactions to gain equity (Fowler 2003, 56).

before the final vote by the city council. Supporters and opponents may address each agency during allotted public comment periods and hear its statements on the eligibility of structures for landmarking (NYC LPC; LA Conservancy).

Once a neighborhood is designated in both cities, owners must submit detailed outlines of proposed alterations to commissions and receive a “certificate of appropriateness” design review before any permits are granted. Since these decisions impact property rights, local preservation is held to a “high standard of legal process” for the uniform application of rules (Cofresi and Radtke 2003, 134; Tyler, Ligibel, Tyler, 175). In LA, after HPOZ designation, owners can access the city’s property tax relief program enabled through the state Mills Act (California Office of Historic Preservation). New York City possesses a Community Development Block Grant program that provides matching funds for rehabilitations in income-eligible census tracts (NYC LPC Historic Preservation Grant Program).

Although designations are often community-initiated in both cities, in LA, most HPOZs are initiated by the city council (Gorska 2015, 59). To a lesser extent, designation processes are initiated by the Department of City Planning, Cultural Heritage Commission, and residents if at least 75 percent support the proposal (Ibid). After an HPOZ is designated, a five-member board is composed of politically-appointed residents and professionals to review alterations and ensure adherence to the district’s preservation plan (LA Conservancy; Los Angeles Department of City Planning).<sup>7</sup> In NYC, anyone may submit a Request for Evaluation form to LPC, and its staff determines if the neighborhood merits formal consideration (NYC LPC). The LPC remains the central regulator of alterations or new construction. Since 2005 LA has also implemented a participatory historical survey approach named SurveyLA, which produced nine context statements and 200 subthemes on the city’s architectural, social, and cultural history (Bernstein and Hansen 2016). In comparison, NYC surveys are completed when neighborhoods are under consideration for designation (NYC LPC).<sup>8</sup>

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<sup>7</sup> LA is starting to consolidate HPOZ boards, so there are fewer (Bernstein and Bedsworth 2021).

<sup>8</sup> Non-profit organizations, such as the NYC LGBT Historic Sites Project are filling this gap by conducting citywide surveys and curated themes of historical resources (NYC LGBT Historic Sites Project).

## 1.2.2 Historic Preservation and Neighborhood Change

Historic preservation practice in the US is heavily implicated in neighborhood change, although its relationships to property rights, due process requirements, and antigrowth interests have influenced its legal justification on aesthetic grounds (Costonis 1989; Glaeser 2011). The 1966 NHPA and litigations such as *Berman v. Parker* (1954) and *Penn Central Transportation Corporation v. City of New York* (1978) established that designation/ listing based on architectural styles and associated regulatory restrictions are valid exercises of police power for public welfare (Brindell 2012). Preservation policy and government investment in historic preservation more generally are also scrutinized for their association with negative costs of gentrification and displacement of residents, driven by increases in property values, taxes, and rents that follow designation/ listing (Beauregard 2010; Conde 2009; Coulson and Lahr 2005; Greenfield 2004; Leichenko, Coulson, and Listokin 2001; Listokin, Listokin, and Lahr 1998; Ryberg-Webster and Kinahan 2014; Silver 1991; Smith 1998; Werwath 1998; Yuhl 2005). A strong contemporary opposition argues that preservation regulations restrict the construction of higher-density development that would meet pressing demands for affordable housing and neighborhood integration (Glaeser 2011, 2021). Even with these challenges, researchers and preservation advocates argue that historic preservation can contribute to housing affordability, primarily by returning individual abandoned and neglected buildings to use as affordable housing through syndication of historic rehabilitation tax credit programs, federal Low-Income Housing Tax Credits (LIHTC), New Market Tax Credits, and Opportunity Zone funding (Avrami 2020; Arlotta and Avrami 2020; Cheong 2020; Rypkema 2002).

Several studies test the socioeconomic impacts of district designation/ listing, focusing primarily on local preservation law because it can shape the type and density of development (McCabe 2019, 182). Coulson and Leichenko (2004) studied Forth Worth, Texas 1990 to 2000 to find that NRHP-listed districts and local districts are associated with property value increases with little effect on vacancy, owner-occupancy, or residential turnover (Coulson and Leichenko 2001, 122). Noonan and Krupka

(2011) find that in Chicago during the 1990s, local designations negatively affected housing prices without socioeconomic change. Finally, McCabe and Ellen (2016) address the issue of socioeconomic change more directly to demonstrate that in NYC 1970-2010, following local district designation, there are neighborhood increases in percent white residents and residents with college degrees and decreases in poverty rates without indication that black residents are exiting at higher rates. These conclusions are consistent with gentrification literature. Lower-income and minority residents are no more likely to move involuntarily from neighborhoods increasing in socioeconomic status (Freeman and Braconi 2004; Ding, Hwang, Divringi 2016; Dragan, Ellen, and Glied 2019). Research demonstrates that preservation is not inextricably tied to displacement; there is scant statistical evidence that designation/ listing preserves or increases affordability.

McCabe (2019) stresses the need to account for existing community characteristics in statistical research that evaluates the impacts of historic districts on neighborhood change over time, such as levels of housing market competition in study areas and the buildable square footage lost as a result of local historic district implementation (McCabe 2019, 182). The causal mechanisms of how designation/ listing affects socioeconomic standing are also not readily apparent due to the social and political factors that influence the final approval or denial of proposed districts. For example, not all neighborhoods that could be districts are listed/designated due to geographic and cultural exclusions in preservation practice. Interest groups intentionally block listing/designation despite eligibility by historical significance. These social and political factors are not fully captured in statistical models (Koster, van Ommeren, and Rietveld 2012; McCabe and Ellen 2016, 137).

### **1.3 Designation/ Listing Motivations Related to Neighborhood Change**

Governments' power to identify, evaluate, and regulate historic resources is legally justified primarily on aesthetic grounds. Advocacy-driven research and preservation organizations are also interested in legitimizing ongoing government historic preservation programs as essential funding

sources. While remaining within this government framework, an alternative approach to understanding the relationships between historic preservation and neighborhood change is to examine how a range of stakeholders may steer preservation depending upon their motivations, capacities, and theories of how preservation influences neighborhood socioeconomic trends (Brown-Sarancino 2009; Newman 2001; Reichl 1997; Zhang 2011). This study examines organizations that seek historic districts as anti-displacement strategies. Therefore, this section develops and analyzes discourses of motivation in the literature related to land use and neighborhood change.

### 1.3.1 Influencing Federally-Funded Urban Development

Urban historic preservation was institutionalized in the US during the post-industrial restructuring of cities. Motivated by federally-funded urban renewal in the 1950s-60s, organizations of middle-class professionals pressed for laws and institutions that would guard against the demolition of older neighborhoods by modernist planning features (Gans 1962; Jacobs 1961; Osman 2011; Ryberg 2011, 143). Municipal governments enacted ordinances to protect historic resources (Reichl 1997, 519). The passage of the 1966 NHPA also enabled groups to utilize NRHP listings as procedural protections (Avrami, Leo, Sanchez 2018, 106) against the destruction of older neighborhoods by highway construction and other federal activities. Neighborhoods often became “historic” in public opinion when labeled as “blight” by top-down urban planning (Baer 1995; Saito 2009).

Ryberg (2012) and Mason (2004) also argue that preservation emerged as one type of social-environmental reform in the Progressive movement (Mason 2004, 131, 142; Ryberg 2012). Philadelphia’s Society Hill, City Center, and Germantown neighborhoods are U.S. Department of Housing and Urban Development Title I urban renewal projects where historic preservation was used as a strategy by local planning and housing authorities (Ryberg 2012,

195).<sup>9</sup> While the Philadelphia Historical Commission narrowly valued Colonial-era architecture, “cash-strapped” planners avoided costly demolition by integrating modern infill into rehabilitated housing stock (Ibid, 196). Other cities that integrated preservation into pre-WWII renewal strategies include Providence, RI, Baltimore, MD, Richmond, VA, New Orleans, LA, and Charleston, SC (Cohen 2010; Greenfield 2004; Silver 1991).

### 1.3.2 Economic Development

Analysis of designation processes in Seattle, WA, Pittsburgh, PA, and Denver, CO, during the 1960s-70s demonstrate that it was acceptable for the legal justification of historic districts and the ordinances that govern resource identification and regulation to extend into efforts to increase tourism, revitalize distressed neighborhoods, and to stabilize and increase property values (Morley 2004; Tyler, Ligibel, and Tyler, 156). In NYC, economic benefits also acted as key legal justifications for the 1965 landmarks law (Avrami 2016, 108) alongside aesthetic arguments developed by prominent art societies and civic associations (Wood 2008, 51, 220).

Contemporary preservation advocates and researchers also demonstrate the contributions of existing preservation programs to job creation, economic development, and tourism (Birch 2005; Listokin, Listokin, Lahr 1998; Rypkema 1991, 1995; Rypkema, Cheong, and Mason 2013; Sohmer and Lang 1998). The private sector certainly carries out economic development through historic preservation independent of government. Still, designation and listing by public agencies

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<sup>9</sup> In 1954, the Housing Act intentionally shifted the language of Title I of 1949 Act to embrace preservation, and in 1963 the US Urban Renewal Administration published a guide on how communities could use Title I funds to conserve areas of historic significance (Osman 2011, 147).

act as “gatekeepers” that enable access to tax reductions, grants, and other publicly-funded incentives (Avrami 2016, 105).

### 1.3.3 Residential Segregation

The literature also demonstrates that urban preservation was partially driven by predominantly middle-class, white residents whose motivations often reflected the decades’ racial divisions (Osman 2011). For example, in 1954, although the Providence Preservation Society (RI) partnered with the Providence Redevelopment Authority to develop a plan for the College Hill neighborhood, preservationists supported it as a program of “planned gentrification” (Greenfield 2004, 170) that depended upon the displacement of non-white residents by reducing multi-family housing and pressuring black homeowners to sell (Ibid. 176). If diversity was celebrated, it was done so by appreciating variety in urban form, not an intermixing of racial or economic groups. Into the 1970s, preservation transitioned to a redevelopment strategy that appealed to higher-income populations and real estate developers seeking trendy, high-cultured areas of restored historic buildings (Newsome 1971; Reichl 1997, 517; Zukin 1982, 1991). There is also evidence that racial exclusion was not the only way postwar middle-class homeowners utilized urban preservations. For example, newcomers to NYCs outer boroughs who advocated for community-powered “brownstoning” as a method of revitalization in the 1950s-60s acted as allies to adjacent minority communities, resisting displacement by modernist planning features (Mollenkopf 1981; Osman 2011; Reichl 1997, 57).

### 1.3.4 Revitalization Utilizing Preservation's Financial Incentive Programs

Others argue that democratized public processes have made preservation appealing to lower-income residents invested in neighborhood change (Gale 1991; Schneider 2001).

Community-based organizations and community development corporations (CDCs) have a significant history of using preservation's financial incentive tools for neighborhood stabilization and inclusive growth (Cohen, 1998; Ryberg-Webster, 2011, 139; Ryberg-Webster, 2017).<sup>10</sup>

Access to federal rehabilitation tax credits and local grants is based solely on eligibility for listing on the National Register of Historic Places or local district designation by demonstrating historical significance or special character.

For example, the organization Jubilee Baltimore achieved rental housing plans in Baltimore's Butcher's Hill—an African American neighborhood designated and listed as historic districts—through combinations of cost-saving LIHTC, federal and state historic tax credits, Baltimore City's historic restoration property tax freeze, and Section 8 subsidies (Cohen, 1998). Cohen (1998) attributes the work of Jubilee Baltimore to the demographic and socioeconomic changes in Butcher's Hill in 1990 and the neighborhood's net increase in affordable units (Cohen 1998, 682-686). Similarly, during the 1980s, the Seattle Chinatown-International District Preservation Development Authority (SCIDpda) in Seattle, WA, supported the listing of the neighborhood as an NRHP district and, once achieved, partnered with developers and utilized rehabilitation tax credits to rehabilitate buildings for affordable rental units, senior housing, and retail space for the lower-income Pan-Asian community (Ryberg-Webster 2017, 10).<sup>11</sup> Ryberg

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<sup>10</sup> Community development corporations (CDCs) gained traction in the 1970s-80s for revitalization of low-income communities and emerged out of northern civil rights organizing (Peterman 2000, 47; Johnson 2004).

<sup>11</sup> Another example is Ryberg (2011) that studies community-based organizations in Pittsburgh, PA, and Cincinnati, OH. These approaches highlight a preservation-based approach, but not necessarily use of preservation's policy tools of historic designation, listing, and rehabilitation tax credit programs.

argues that in Seattle’s high-growth context, historic preservation by the SCIDpda provided essential tools for financing affordable housing and retail space (Ryberg-Webster 2016, 16).

### 1.3.5 Procedural and Regulatory Uses to Mitigate Gentrification

A distinction emerges in the literature between the motivations for designation/ listing by community-based organizations with development capacities, such as CDCs, and those organizations engaging in preservation as reactions to impending development. Uses of designation/listing to aid the revitalization of lower-income neighborhoods without displacement rely upon organizational expertise to develop the funding and political alignment necessary to affect local development while providing venues for neighborhood voice (McQuarrie 2012, 88; Newsome 1971; Tyler, Ligibel, and Tyler 179). Organizations utilize districts primarily for their financial benefits, which requires determination of NRHP eligibility/listing or local district based on the demonstration of historical significance or special character. In comparison, ad-hoc uses of designation/ listing to influence development have been identified as an “eleventh-hour” strategy (Costonis 1989, 73). Arguably, this approach is another form of the Not-In-My-Backyard movement usually associated with homeowners seeking any method to stop undesirable development, but coming from renters “skeptical that additional supply will help reduce the rate at which rents are increasing” (Been 2018, 244).

Organizations that take an ad-hoc approach should not be entirely discredited and instead highlight the use of designation/ listing for its procedural and regulatory benefits. An example of procedural benefits includes the amendments to the Federal Highway Act in the 1960s and the 1969 National Environmental Policy Act that enable community-based groups to “command a role” in shaping federally-funded developments that threaten resources listed on the NRHP (or

eligible for listing) through mandated review-and-comment periods, participation in highway route selection, and the associated ability to file lawsuits to restrain proposed government actions (Rose 1981, 491). For example, in Houston’s Near Northside neighborhood during the 2000s, a local organization listed the neighborhood on the NRHP as protection against highway expansions that would destabilize housing tenure (Ryberg 2010, 194-95).<sup>12</sup> The public may also use the statutory framework of local landmarks laws to seek judicial review of agencies’ failure to take action on designating buildings (Dulak 2013).

Passell (2021) compares the uses of historic districts by community organizations in New York City and Baltimore, MD, as strong and weak market cities. The Crown Heights North Development Council and the Crown Heights North Association in Central Brooklyn sought local district designation to resist gentrification by exposing future alterations of residential buildings to public consideration (157, 163). Historic districts are also considered akin to downzoning due to their restrictions on new housing construction (Been et al. 2014, 247; Glaeser 2011, 2021). Pursuit of new districts and statements of motivations concerning gentrification and displacement likely follow the expectation that height, density, and demolition restrictions post-designation (Costonis 1989; Glaeser 2011, 2021) act as mechanisms to exclude socioeconomic groups, albeit in the interest of defending communities of color.

#### **1.4 Value of Anti-Displacement Discourse**

As discussed in the background section on the legal, administrative, and procedural rules that govern the identification, evaluation, and regulation of historic resources, specific criteria of historical significance are used to determine if a neighborhood merits distinction as a historic

district. The literature and this study's review of motivations for historic preservation demonstrate that there are significant differences between governments' criteria in determining listings/designations and the expanding uses of preservation for land use and community development. Some scholars find that, from the perspective of public agencies, the goal is to identify, preserve, and rehabilitate more historic structures. Access to historic tax credit programs and their ability to increase affordable housing production and other social benefits are not considered criteria for designation/listing (Kinahan 2019, 176). Alternatively, Rose (1981) has argued for ordinances that incorporate community-building rationales into district determinations (Rose 1981, 523) rather than regarding these uses as an "impurity" of motive (Ibid., 533). Avrami, Leo, and Sanchez (2018) review eighty-eight US municipal preservation ordinances to find that even as cities' laws justify preservation for its economic and environmental sustainability benefits, these anticipated outcomes are not included in processes of resource evaluation or regulation (Avrami, Leo, and Sanchez 2018, 112, 115). Overwhelmingly, public agencies' abilities to incorporate displacement concerns into designation/listing determinations are constrained by current legal justifications and criteria for historical significance (Avrami, Leo, Sanchez 2018; Kinahan 2019).

There is a gap in the literature concerning the value of raising anti-displacement issues during public hearings to create new historic districts. A handful of studies address the activities of organizations during designation/listing processes (Osman 2011; Reichl 1997; Zhang 2011, 2013), and Reichl (1997) examines how entities shaped public discourse to achieve the designation of historic theaters in Times Square, NYC as a special use district. Of these studies, there is limited analysis of the statements and evidence provided by stakeholders (Netherton 1987, 95) to persuade agencies to incorporate anti-displacement values into designation/ listing

determinations and the efficacy of such statements. These studies suggest that persuasive arguments beyond the language of architectural integrity and historical significance were considered during public hearings.<sup>13</sup> But the use of alternative persuasive arguments remains undetermined. There is evidence that public statements of intentions to use preservation as an anti-displacement strategy represent oppositional charges against development supported by politicians and public agencies. Zhang (2011) finds that when a community-based organization initiates designation/ listing in Chicago, politicians' choice to allow a district in their jurisdiction suggests that the politician is agreeable with "the potential of empowering community-based organizations" (514). Furthermore, if disagreements were to arise over the existence of a new district, bargaining would occur in advance with little use for public displays of conflict (Zhang 2011, 524).

## **1.5 Research Hypothesis**

Given this study's review of historic preservation's impacts on neighborhood change and the limited value of anti-displacement arguments, it remains unclear why organizations are raising issues of gentrification and displacement to justify the creation of new historic districts. Statistical evidence shows that district designation/listing does not increase neighborhood affordability (Coulson and Leichenko 2001; McCabe and Ellen 2016; Noonan and Krupka 2011). Current legal justifications and criteria for determination of listing/designation limit agencies' abilities to incorporate displacement concerns into preservation programs (Kinahan

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<sup>13</sup> Drawing from the communicative and deliberative turns in urban planning theory, mandatory public hearings should act as discursive deliberations where entities use persuasive arguments to influence participants' opinions and agency decisions (Checkoway 1981; Huxley 2000).

2019; Avrami, Leo, Sanchez 2018). Displacement-based arguments may also have null or adverse effects (Zhang 2011, 2013).

Reviewing the various motivations for historic districts related to neighborhood change offers some potential explanations. Namely, there may be a difference in the uses of historic districts by community-based organizations that possess development capacity and those community-based organizations that do not. Community-based organizations with development capacities draw on preservation's community-building potential (Rose, 1981) and economic incentives to produce affordable housing as part of long-term plans to revitalize lower-income communities (Cohen 1998; Ryberg-Webster 2011, 139; Ryberg-Webster 2017). Access to economic incentives is based solely on demonstrating historical significance or special character, making public statements to use historic districts for anti-displacement purposes less likely. Organizations without development capacity are motivated to pursue historic district designation/listing to gain public hearing opportunities to voice their opinions about impending change and make their neighborhoods subject to regulatory height, density, and demolition restrictions post-designation (Costonis 1989; Glaeser 2011, 2021). This lends itself to the interpretation that regulations restrict the introduction of gentrifying development in their neighborhood, and decision-makers should factor anti-displacement concerns into their evaluation of new historic districts.

Building upon the varied motivations for designation/ listing identified in the literature and acknowledging that there are few existing studies on the topic, this study uses logistic regression to estimate the neighborhood and organizational factors that may lead community-based organizations to seek historic districts as an anti-displacement strategy. The paper's central

hypothesis is that organizations with development capacities are less likely to seek designation explicitly for anti-displacement purposes.

## **1.6 Methodology**

The units of analysis for this study are community-based organizations active in district designations/ listings (and extensions) between January 1, 2000, through June 15, 2020, in NYC and LA, which were identified through archived public correspondence and public hearing testimony, and hearing recordings (Table A1).<sup>14</sup> Unlike studies that utilize databases of registered organizations (Minkoff 2004; Minkoff et al. 2008), there are no current directories of organizations involved in historic preservation.<sup>15</sup> The correspondence and testimony were coded for motivation, focusing on groups that identified gentrification, displacement, or affordability as motivating factors. Supplemental qualitative assessments of stated motivations, particularly stakeholders' theories of how preservation affects gentrification and displacement, also inform the final analysis.

This study draws on a definition of organizations as “groups that make public interest claims either promoting or resisting social change that, if implemented, would conflict with the social, cultural, political, or economic interests or values of other constituencies and groups” (Andrew and Edwards 2004, 485). Community-based organizations in this study are place-based and autonomous of government. They encompass a range of entities such as groups that explicitly attempt to influence government, CDCs, and social movements (Ibid., 481-485).

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<sup>14</sup> For NYC, LPC's records for districts are not available online, so the sample is limited to those collected in person between August 2019 and January 2020 before the city office was closed to the public due to covid-19.

<sup>15</sup> With the last edition published in 1997, there was a directory of preservation organizations maintained by the National Trust for Historic Preservation named The Preservation Yellow Pages (National Trust for Historic Preservation, 1997).

Therefore, religious institutions, community boards (NYC), neighborhood councils (LA), and city-wide organizations are excluded.

### 1.6.1 Data Collection

One hundred two (102) source materials were reviewed to identify community-based organizations involved in 68 district designation/listing processes (Table A2). All of the historic districts included in the study were approved and implemented. Identified districts were dropped from the second wave of qualitative coding for three reasons: (1) if no public correspondence or testimony were available for a district; (2) if, after reading correspondence and testimony for a district, no community-based organizations were represented; or (3) in the absence of correspondence or testimony, there was no documented organizational activity around the designation/ listing in national and local newspapers. Of all NRHP and local historic districts listed/ designated 2000-2020, none of NYC's 29 reviewed local historic districts were excluded from observation; 42 percent of the 35 NRHP historic districts in NYC were excluded; 13 percent of the 27 LA HPOZs were excluded, and more than half of the 32 NRHP districts in LA were excluded.

From this material, the qualitative coding software NVivo was used to identify a sample of 139 organizations and code their motivations for support or opposition of districts.<sup>16</sup> While a nearly equal number of archival materials were reviewed for NYC and LA, NYC possesses 80 percent of the organizations in the sample (Table A2). Of the 139 organizations identified in NYC and LA, 15 of the total organizations, or 11 percent, stated the terms “gentrification,” “affordability,” or “displacement” as motivations for seeking designation. They were coded for the use of designation for gentrification and risk of displacement (Table A3). It was noted if an

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<sup>16</sup> One hundred ten (110) organizations were collected from NYC and 29 from LA.

organization was present in more than one district designation/listing process. Organizations' urban development capacity is operationalized by identifying land and building assets in Internal Revenue Service (IRS) Form 990 tax data for non-profit organizations (IRS; ProPublica). Ownership of land and property indicates that an organization possesses the ability to engage in local urban development if it chooses to do so. If an organization did not file a tax return, or if it filed a Form 990-N for non-profits with gross assets below \$50,000, it was determined that the organization did not possess land and building assets.<sup>17</sup> Twenty-four (24) organizations, or 17 percent, were identified as having development capacity.

### 1.6.2 Method of Analysis

Logistic regression examines organizational, socioeconomic, and housing factors that may increase the likelihood that a community-based organization seeks district listing/designations (and extensions) as an anti-displacement strategy.<sup>18</sup> Organizations' use of district listing/designation as an anti-displacement strategy is the dependent variable,  $Y=1$  or  $Y=0$ . The independent variable is an organization's urban development capacity,  $X=1$  or  $X=0$ , operationalized by possession of land and building assets as indicated in the most recently filed IRS Form 990 tax data (IRS; ProPublica).

Census data and tract boundaries were collected from the IPUMS National Historical Geographic Information System to derive control variables that represent the socioeconomic and housing contexts that community-based organizations operated within over three time periods:

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<sup>17</sup> The contents of filed 990-N forms are not visible to the public, so some organizations' exact land and gross assets could not be determined. In these cases, and for organizations without tax forms, the land and gross assets were recorded as zero.

<sup>18</sup> I used the Wald Test power log program in Stata to determine a sample of at least 137 organizations is needed to meet a statistical power of 0.8, significance level of 0.1, and detectable odds ratio of 3.2. The less conservative value of 0.1 is used because I anticipated a smaller sample of organizations due to covid-19 data collection constraints.

(Time 1) 2000 Census Data; (Time 2) 2010 Census Data; and (Time 3) 2014-2018 ACS 5-year estimates. 2014-2018 ACS 5-year estimates are used for designations/ listings from 2011 to 2020. Each organization was paired with the tract that encompasses the greatest share of the associated district's geographic area to link organizations with appropriate census data.

A series of control variables are included in the model, beginning with neighborhood characteristics. Neighborhood socioeconomic characteristics are captured by the variables, racial composition, college-educated, median income, percent below poverty, and percent rental units. The control variables help evaluate if the uses of historic districts as an anti-displacement strategy are related to a lack of development capacity or if other neighborhood characteristics have greater influence. Neighborhoods with greater shares of non-Hispanic white residents and percent college-educated residents, as well as lower poverty rates and rental units, are considered to be higher in socioeconomic status and therefore less likely to face displacement pressures by gentrification. Additional controls in the dataset include a series of factor variables. The city locations of organizations are identified, LA or NYC. It has also been demonstrated that NYC locally designated districts operate differently in boroughs other than Manhattan. For example, changes in neighborhood socioeconomic status and property values after designation are greater in NYC's outer boroughs due to their lower building density and the lower value of development rights forfeited by district regulations (Been et al. 2016; McCabe and Ellen 2016).<sup>19</sup> Therefore, fixed effects variables are included for all five boroughs. A dummy variable indicates organizations' involvement in NRHP or local districts, and a factor variable is included for three-time periods, using Time 1 2000-2009 as the reference. Finally, the model includes a variable for

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<sup>19</sup> In NYC, owners of properties in locally designated districts are not eligible to profit from transferred development rights (TDRs). Only owners of individually landmarked properties can take advantage from TDR programs (Been and Infranca 2013, 443).

the number of months that pass between initial owner notification of a proposed district and its local designation by the City Council and listing by the Keeper of the NRHP.<sup>20</sup>

Additional regression model specifications include the percent of buildings in a tract constructed prior to 1950. Those historic districts with the oldest buildings are also more likely eligible for listing/designation based solely on architectural or historic significance, without the need for justification by reasons that include the threat of displacement. Additionally, following the gentrification literature and the qualitative findings of Passell (2021), the impetus to pursue districts for anti-displacement purposes is influenced by the perceived risk of displacement. Therefore, drawing from the gentrification literature, the variables of net change in poverty rate and percent change in median home value between 2000 and 2020 are also included as indicators of displacement risk.

Consistent with descriptive statistics on the socioeconomic characteristics in NYC's designated neighborhoods (McCabe and Ellen 2016), this study finds that in NYC, between 2000-2020, the census tracts that intersect with NRHP or local districts have higher percentages of non-Hispanic white residents, college-educated residents, higher incomes, and slightly higher shares of rental units (Table A4). There are also lower percentages of Latino residents and residents below the poverty level in local districts and lower percentages of non-Hispanic black residents in NRHP historic districts. In LA, there are higher percentages of Latino residents and lower percentages of non-Hispanic black residents in census tracts that intersect with local districts. Unlike NYC, the percentage of non-Hispanic white residents is lower in LA's census

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<sup>20</sup> This study only includes historic districts formally listed on the National Register of Historic Places. Determination of NRHP *eligibility* is granted by the SHPO's official letter of determination and properties within eligible historic districts receive the same procedural protections and access to incentive programs as those formally listed. But, since the eligible properties have not gone through the full listing process, public hearing testimony/correspondence and other government documentation are not available.

tracts that intersect with NRHP-listed and locally designated districts. Like NYC, the percentage of rental units and incomes in LA are higher in both NRHP listed and local districts. There is no significant difference in the percent college-educated in NRHP listed or locally designated tracts.

## 1.7 Results

Table A5 reports the coefficients and standard errors for the full model with urban development capacity as the independent variable; an alternate specification with organizations' gross assets as the independent variable; and a final specification with development capacity as the independent variable and gross assets as a control variable (columns 1-3). These alternate specifications find that the independent variable, urban development capacity is not statistically significant. Percent Latino is positively associated with the odds that organizations will utilize designation/listing as an anti-displacement strategy ( $p < 0.1$ ), and percent white is negatively associated ( $p < 0.05$ ). One weakness of the models is multicollinearity between variables percent Latino, percent below poverty, and percent rental units as identified by Stata's Variance Inflation Factor diagnostic. These variables were tested for interactions, but none were significant.

Table 1 presents the final model. The variable net change in poverty rate between 2000 and 2020 is included in the final model as a measure of displacement risk. The variables for percent of buildings constructed before 1950 and percentage change in median home value between 2000-2020 were also tested but removed for lack of significance. Several variables were removed for multicollinearity or lack of statistical significance, including gross assets, months to the designation, percent Latino, percent rental units, and percent below poverty. Median income was logged to adjust for the skewness of values but removed due to lack of significance and multicollinearity. City council districts for NYC and LA were also tested to control for

differences across neighborhood areas but were removed because of increased multicollinearity. The district area was also tested and withdrawn due to lack of significance. Additional variables related to organization characteristics were also tested to account for unmeasured traits (Shadish et al. 2002), including the variable “total organizations,” which captures the number of organizations involved in each designation/listing process. The dummy variable, “multiple,” was added to account for organizations engaged in more than one district designation/listing 2000-2020, but ultimately removed due to multicollinearity.

Table 1, presented in this section, reports the final model results, reporting the odds ratios for the organizational and socioeconomic factors that affect the likelihood that a community-based organization seeks designation/listing of districts (and district extensions) as an anti-displacement strategy. Odds ratio values below 1 indicate a lower probability that an organization utilizes designation/listing for these purposes for each unit increase in the variable, holding others constant. The main finding is that there is no observable relationship between an organization’s possession of land and building assets and a decrease in statements to use designation/ listing as an anti-displacement strategy. Although this hypothesis was drawn from the literature, the lack of association most likely signals that there are no mutually exclusive distinctions in the uses of historic districts by organizations with and without development capacity.

**Table 1. Adjusted Model**

	Odds Ratio	95% CI		<i>P</i>
		Lower	Upper	
Development Capacity (=Yes)	.933	.186	4.67	.933
City (=NY)	.014	.004	.000	.004***
NYC Borough (= Manhattan)	3.26	.573	18.65	.182
Designation (=Local)	.956	.172	5.28	.959
Time Period (Reference =				
Time 3, 2014-2020)				
Time 1, 2000-2009	.000	.000	.045	.001***
Time 2, 2010-2013	.091	.007	1.10	.060*
Total Population	.999	.999	1.00	.453
Percent Non-Hispanic white	.008	.000	.238	.005***
Percent College-Educated	.036	.001	.686	.027**
Change in poverty rate 00-20	.004	.000	2.03	.084*
Prob > chi2	.000			
Pseudo R2	.334			
*p<0.1, **p<0.05, ***p<0.01.				

Instead, the percent non-Hispanic white and percent college-educated are statistically significant and reduce the likelihood of using designation as an anti-displacement strategy. This suggests that race and related socioeconomic factors influence the odds. Zoning literature has identified that historically, there are racial and economic disparities in city governments' allocation of more intensive residential and commercial land uses (Whittemore 2017). The urban renewal literature demonstrates that minority neighborhoods are more exposed to land use changes that alter residential patterns (Fullilove 2004; Halpern 1995; Thomas 1997). Recent

research has also corroborated vocal concerns that city-initiated upzoning affects factors commonly associated with gentrification (Gill 2016; Hubert 2018; Vande Panne 2017). Upzoning through municipal and private actions in NYC, LA, and Chicago led to increased property values, luxury residences, and retailers and increases in non-Hispanic white populations (Angotti and Morse, 2017; Davis 2020; Freemark 2019; Gabbe 2019). This evidence suggests that neighborhood racial composition is a more significant influence on organizations' motivation to seek designation for anti-displacement purposes. This could be due to racial disparities in risk of displacement by development pressures and administrators' biases in granting downzoning or blocking proposed upzoning in black and immigrant neighborhoods (Whittemore 2017).

There are other notable findings. The net change in poverty rate variable is included in the model as a measure of displacement risk and is statistically significant. For each unit increase in the poverty rate, the likelihood of stating the use of districts for anti-displacement purposes falls. Organizations are seeking districts in reaction to the loss of neighborhood residents below poverty between 2000 to 2020. An organization's location in LA also increases the likelihood of listing/ designation for anti-displacement purposes. This is surprising given that city council members formally initiate more local designations than in NYC and require majority owner consent. In NYC, anyone may request consideration without the need for consensus among politicians or owners. One would expect that NYC organizations would come forward with various motivations. But that is not the case for the use of designation as an anti-displacement strategy. This finding most likely reflects that Los Angeles historic districts tend to be more culturally diverse. Organizations' involvement in a NRHP district compared to a locally designated district is not statistically significant (Table 1). Distinguishing whether an

organization was involved in designation or listing processes in the same or different neighborhoods would have improved the model. For example, the presence of an existing NRHP historic district may legitimize organizations' efforts for a new, local district that overlaps a similar geographic area.

Judging from the full logistic regression model (Table A5), percent of Latino residents is also an important part of the relationship between socioeconomic characteristics and organizations' use of districts for these purposes. Table A5 indicates that percent Latino is positively associated with the odds that organizations will utilize designation/listing as an anti-displacement strategy ( $p < 0.1$ ). But ultimately, the sample does not include enough observations to separate the effects of percent Latino, percent change in the poverty rate, and percent college-educated.

## **1.8 Discussion**

The logistic regression demonstrates that the hypothesized independent variable, development capacity, does not have a relationship to the likelihood of community-based organizations seeking designation/listing as an anti-displacement strategy. Community-based organizations pursue historic districts for a blend of procedural, regulatory, and financial benefits related to anti-displacement activism. The variables percent non-Hispanic white and percent college-educated are statistically significant and reduce the odds of seeking designation for anti-displacement purposes. Increases in the poverty rate between 2000-2020 decrease the likelihood of seeking designation for displacement purposes, demonstrating that organizations are responding to the loss of residents below the poverty line as an indicator of residential displacement. Overall, these findings indicate a relationship with race and align with existing

findings in the zoning literature. In particular, Whittemore (2017) uses a mixed-method approach of difference of means tests and qualitative analysis of Durham, NC city council minutes to find that city-initiated upzoning before 1985 was disproportionately located in African American neighborhoods. Whittemore attributes the reduction in upzoning in the city's predominantly African American neighborhoods between 1985 and 2014 to the growing presence of African Americans in Durham's city council and activism. Neighborhood racial composition explains differential access to the political and economic resources necessary to affect city-initiated land use.

Drawing from the qualitative analyses of city council hearing transcripts by Whittemore (2017) and debates at hearings for NYC's theater district by Reichl (1997), this study concludes with a supplementary analysis of community-based organizations' statements of motivation for seeking designation as an anti-displacement strategy. A review of statements of motivation (Table A3) shows that organizations hypothesize designation/listing as a mechanism for mitigating neighborhood gentrification by maintaining existing building heights and protecting existing housing stock from demolitions for newer, denser housing construction through the unused existing development capacity or new capacity by rezoning. For example, in 2014, a representative of LA's 52<sup>nd</sup> Street Block Club stated that "[t]hough not an official downzoning, the establishment of an HPOZ leads to the preservation and maintenance of existing single and multi-family housing stock and prevents demolition and new construction...the establishment of the HPOZ will prevent the replacement of affordable single-family homes" (LA Department of City Planning Recommendation Report).

Analysis of organizations' statements demonstrates that groups may also hypothesize that locally designated and NRHP-listed historic districts maintain zoning height and bulk

restrictions, even though NRHP districts cannot restrict neighborhood development. For example, in relation to the East Harlem NRHP district listed in 2019 and several individually designated LPC landmarks, the organization Landmark East Harlem was described as “quietly and methodically seeking historic district and landmark status on properties across the neighborhood” in relation to coalitions and demonstrations against MIH rezoning plans that many believe will gentrify the neighborhood (Vande Panne 2017).<sup>21</sup>

In a revealing statement from a property owner during the public hearing for the Manida Street district in the Bronx, the individual states, “[t]here is a fear of gentrification and [from] my conversations in the past 18 months that's my understanding, that this whole thing is specifically more geared towards that [resisting gentrification] and not so much the economical and the architectural and everything else that the landmark stands for per se” (NYC LPC Public Hearing, May 12, 2020). Discourses of resisting gentrification through designation/listing are circulating. Members of the public are also challenging groups’ support of new districts for these purposes by arguing the economic and architectural justifications of current landmark laws and reminding the commission that the criteria used to determine designation should not be stretched to accommodate gentrification concerns. Are community perceptions that districts will help prevent displacement by their ability to exclude unregulated, new development poorly informed and simply wrong in all urban contexts? Are community-based organizations using districts in tandem with other land use policy instruments that they believe will reduce displacement, such as the use of public hearings as part of delay tactics or to raise public awareness of the inequity of imposed development plans?

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<sup>21</sup> It’s also very possible that a journalist may have limited knowledge on the differences between local and NRHP districts and therefore, do not fully describe the motivations of Landmark East Harlem.

## 1.9 Conclusion

This article contributes to research on historic preservation's contributions to social equity by examining the trend of NRHP-listed and locally designated historic districts utilized as community land use controls by organizations in NYC and LA between 2000-2020. In the absence of many secondary sources on this subject, I use mixed methods that draw upon the administrative records of designation/listing processes. This study's logistic regression finds that the percentage of the neighborhood population that is non-Hispanic white and percent college-educated significantly decrease the odds that an organization will state that the motivation behind its support of listing/designation is to utilize the districts to restrict the introduction of intensive land uses. Increased poverty rate also increases the likelihood that organizations will seek districts for anti-displacement purposes. These findings are noteworthy, as uses of designation/listing as a strategy akin to downzoning are understudied, and, with few exceptions, racial differences in the neighborhoods that bear the greater burden of residential zoning map changes are understudied. While the literature indicates that a distinction can be drawn between uses of designation/listing by organizations with and without development capacity, the regression models indicate no significant relationship to uses of districts for anti-displacement purposes. Organizations likely blend districts' potential regulatory, procedural, and economic incentive benefits. The disparities in political influence and representation by race overshadow differences in organizations' development capacities.

Additional research is necessary further examine organizations' theories of designation/listing as a mechanism to resist displacement by gentrification and to understand better the extent to which community organizing around issues of gentrification and neighborhood change can influence designation/listing processes. This can be achieved through

interviews with organizations, bureaucrats, and politicians. As demonstrated in NYC and LA, local district proposals must go through additional review by the City Planning Commission and City Council subcommittee to consider the relation of designation to zoning and anticipated planning projects (NYC Charter and Administrative Code Section 3020.8(b)). Research on city planning public hearings would further clarify the actions occurring between stakeholders and the value of arguments that engage with context, the political aspects of designation/listing, and its neighborhood effects. It would also be instructive to examine unsuccessful proposals and identify the deliberations that upended their progress.

This use of historic districts may only be a politically convenient application far from the original intentions of the legislation and a hallmark of exclusionary “not-in-my-backyard (NIMBY) reactionary activism” (Martin 2013, 523). The political opportunity structure and political economy literature suggest that this practice may also represent grassroots resistance by non-property-owning groups that are utilizing existing laws and legal concepts to challenge land use regimes that underpin the loss of affordable housing, displacement, and other marginalizing effects (Logan and Molotch 1987; Martin 2013; Rodriguez 2021; Summer 2021). To promote equity, practitioners and scholars of historic preservation should become more attuned to the uses of districts by the public to affect neighborhood change, rather than focusing too heavily on the socioeconomic outcomes of designation/listing after implementation. Rose (1981) established that these uses should not be considered an “impurity” of motive but rather reflect how historic preservation is intertwined with the uneven distribution of risk and rewards among residents and its enduring significance for communities’ engagement in urban governance.

# **Article 2: Shifting the Burdens of Growth: Uses of Historic Districts by New York City Community-Based Organizations in Land Use Activism, 2000-2020**

## **2.1 Introduction**

Journalistic accounts demonstrate that community-based organizations in large US cities are utilizing National Register of Historic Places (NRHP) listing and local designation of historic districts as neighborhood anti-displacement strategies in the context of gentrification and diminishing housing affordability (Abrams 2016; Gill 2016; Hubert 2018; Vande Panne 2017; Willets 2017). However, this contemporary practice raises several issues related to urban equity and intended outcomes. First, groups' choice of historic preservation to influence land use policy in relation to alternate city institutions and policy instruments at their disposal has not been analyzed. This presents an opportunity to examine the functions of historic preservation laws, regulations, and participatory venues within the uneven distribution of political influence among socioeconomic groups. Second, in relation to intended outcomes, there is limited empirical evidence that historic district policies work to exclude gentrifying new development. This raises the issue of whether such an approach succeeds in influencing development patterns or serves other symbolic or discursive functions (Logan, Whaley, and Crowder 1997, 613).

This paper focuses on a sample of community-based organizations active in New York City between 2000-2020 to further examine the uses of local and National Register of Historic Places historic districts as a protective measure to interrupt development processes that organizations hypothesize will influence neighborhood gentrification and residential

displacement. Therefore, the central research questions are: how do intersecting political, economic, and racial factors motivate NYC community-based organizations' choices to utilize historic preservation as an anti-displacement strategy? From organizations' perspectives, how do historic districts reduce gentrification in lower-income and minority neighborhoods? How does this approach measure against other policy instruments to affect land use at their disposal, particularly in terms of perceived accessibility?

This paper draws upon three streams of scholarship: the political economy of urban development, black civic engagement, and zoning literature to answer these questions. Central to these intersecting areas of scholarship is the theory that land use regulation's decentralized institutional structure in large US cities offers access points into local governance for citizen activists to impact urban development decision-making, including when the groups lack significant political and financial resources. But to date, it's been demonstrated that historic districts have limited influences on affordability. The central hypothesis is that anti-displacement concerns are being displaced from the consideration of other city agencies, like city planning, to historic preservation due to variations in groups' access to political and economic resources. This paper uses archived conference proceedings and semi-structured focused interviews with the key informants of six (6) New York City community-based organizations to examine the political, socioeconomic, and racial processes that influenced their use of local and NRHP districts as anti-displacement strategies. The organizations are Ascendant Neighborhood Development Corporation, Bedford Stuyvesant Preservation Coalition, Crown Heights North Association, Landmark East Harlem, Manida Street Homeowner Association, and Save Harlem Now. As an affordable housing developer, Ascendant operates differently from other organizations studied but is similar in its commitment to housing affordability.

In some instances, organizations turned to historic district designation and listing without sufficient financial and administrative resources to pursue downzoning or litigation. Historic districts are considered to operate most similar to downzoning in terms of their restrictions on residential density. The interviewed organizational representatives also demonstrate that they often choose to engage in alternate participation channels than the circumscribed exchanges with decision-makers at formal venues. The literature overwhelmingly focuses on wealthier interest groups and their reliance upon formal participatory venues to shape land use in their favor. Instead, these strategies represent decentralized engagement with multiple scales of institutions and politics for equity. Organizations must engage with many entities that have shaped marginalized neighborhoods' historical and present contexts.

While this phenomenon also presents an opportunity to study the connections between cultural identity and urban politics (Castells, 1983; Katznelson, 1981), such as how shared neighborhood history may facilitate collective identity and residents' political action against external threats (Kaufman, 2009; Passell 2021; Putnam, 1993; Sampson, 2012), these topics are outside the scope of this study. Instead, this paper will explore historic preservation in relation to community groups' abilities to influence city institutions that dictate the locations and types of future development.

## **2.2 Theorizing Community-Based Activism in Land Use Regulatory Systems**

This review first contextualizes organizations' historic preservation actions within the broader topic of urban governance and requires an interdisciplinary approach. Second, it examines how the procedural and regulatory aspects of historic district policy may provide opportunities for the local organizations of marginalized communities to influence public land

use decision-making and politics. Community-based organizations in this study are place-based, autonomous of government, and encompass a range of entities, including groups that explicitly attempt to influence government, community development corporations, and social movements (Andrew and Edwards 2004, 481-485). The terms community-based organization, community organization, and neighborhood organization are used here interchangeably. Narrowing the analysis to New York City will also allow a more detailed examination of political activism through land use institutions than multi-city comparisons, which would risk “glossing over idiosyncratic regulatory histories” and the complexity of zoning codes (Been, Madar, and McDonnell 2014, 229).

Although relevant, urban planning theories of communicative and collaborative planning are not entirely suitable to explain community-based activism through land use regulatory systems because they advance models of ideal citizen participation through open and democratic discourse while minimizing intergroup conflict and urban planning’s tendency to marginalize racial/ethnic groups (Yiftachel 1998; Yiftachel and Huxley 2000). An equitable society is also a foundation of advocacy planning. However, the theory does not accommodate that community groups’ acquisition of planning-relevant skills may be developed “by people for themselves” independent of planners’ efforts to educate disempowered groups (Corey 1972; Grooms and Boamah 2018, 225). As argued by Souza, even the urban poor are not entirely powerless (Souza 2006, 329). Therefore, this literature review draws upon political economic theory of urban development, black civic engagement, and zoning studies as a theoretical basis for examining racial minority groups working within city land use institutions to “interrupt the legal and bureaucratic processes” that may contribute to neighborhood gentrification (Summer 2021, 957).

While recognizing that formal public participation processes may offer limited citizen input (Arnstein, 1969) and that government decision-making often takes place through private, political negotiations (Pattillo 2007, 243), this study emphasizes institutionalized pathways of participation in land use because these are enabled by policies that should afford procedural protections and legal rights to residents (Cavalho, Pinto-Coelho, and Seixas 2016). This makes the lack of equity between groups even more visible.

### 2.2.1 Political Economic Literature: Procedural and Regulatory Uses of Land Use Systems

Political economic approaches provide a theory of community-based action in response to development proposals as conflicts over pro-growth government land use decisions driven by a network of elite decision-makers that includes public agencies, developers, politicians, and funding sources, among other entities (Fainstein and Lubinsky 2020, 135). Much like communicative and collaborative planning theories (Healey 1997; Forester 1989; Innes 1995; Innes and Booher 2004), political economic theory finds that diverse interest groups can affect the planning and implementation of authoritative urban development through the legally required public participation requirements of city land use agencies (Logan and Molotch 1987; Logan and Rabrenovic 1990).<sup>22</sup>

The political economic approach also differs from communicative and collaborative planning theories in several ways that are helpful for this study of community-based activism in New York City. First, political economic approaches analyze the socioeconomic and spatial contexts of conflict, such as historical power inequities and groups' uses of power to marginalize

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<sup>22</sup> Government reforms to institutionalize participation requirements for zoning and planning decisions proliferated in US cities in the 1960s-1970s largely after the excesses of urban renewal programs established by the federal 1949 Housing Act. Urban renewal razed ethnic and racial minority neighborhoods and were justified by middle-class economic development and suburbanization (Gans 1962; Goetz 2013; Rothstein 2017).

others, complicating consensus-oriented, collaborative planning processes (Yiftachel and Huxley 2000). Second, it de-centers professional planning as the primary planning agent (Fainstein and Lubinsky 2020); the temporal and physical “starting point” for deliberations over local development (Huxley 2000); and against the vein of advocacy planning, challenges the notion of planners as the primary source of education and empowerment for marginalized residents (Corey 1972; Davidoff 1965). Third, the range of tactics used by entities in decision-making forums, such as lawsuits against public agencies, are also not considered the result of “flawed participation” (Innes and Booher 2004, 426) but are recognized as part and parcel of public participation in land use (Einstein et al. 2020). Finally, the role of neighborhood organizations is addressed as a specific aspect of interest group involvement in land use (Logan and Rabrenovic 1990; Mollenkopf 1983). Neighborhood organizations are defined as “civic association[s] oriented towards maintaining or improving the quality of life in a geographically delimited area” that tend to be composed of homeowners who focus on political action around issues of public service delivery, property values, and land development (Logan and Rabrenovic 1990, 68-70).

Public participation requirements of a special permit or zoning variance applications are identified in this literature as one of the most significant pathways of land use influence among neighborhood organizations (Einstein et al. 2020; Logan and Molotch 1987). Although the permitting process varies significantly across US cities, most development site proposals that do not comply with existing zoning regulations and/or a locality’s comprehensive plan require special review and must go through a series of public hearings that begin at the level of neighborhood-based advisory boards and progress through relevant zoning and planning boards to final approval by the city council (Arnold 2007, 480; Einstein et al. 2020, 26).<sup>23</sup> The board

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<sup>23</sup> New developments that adhere to existing zoning regulations are considered “as-of-right” and are not subject to public review.

hearings are public forums where residents are provided technical studies and visual presentations about the proposed development by city staff and developers. In turn, residents can voice their support or concerns about the potential negative impacts of proposals.

These arguments are meant to influence the opinions of planning officials and councilmembers in their decisions to grant discretionary land use permits, require developers to undertake additional technical studies to assess environmental and socioeconomic impacts, or modify or entirely block proposals. Therefore, if a jurisdiction possesses many land use regulations, more proposals are likely to require special review before issuing permits. Residents and stakeholders gain more opportunities to contest and delay development through the public review process (Arnold 2007; Einstein et al. 2020). These meetings are often captured by individuals and groups that are more socioeconomically advantaged and more opposed to housing construction than the broader community (Einstein et al. 2020, 37). Contests over new development are often motivated by hostility to racial and economic groups gaining access to neighborhood housing. Due to civil rights protections, these desires are most often conveyed through coded language and can be challenging to discern (Trounstine 2018).

Community organizations may also pursue legal challenges that argue procedural requirements of specific federal, state, and local policies are being violated in permitting processes (Einstein et al. 2020, 125-128). Scholars have demonstrated multiple examples of large, multi-year “regulatory wars” whereby wealthy communities use their political and economic resources to assemble environmental litigation strategies to stop unwanted public infrastructure plans or have them displaced to other city areas (Buzbee 2014; Flint 2009). A multitude of interest groups block or delay ordinary, regulation-compliant plans for new

affordable housing by filing nuisance lawsuits or lawsuits against affordable housing policies,<sup>24</sup> motivated by groups' anti-poor biases that argue their presence decreases property values (Einstein et al. 2020, 123, 129; Logan and Molotch 1987). Einstein, Glick and Palmer (2020) emphasize the superiority of lawsuits since they can be filed by even one individual and prove successful in delaying or stopping development. Still, the financial costs of lawsuits are high (Einstein et al. 2020, 128-129).

Although represented in suburban studies more often than in the political economic literature, associations of city homeowners apply to city planning departments for neighborhood-sized downzoning or special use district designations to decrease the maximum residential density and building height or increase minimum lot size requirements in highly valued neighborhoods (Been, Madar, and McDonnell 2014). Einstein et al. (2020) argued that these approaches do not necessarily rely upon public hearings as opportunities to contest future development. The goal is to gain more restrictive zoning regulations that would deter or outright block the as-of-right construction of multi-family or affordable housing, which homeowners argue would diminish property values and increase traffic (Angotti 2017; Einstein et al. 2020; Fischel 2015). Both qualitative and quantitative studies find that city rezonings affect the value of existing properties (Angotti and Morse 2017; Freemark 2020).

Other scholars argue that neighborhood organizations function largely outside of formal planning venues by pressuring government agencies, politicians, and business interests to respond to their concerns about public service provision, environmental issues, new development, and other issues that affect the bottom line of their property values. In return,

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<sup>24</sup> One example of state legislation that attracts lawsuits is Massachusetts's Chapter 40B that can exempt developments from local zoning laws if the building includes at least twenty-five percent affordable housing units and is located in neighborhoods where less than ten percent of the housing stock is affordable.

neighborhood organizations act as information channels from politicians to residents and galvanize votes or shape residents' positive reception of new public policy and business initiatives in their neighborhoods (Logan and Rabrenovic 1990, 71).

### 2.2.2 Black Civic Engagement

The intersection of municipal land use systems and neighborhood activism among racial/ethnic minority groups is a critical but understudied dimension of urban development. Political economic approaches often assume that less wealthy residents do not have the capacity for political participation in land use (Einstein et al. 2020; Logan and Molotch 1987). Or, the political actions of visible middle-class African American community-based organizations are undervalued by scholars if their interests do not directly support black working-class residents (Hyra 2008).<sup>25</sup> However, other scholars demonstrate that community-based organizations have utilized various forms of political participation to represent the interests of economically diverse black, Latino, and immigrant residents in land use governance, mainly to protect their home environments from the encroachment of municipal growth policies like urban renewal (Castells 1983; DeFilippis 2004; Halpern 1995, 86-88; Thomas 1997, 104-105; Sugrue 2008) and racial disparities in zoning for intensive and harmful land uses (Angotti and Morse 2017; Logan and Molotch 1987; Rothstein, 2017).<sup>26</sup>

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<sup>25</sup> Scholarship does demonstrate that postwar black community organizations were also complicit in the economic segregation of neighborhoods through housing policy (Smith 2012; Pattillo 2007).

<sup>26</sup> For example, activists from black power traditions organized rent strikes, protests, and public meeting attendance to block federally-subsidized municipal urban renewal plans that cleared minority neighborhoods considered unworthy of rehabilitation (Castells 1983; DeFilippis 2004; Halpern 1995; Thomas 1997; Sugrue 2008). Professionalized organizations brokered with congressmembers to shape the 1964 Economic Opportunity Act's programs as channels for minority participation in urban development and policymaking (Greenstone and Peterson 1973, 267; Johnson, 2004; O'Connor, 2007).

Black civic engagement studies pick up where the political economy literature weakens in its ability to address race in urban planning and the participatory actions of marginalized community-based groups in land use.<sup>27</sup> Steven Gregory's *Black Corona* (1999) and Mary Pattillo's *Black on the Block* (2007) represent the few contemporary<sup>28</sup> studies of community-based organizations of marginalized groups engaging in land use politics.<sup>29</sup> Gregory (1999) highlights the institutional pathways that enabled the East Elmhurst-Corona Civic Association, a tightly knit network of neighborhood groups in Corona, Queens, NY, to politically resist an elevated light rail system proposed by the Port Authority of New York and New Jersey in the mid-1990s (Gregory 1999, 181). The group drew primarily upon public hearings triggered by NYC's City Planning Commission Uniform Land Use Review Procedure (ULURP), the National Environmental Policy Act, and the New York State Environmental Quality Review Act to voice their arguments against anticipated quality of life issues and environmental degradation due to the light rail (218). The railway plan was successfully blocked, although Gregory adds that it's difficult to isolate the impact of the Queens activists due to the numerous entities involved (244).

Much like *Black Corona* (1999), Pattillo's *Black on the Block* (2007) highlights the legal pathways that a group of middle-class African Americans homeowners in Chicago, Residents for the Responsible Redevelopment of North Kenwood-Oakland (RRR), took to contest perceived

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<sup>27</sup> Black civic engagement is utilized here as an alternative to social movement theory because in the American context "social movements" are most often related to direct action activities in opposition to the state and protest, although in an international context the term is inclusive of entities that work through both direct action and involvement in institutionalized participatory channels (Souza 2006, 335).

<sup>28</sup> The term contemporary is used to describe scholarship on organizations active within the past twenty-five years.

<sup>29</sup> In direct opposition to concerns of gentrification by new luxury transit-oriented developments in Washington DC's Shaw neighborhood in the early 2000s, Hutson's case study finds that the organization Organizing Neighborhood Equity DC (ONE DC) pressured the city to strengthen its inclusionary housing ordinances (Huston 2016, 148). This case is not examined fully here because it represents activism outside of policies with participatory requirements and the legal standing provided. See also Boyd (2008) for examples of contemporary African American neighborhood groups organizing revitalization strategies to resist white entry into their neighborhood due to concerns of gentrification. For analysis of white residents' entry into historically black neighborhoods see Freeman and Cai (2015).

threats of racial segregation by public designation of their neighborhood as a “revitalizing area” in the mid-1990s (Pattillo 2007, 185). Their case was enabled by Chicago’s *Gautreaux et al. v. Chicago Housing Authority* 1969 lawsuit and its special housing court, which would be the entity to authorize the designation and allow additional public housing to be built in a predominantly African American neighborhood that (RRR argued) already possessed a significant share of public housing compared to other city neighborhoods.<sup>30</sup> Although unsuccessful, RRR waged its opposition against systemic racism through affidavits with highly technical arguments over the definition of public housing units and the determination of a revitalizing neighborhood as “such technicalities were the only allowable terms of debate in the court proceedings” (Ibid., 210).

Gregory (1998) and Pattillo (2007) highlight the deeply racial character of contests over a range of undesirable land use changes (Gregory 1998, 235). Studies also demonstrate that race and economic status influence the location of undesirable and noxious land use (Whittemore, 2017), and communities of color generally possess fewer socioeconomic resources necessary to influence zoning outcomes (Gabbe 2018). Groups with relatively lower socioeconomic resources often must employ technical, legally-relevant persuasive arguments to affect land use decisions rather than forms of non-legal discourse claiming the inherent values of neighborhood characteristics like beauty, wealth, safety, or stability (Carvalho et al. 2016; Martin 2004; Summer 2021).<sup>31</sup> These strategies discussed above demonstrate direct engagement with the responsible city and state agencies and their participatory channels.

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<sup>30</sup> Chicago’s special housing court functions similarly to state housing legislation like Massachusetts’s affordable housing appeal model (Kazis 2020, 40).

<sup>31</sup> These findings align with the main thesis of Bent Flyvbjerg’s *Rationality and Power* (1998) in that powerful groups can bring about public decisions in their favor without the need for rational arguments supported by technical studies, environmental review, and other documentation.

Community-based organizations may also enter into community benefits agreements with developers as legally binding contracts between two private parties that ensure development will supply specific neighborhood improvements, such as awarding construction contracts to local minority-owned firms and guaranteeing that both parties will avoid litigation in resolving disputes (Hutson 2015; Wolf-Powers 2010). Community land trusts are increasingly emerging as a strategy to reduce residential displacement through cooperative ownership of affordable housing (DeFilippis 2004; DeFilippis, Stromberg, and Williams 2018).

### 2.2.3 Historic Districts as Neighborhood Protection

The political economic literature generally finds that socioeconomically advantaged communities utilize aesthetic sensibilities to gain clout in political negotiations over land use change (Einstein et al. 2019, 46-47; Firey 1945; Greenfield 2004, 170; Logan and Molotch 1987, 120-122). The case study of Beacon Hill, Boston (Firey 1945) demonstrates how city homeowners deployed values of historic character and architectural charm to reject the introduction of commercial land uses in their neighborhood during Boston's 1924 preparation of city-wide zoning (Firey 1945, 143; Logan and Molotch 1987, 122, 135). Einstein et al. (2020) find that in 2001 privileged groups in the wealthy Brookline neighborhood of Boston utilized the *threat* of local historic district designation to restrict a developer's maximum production of affordable housing units as enabled by Massachusetts's Chapter 40b housing law (46-51).

The historic preservation and urban planning literature tend to demonstrate historic preservation's procedural benefits in shaping urban development. For example, *Brownstone Brooklyn* (2011) illustrates how in the 1950s-60s, the values of authenticity, architectural preservation, and aesthetics were politically deployed by middle-class groups in Brooklyn

Heights against urban renewal for luxury apartments and low-income public housing in favor of market-based historic rehabilitation (Osman 2011, 120, 138). Arguably, the establishment of NYC landmarks laws in 1965 was driven by hostility to centralized planning and the support of economic liberalism (Ibid., 162-163, 240).

Similar to arguments against downzoning, historic districts are often identified as a contributor to diminished housing affordability because the regulations of historic districts prevent the as-of-right construction of new, “larger or higher-density infill” housing (Avrami 2016, 109; Glaeser 2011). Studies demonstrate that both National Register-listed and local historic districts generally lead to increases in neighborhood property values and the socioeconomic status of neighborhood residents (Coulson and Leichenko 2001; Coulson and Leichenko 2004; McCabe and Ellen 2016; Noonan and Krupka 2011). Been et al. (2015) find that in NYC, historic districts do tend to decrease neighborhood construction activity (Been et al. 2015, 28). McCabe and Ellen (2016) find that historic district designations in NYC do not lead to neighborhood increases in housing rents or changes in the share of Black residents but do lead to decreases in the poverty rate and increases in neighborhood homeownership rates, the percentage of college-educated residents, and median household income.

Each study acknowledges that the causal mechanisms of how districts lead to neighborhood change are unclear. Plausible explanations include that historic districts restrict the supply of new housing, which elevates property values and incomes of occupants (Glaeser 2011; Mangin 2014; McCabe and Ellen 2016); local district regulations increase housing quality and, therefore, price (Noonan and Krupka 2011). Alternatively, causality may run in the opposite direction. Actors may intentionally seek local and NRHP districts in areas with depressed housing markets (Coulson and Leichenko 2004); or, after homeowners move into a

neighborhood and increasingly convert multi-family to single-family housing, they seek local districts to protect against encroachments that reduce property values (McCabe and Ellen, 2016).

Although lower-income communities of color have rejected historic districts for their potentially gentrifying effects (Zhang 2011), its uses by privileged groups are not the only storyline. Some studies examine the motivations for historic districts among more socioeconomically diverse communities. Community development corporations (CDCs) use historic districts' financial incentives for affordable housing production and comprehensive planning in lower-income minority neighborhoods (Cohen 1998; Ryberg 2011; Ryberg-Webster 2017). CDCs also use historic preservation to shape development discourse, such as adopting preservation-based approaches to community development in Pittsburgh, PA, and Cincinnati, OH, without necessarily designation, listing, or tax credit programs (Ryberg 2011). Heritage had symbolic uses in a defensive development strategy by black, middle-class CDCs in Chicago during the 1990s (Boyd 2008). Boyd (2008) finds that maintaining racial containment is considered a strategy against displacement.

Passell (2021) examines the recent organizing work of the Crown Heights Neighborhood Development Council and the Crown Heights North Association in Central Brooklyn and finds that these organizations sought local NYC designation to resist gentrification by exposing future alterations of residential buildings to public consideration (157, 163). Groups contended that LPC public review and its forum for community comment would help to block out-of-context proposals by speculative developers remodeling multi-family buildings to appeal to wealthier newcomers and evict existing residents (160). Since the neighborhood itself generates most designations/ listings, this aligns with William Fischel's home voter theories that find the procedural aspects of municipal historic districts function as a "double veto" system against

unwanted development (Fischel 2015, 55) for individuals who believe that their views are not sufficiently considered in local decisions. However, Passell (2020) does not necessarily analyze the arguments used to successfully gain districts and the utility of anti-displacement statements.

The key limitation underlying the use of districts for anti-displacement purposes is that public agencies' abilities to formally incorporate concerns of residential displacement into designation/listing determinations are constrained by current legal justifications and criteria for historical significance (Kinahan 2019; Avrami, Leo, Sanchez 2018). Access to historic tax credit programs and their ability to increase affordable housing production and other social benefits are not considered criteria for designation/listing (Kinahan 2019, 176). Avrami, Leo, and Sanchez (2018) review eighty-eight US municipal preservation ordinances to find that even as cities' laws justify preservation for its economic, environmental, and social benefits, these anticipated outcomes are not included in processes of resource evaluation or regulation (Avrami, Leo, and Sanchez 2018, 112, 115). Yet, fiscal concerns around private property values and citywide economic growth are explicitly supported by NYC landmarks law (Title 25), supporting the likelihood that the interests of privileged homeowners are baked into the law's purpose without the need for public explication.

## **2.3 Method of Analysis**

### **2.3.1 Explaining Uses of Historic Districts as Anti-Displacement Strategies**

Two important factors remain unresolved concerning the use of historic districts as an anti-displacement strategy. First, it remains unclear why community-based organizations are raising concerns of gentrification and exclusion to justify the creation of new NRHP and local historic districts at public hearings. While the political economic literature tends to dismiss the

efficacy of minority groups in land use conflicts, the black civic engagement literature also demonstrates that well-established organizations chose to participate directly with the city agencies they deem responsible for inequities in zoning and housing (Gregory 1999; Pattillo 2007). Seeking local and NRHP districts for protective purposes risks furthering gentrification (McCabe and Ellen 2016), and many lower-income communities have rejected districts on this premise (Zhang 2011). Formally, municipal and state landmark agencies cannot incorporate concerns of residential displacement into designation/listing determinations (Kinahan 2019; Avrami, Leo, Sanchez 2018).

Focus on the efficacy of middle-class, predominantly black organizations may also fail to capture how participatory capacities vary across minority communities in NYC. Rezoning may be financially costly, and racial or economic disparities likely exist in organizations' abilities to convince decision-makers of rezonings, such as neighborhood-wide downzoning due to biases in housing tenure, income, and racial composition. Entities' speaking positions and the value of their opinions are awarded differently by social status (Logan and Molotch 1987). The presence of gentrification and anti-displacement arguments at state and local historic district hearings can indicate that concerns are being displaced from the consideration of potentially more appropriate zoning and housing city agencies to historic preservation due to variations in groups' resources.

Second, little is known about how historic districts may contribute to affordability. Uses of historic districts as anti-displacement strategies likely fall into two explanations: procedural and regulatory. The literature demonstrates that when proposed developments trigger the public review process for a special permit or variance, affordable housing policy, or landmarks preservation commissions' full review, organizational representatives utilize the procedural requirements of land use policy to modify or block individual developments. Each level of

review, from community board to city council, public hearings allow individuals to voice their concerns to decision-makers about the negative impacts of development proposals by using persuasive arguments; pushing for additional technical studies to assess the environmental effects of development; and legal challenges to stop proposals. Historic districts are also considered akin to downzoning due to their restrictions on building (Been et al. 2014, 247). Pursuit of new districts and statement of motivations in relation to gentrification and displacement also likely follows the expectation that regulatory restrictions on development can contribute to the exclusion of socioeconomic groups, albeit in the interest of defending lower-income communities of color.

### 2.3.2 Sampling and Methodology

These hypotheses are explored through interviews with the key representatives of a sample of community-based organizations in New York City that intended to use new historic districts as an anti-displacement strategy from 2000 to 2020. The organizations are Ascendant Neighborhood Development Corporation (involved in East Harlem NRHP historic district, 2019); Bedford Stuyvesant Preservation Coalition (Bedford LPC historic district, 2015); Crown Heights North Association (Crown Heights North LPC historic district, 2007-2015); Landmark East Harlem (East Harlem NRHP historic district 2019); Manida Street Homeowner Association (Manida Street LPC historic district, 2020); and Save Harlem Now (Central Harlem LPC historic district, 2018). The number of community-based organizations utilizing land use zoning as anti-displacement strategies is small, and the uses of historic districts for this purpose are even smaller. Baseline access requires the subjective presence of historical significance.

Of the 110 total organizations involved in NRHP listing or local district designation processes between 2000-2020 in New York City, the organizations that stated motivations to use new historic districts as an anti-displacement strategy are located in census tracts where the percent non-Hispanic white, percent college-educated, and median income are lower than other tracts and the percent rental units, and percent below poverty are higher, utilizing 2000 census data. The percentage of Latino and non-Hispanic black are also higher in tracts where the ten organizations are located. However, for these two variables, the differences between census tracts associated with organizations that did and did not state the use of historic districts for anti-displacement purposes are not statistically significant (Table 2).

**Table 2. Characteristics of Census Tracts in 2000 by Use of District as Anti-Displacement Strategy**

NYC	Tracts of CBOs that stated use of historic district as anti-displacement strategy n= 9		Tracts of CBOs that did not state use of historic district as anti-displacement strategy n=74		<i>p</i>
	m	s.d.	m	s.d.	
Total Population	4,091	2,229	4,629	2,812	
Percent Latino	42.1	29.9	18.7	19.4	.063
Percent non-Hispanic Black	44.9	34.2	26.1	34.3	.175
Percent non-Hispanic White	23.1	19.3	46.2	33.7	.012
Percent Rental Units	77.2	7.27	64.7	23.6	.002
Percent College-Educated	9.07	6.65	26.6	21.9	.000
Percent Below Poverty	34.1	11.6	17.2	12.1	.004
Median Income	\$23,768	\$8,560	\$44,144	\$28,276	.000
Two sample T-Test (Two-tailed) for Unequal Variances					

This study uses the qualitative data collection technique of one-to-one semi-structured interviews (Cresswell and Poeth 2018) with key informants from five of the total community-

based organizations in NYC that stated desires to use historic districts as an anti-displacement policy between 2000-2020. The interviews were supplemented by an existing conference discussion led by the representative of one additional organization (n=6). Qualitative interviews are suitable for gaining insights into processes and values and are appropriate (Weiss 1994). Initial contact was made through organizations' information on web pages and social media. Interviews were transcribed and coded with NVivo Software.

This study compares a small number of cases to identify the possible explanations for a shared outcome of interest or phenomenon (Stake 2006; Verweij and Gerrits 2019). As cases are customarily used for analytic generalizations rather than generalizing to a population (Yin 2018, 20), the central theoretical proposition guiding this research design is that community-based organizations turn to historic preservation when lacking the political and economic resources to pursue other laws and legal strategies to challenge land use decisions. The pursuit of new districts likely follows the expectation that their as-of-right restrictions can exclude gentrifying development.

Interview questions focus on the motivating factors that influenced each organization's choice to seek historic districts as a protective measure against displacement, particularly within the context of other efforts organizational representatives may have pursued. New information from organizations' key informants will allow corroboration, modification, or rejection of initial concepts and develop new concepts through the analytic process (Yin 2018, 38). The interviews shed light on how organizations politicize new development and navigate New York City's distinctive regulatory, political, and socioeconomic landscape.

## **2.4 Uses of Historic Districts in Land Use Activism**

The next section discusses the political, economic, and racial factors that led the sample of community-based organizations in NYC to pursue historic districts between 2000 and 2020, and how organizational representatives discussed the connections between historic districts and the reduction of gentrification. Interviews may not allow “objective or statistically representative estimates” (Newman and Wyly 2006) of the relationships between land use regulations and neighborhood change. Rather, they examine how entities build theories of the causal links between districts and neighborhood stability and act on them.

The six organizations are located in the boroughs of Manhattan, Bronx, and Brooklyn. Ascendant Neighborhood Development Corporation and Landmark East Harlem are non-profit organizations located in upper Manhattan and share leadership as closely allied organizations committed to the production of affordable housing and historic rehabilitation. Ascendant is unique in the sample as an organization that possesses development capacity. Founded in 1988, the organization currently owns and operates nearly 700 permanently affordable rental units in East and Central Harlem. Landmark East Harlem was founded in 2015 and is composed of leaders from the local organizations, CIVITAS, East Harlem Preservation, the Marcus Garvey Park Alliance, and Ascendant Neighborhood Development Corporation. Landmark East Harlem successfully spearheaded multiple individual landmark designations in East Harlem with the NYC Landmarks Preservation Commission (NYC LPC) and the East Harlem historic district listed on the New York State and National Registers of Historic Places in 2019 (Ascendant Neighborhood Development Corporation).

Save Harlem Now was founded in 2015 and operates in Harlem as a smaller non-profit advocacy organization committed to preserving the local built environment and its associated

African American history, primarily from the early 20<sup>th</sup> century. Namely, Save Harlem Now explicitly addresses the lack of historic designations/ listings in such a culturally rich area (Martin 2021). In collaboration with Community Board 10, Save Harlem Now has submitted requests for evaluation to the NYC Landmarks Preservation Commission for eight historic districts and nine individual landmarks (Save Harlem Now). In 2018, the Central Harlem historic district was successfully designated by the NYC LPC.

The Manida Street Homeowner Association is a small organization of neighbors on the 800 block of Manida Street that works with a vast group of community-based organizations advocating for sustainable development in the South Bronx, including The Point Community Development Corporation, Nos Quedamos, and Mothers on the Move. The organization successfully achieved the Manida Street local historic district in 2020. Their efforts to preserve the neighborhood's architectural and cultural significance were driven in part by the demolition of the neighborhood's modest rowhouses for new-build developments and the proposed rezoning of Southern Boulevard under the de Blasio administration's housing development plan (Torres 2022).

The Crown Heights North Association and Bedford Stuyvesant Preservation Coalition are located in Central Brooklyn. Much like the Manida Street Association, both organizations are composed of minority homeowners who have long-standing connections to the neighborhood from the 1950s and organize renters and homeowners around local threats of displacement (Spellen 2022). The Crown Heights North local historic district was designated in multiple phases between 2007 and 2015, and the Bedford historic district was designated in 2015. The Bedford Stuyvesant Preservation Coalition also worked closely with the Historic Districts Council to designate the neighboring Bedford-Stuyvesant/Stuyvesant Heights Historic District

Extension in 2013 (Historic Districts Council). The leadership of these organizations also points to the contributions of women to community organizing for housing stability in predominantly middle-class, minority communities of NYC.

## **2.5 Motivating Factors for Historic Districts**

### 2.5.1 Targets of repeated city-initiated land use changes and inappropriate zoning

Much like Mindy Fullilove's thesis on "root shock," which examines the trauma associated with the clearance of neighborhoods by urban renewal (Fullilove 2016), interviewees discussed how zoning has acted as an instrument for disruption in marginalized communities. The city's 2016 Housing New York plan and its area-wide upzoning for the Mandatory Inclusionary Housing program are the most recent controversies. Organizational representatives of the Manida Street Block Association, Crown Heights North Association, and Landmark East Harlem raised the issue of "supply skepticism," which argues that the addition of affordable units as a proportion of new market-rate housing will do little to relieve housing stress and will attract more wealthy residents (Been, Ellen, O'Regan, 2018). They find the housing created out of the upzoning will be inappropriate to the neighborhoods' existing lower density, low-income context and not deliver enough affordable units to impact local housing pressures. Save Harlem Now also raised the issue that in their neighborhoods, the as-of-right zoning consistently allows for greater intensity of development than the neighborhoods' existing lower-density residential buildings.

Representatives' long-term involvement and knowledge of their communities also highlighted how communities in Harlem and Central Brooklyn have been the target of multiple rezonings from one mayoral administration to the next. Those with less wealth must consistently

react to imposed changes. Although new housing may make the city more affordable in aggregate, as succinctly put by the Director of Landmark East Harlem, “predominantly low-income and communities of color always seem to bear the burden of accommodating growth.”

### 2.5.2 Gentrification due to racial segregation

As a place-based practice, the politics of defending predominantly African American and Latino neighborhoods also entered the conversation. Suzanne Spellman of Crown Heights North Association explained that past forms of legal racial segregation and denial of mortgages to black Americans are the drivers of current gentrification and residential displacement forces. Large areas of Central Brooklyn were racially, economically, and physically isolated by institutional racism and media-driven stereotypes about black neighborhoods. Spellman emphasizes that Crown Heights North is no different from the prized historic areas of Brooklyn Heights and Cobble Hill in terms of established community life and its built form. Racial segregation formed the economically disinvested neighborhoods that are now the target of gentrification. Crown Heights North Association also consistently provides public programs to educate aging current homeowners on housing rights, predatory mortgage lending, and how to avoid underselling their properties to aggressive real estate companies. Spellman further explains that while isolation of white communities is not questioned in policy or politics, black neighborhoods are consistently considered a problem and a target for transformational land use changes.

## **2.6 Historic Districts as Mechanisms to Reduce Gentrification and Displacement**

### **2.6.1 Landmark rules disincentivize the addition of new market-rate rental units**

The interviewed organizations found that locally designated historic districts can restrict the addition of new market-rate rental units through landmark regulations. Although Mandia Street Association, Crown Heights North Association, and Bedford Stuyvesant Preservation Coalition primarily represent the interest of black and Latino homeowners and their neighbors, organizational representatives expressed significant concern over rental units and neighborhood change. Unlike the existing literature, which focuses on the aggregate effects of additional land use regulations on neighborhood socioeconomic change (Einstein et al. 2020), organizational representatives argue that landmark law's focus on regulating buildings' primary façades restricts the addition of occupiable floors. Notably, as described by Angel Lyon, Vice President of the organization Save Harlem Now, "there is no such thing as 'as-of-right' in a local historic district." Permits for each building in a historic district must pass through the Landmarks Commission before they may be filed with the Department of Buildings. To receive a staff-level review and a Certificate of No Effect, additions must not be visible from the street level.

The existing literature tends to underplay how the idiosyncrasies of landmark rules, which work at individual buildings' scale, disincentivize new dwelling units to existing buildings in lower-density districts. Based on the human field of vision, this visibility criterion restricts significant changes to the number of dwelling units in designated residential buildings. In addition to staying within zoning floor-area-ratio requirements, rooftop additions must be minimally visible from the vantage point of their primary and secondary facades. Additions cannot exceed an additional 25 inches in height (LPC Landmarks Law 2-15), far below the minimum allowed height of 7 feet for occupiable units required by NYC Building Codes

(1208.2). Non-visible rear yard additions can also be added through staff review if they do not exceed one story, do not affect the rear building façade, and do not extend to the rear lot line. Given the restriction on additions, if developers manage to add dwelling units, these apartments will need to be market-rate to recoup expenses. There's an uneasy interplay between intellectual traditions of architecture central to historic preservation and zoning ordinances' focus on efficiency through technical provisions at a multi-borough scale.

The majority of interviewees did not address the subsidy status of multi-family buildings in historic districts nor the exclusion of public housing from historic districts. This is likely for several reasons. With very few exceptions, the character of New York City Housing Authority apartment complexes is not a focus of landmarks law. Ellen, McCabe, and Stern (2016) also find that as of 2013, historic districts possessed a larger proportion of market-rate rental units than undesignated areas (29), which supports organizational representatives' focus on unregulated, privately owned multi-family buildings with tenants. This same study finds that when Manhattan's concentration of historic districts and its higher overall density is controlled for, lots in historic districts are zoned for lower density than in non-LPC regulated neighborhoods (Ellen, McCabe, and Stern 2016, 38). In low-density neighborhood contexts, fewer apartments may be rent-stabilized because to qualify, buildings must have at least six units (NYC Rent Guidelines Board). Interviewees did not address conversions of neighborhood multi-family apartment buildings to condominiums as a factor driving socioeconomic change, but rather the wholesale demolition of older buildings for new condominiums.

#### 2.6.2 Block or modify development plans through litigation

The idea conveyed by interviewees that “more regulations are always better” aligns with the zoning literature that finds more land use regulations increase the opportunities to discourage

the introduction of new housing types into a neighborhood. If development or alteration proposals in a local historic district do not fall within the landmark commission's rules, proposals require full review by the public hearing process that begins at the community board, moves to the landmark's preservation commission, and ends in the city council. Unlike anticipated, groups did not discuss reliance upon the landmarks commission's discretionary review as a veto power to contest undesirable new development. In the case of Crown Heights North Association (CHNA), lawsuits were used to contest individual developments in the Crown Heights North historic district.

Suzanne Spellen of Crown Heights North Association described how the inclusion of the Dean Sage House mansion and its campus in the 2007 Crown Heights North historic district served the long-term neighborhood residents through the ability to file lawsuits related to new housing development. According to Spellen, in 2019, Crown Heights North Association filed a lawsuit with local tenant rights activists against the current owner's proposal for rear yard additions to the landmark to create two, four-to-six story housing developments. The non-profit organization that owns the mansion primarily serves developmentally disabled adults and uses it to provide long-term care. The Crown Heights North Association found that the additions would violate landmarks law by removing the campus' gardens, which were stated as historically significant in the designation report. Spellen states that the lawsuit pushed back against the commission's steps into the issue of housing affordability. According to Spellen, during the implementation of the de Blasio administration's Affordable Housing Plan, affordability became more of a catchphrase than a policy process. The landmarks commission's support of the plan for its housing additions exceeded the agency's purpose and was an arbitrary consideration. Although this may be considered critical, Spellen's perspective commands greater attention to

preservation's regulatory tools, particularly designation reports as legally binding documents. This represents a more nuanced understanding of landmarks law than scholars' predominant interpretations who argue that interest groups exploit any regulatory and legal options to impede new housing (Einstein, Glick and Palmer 2020, 116).

The petition posted online by CHNA argues that the housing would add unnecessary density to an already congested historic district that houses several large community facilities, including the Brooklyn Children's Museum, PS 289 George V. Brower Elementary School, and a church (Change.org). Ellen, McCabe and Stern (2016) confirm that a greater proportion of lots in historic districts are used for public facilities and institutions than non-designated lots (25). Spellen also cannot account for all the motivations of allied entities who supported the lawsuit. Journalistic accounts also suggest that some individuals supported the lawsuit due to bias against the expansion of Dean Sage House as publicly subsidized affordable housing (Wong 2008).

## **2.7 Historic Districts as Institutional Pathway into Land Use Issues**

### **2.7.1 National Register of Historic Places and neighborhood planning**

The Ascendant Neighborhood Development Corporation operates differently than other organizations interviewed because of its development capacities and strong financial base. Its central mission is to rehabilitate East and Central Harlem buildings as low-income and senior housing. It works with NYC Housing Preservation and Development to develop new affordable housing on currently vacant lots (Ascendant Neighborhood Development Corporation). The organization's portfolio includes twenty-eight affordable rental apartment buildings. Its director is also a founding member of the historic preservation organization Landmark East Harlem. The organizations' missions and uses of historic preservation for affordable housing intersect.

Notably, Chris Cirillo discussed how Landmark East Harlem could gain funding and produce broad historical resource surveys of Harlem through its pursuit of National Register of Historic Places district listings. The effort represented a proactive review of the existing built environment reminiscent of Los Angeles' innovative Survey LA. One of the critiques consistently leveled against land use in New York City is that the city does not possess a citywide plan. Comprehensive urban planning can help evenly distribute the benefits and burdens of land use actions throughout the city (Sclar et al. 2020). Cirillo discussed the production of surveys in relation to community pushback against the department of city planning's East Harlem upzoning as part of its Mandatory Inclusionary Housing program. Various institutional stakeholders and residents expressed desires for more holistic planning for growth. In 2016 groups achieved a dedicated East Harlem Neighborhood Plan through the support of Community Board 11 and its local councilmember and then city council speaker, Melissa Mark-Viverito. The proactive surveys produced comprehensive assessments of the existing built environment, and consideration of historic resources was folded into the larger neighborhood plan.

Although largely unanticipated by its leadership, the East Harlem NRHP district listing undertaken by Landmark East Harlem enabled local stakeholders to influence the construction of the extended MTA Second Avenue Subway through Section 106 of the National Historic Preservation Act. Cirillo explains:

It had a slight protective benefit because the MTA had to update its environmental impact statement (EIS) for the second phase of the Second Avenue subway. When they did the original EIS back in 2004, and when they did the updated one a couple of years ago, our district had not been officially listed but determined eligible. So, they actually had to take it into account in terms of thinking about what properties they may acquire for subway access. They shifted some locations of where things would be to avoid contributing

buildings in the historic district. We didn't go in thinking of that, but it is one example that getting listed helped to protect some buildings that may have been taken by the MTA and torn down.

Cirillo also placed Ascendant and Landmark East Harlem in New York City's zoning-laden context and explained that there aren't many reliable mechanisms without the fortuitous creation of the East Harlem Neighborhood Steering Committee by its political backing for neighborhood planning in New York City. Even if community boards take advantage of the City Charter's formal 197-A program for community-based planning, the plan's creation takes many years, and the program doesn't ensure that plans are followed. A key intention of the East Harlem Neighborhood Plan is to assert an alternative community-driven approach to land use decision-making that is different from the existing ULURP process (East Harlem Neighborhood Plan 2016, 11). Other interviews also reflected this insight. Maria Torres also emphasized piggybacking community organizing on planning initiatives outside of ULURP.

### 2.7.2 Rehabilitation tax credits

According to Landmark East Harlem's leadership, the New York State Historic Preservation Office is proactively listing historic public housing in New York City to allow access to historic tax credits for their rehabilitation and expand affordable housing access. In particular, the historically significant Harlem River Houses campus is in the process of capital improvements through The NYC Housing Authority (NYCHA) Permanently Affordable Commitment Together (PACT) program. The state review boards also became a place to discuss the controversial histories of public housing and racial segregation.

Crown Heights North Association and Landmark East Harlem discussed the strengths and weaknesses of the historic rehabilitation tax credit made accessible by eligibility or listing to the

NRHP. National Register of Historic Places districts provide important financial benefits for rehabilitating income-producing homes, particularly for extensive renovations and entities with significant tax liability. For the average homeowner doing limited rehabilitation, the application is too demanding.

### 2.7.3 Values-based language for community organizing

Angel Lyon of Save Harlem Now emphasized the strengths of historic preservation's language for community organizing. The highly technical language of zoning and planning often does not resonate with the public or motivate action. Talking to people about their connections to the neighborhood and its past is more accessible. Discussion of community history and character can also reinforce the values of the neighborhood to outsiders beyond its calculation on solely economic terms and the "highest and best uses" of land. The "terms of debate" (Pattillo 2007) over land use conflicts are alternatively defined. Much like its uses in reaction to urban renewal in the 1950s-1960s, the establishment of historic districts signals the value of the existing communities of color against their wholesale transformation.

## **2.8 Weighing Alternatives**

### 2.8.1 Neighborhood rezoning, political organizing, and litigation

This paper hypothesizes that anti-displacement concerns are being displaced from the consideration of other city agencies, like city planning, to historic preservation due to variations in groups' access to political and economic resources. Multiple interview responses confirmed that downzoning would be a desirable addition to the neighborhood as an alternative and in concert with historic district listing/designation. Torres recounted that the Manida Street

Association did discuss the possibility of rezoning with its city councilmember and realized that pursuit of rezoning was outside of its capabilities: “[y]ou have to do the ULURP process, you need lawyers, there a lot more papers to file, there are a lot more that goes into that process. When you’re a big developer, it’s not as big of a deal, but it would be a lot and a longer process as well.” Cost and time were key deterrents to pursuing a rezoning. But this did not necessarily mean that anti-displacement concerns were being pushed to landmarks.

The pursuit of districts also did not run with any lack of political resources. Interview responses did not identify some agencies as more accessible than others. Discussions with Torres of the Manida Street Association also suggested that formal engagement with city agencies through required public hearings was undesirable. This form of interaction with agencies could further circumscribe their actions. Instead, through her role as Director of the Point, Torres emphasized the importance of engagement opportunities outside of city hall and after work hours, such as when city planning held meetings at community locations for the rezoning of Bronx’s Southern Boulevard in 2020. The rezoning was annulled by the work of several Bronx-based organizations and local council members. Angel Lyon of Save Harlem Now also discussed how landmarks staff and commissioners were more accessible and open to discussion in forums alternative to public hearings, such as during professional conferences.

Crown Heights North Association was involved in multiple lawsuits to contest undesirable development. In addition to the Dean Sage House, the organization is currently petitioning against decisions by the landmarks commission deemed undesirable. Spellen emphasized the need for ongoing fundraising for litigation through its partnerships with organizations such as the Crown Heights Tenant Association and Friends of 920 Block. The cases are enabled through Article 78 proceedings, which allow entities to appeal the decisions of

a city agency in the state courts. For other organizations, finding standing for litigation is the most significant challenge. The use of lawsuits is not particularly common.

## **2.9 Discussion**

The major finding is that gentrification and anti-displacement concerns are not necessarily being displaced from other city agencies to landmarks due to a lack of political or economic resources necessary to capture the interests of decision-makers. In following the political economic and black civic engagement literature, the expectation was that the formal processes of discretionary review are also the primary venues that organizations of lower-income, minority communities would use to contest undesirable development. Instead, the work of interviewed organizations is more attuned to opportunities outside of these prescribed interactions, such as public meetings held at community locations or professional conferences held in the city. Groups use multiple land use tools to insert themselves into planning activities outside of the ULURP process, and landmarking is one of those tools. The language of historic preservation is also used to shape the terms of debate for development conflicts.

Organizations are also turning to landmarking primarily for its regulatory benefits rather than procedural ones. Like their preference for alternative venues of debate with decision-makers, the organizations interviewed did not discuss any particular reliance upon landmark commission hearings for their procedural benefits as a forum to contest specific elements of proposals as inappropriate, to delay or block development. Instead, entities that sought local historic districts were reliant upon its regulations to disincentivize the introduction of new market-rate rental buildings or additions for new dwelling units in their neighborhoods. Historic districts were considered a more financially conservative alternative to pursuing neighborhood

downzoning. This can also be a reaction to biases in the commission's choices to apply more stringent criteria in wealthier, politically resourced neighborhoods than when considering development proposals in predominantly black and Latino neighborhoods. The number of litigations against LPC actions could be evidence of this practice.

The importance of the State Historic Preservation Office in furthering aspects of neighborhood planning and affordable housing was not anticipated. Because NRHP historic districts do not serve regulatory purposes and the nomination reports are not legally binding, there is more latitude in the debates of how and why places should be listed as individual landmarks or part of a historic district. As explained by Cirillo, state hearings have recently become a place for in-depth and controversial discussions about the determination of public housing as historically significant. The New York State SHPO demonstrates a commitment to listing places like Harlem Houses in NYC so that NYCHA-owned apartment complexes can be maintained for improved building safety and quality of services through federal historic tax credits. By its regulatory oversight, LPC is forced to be more conservative in its actions.

## **2.10 Conclusion: Implications for Urban Equity**

Underlying organizations' land use-oriented motivations for local and NRHP historic districts are sincere desires to meet historic preservation on its terms and further protect and interpret historical resources. It's demonstrated that local and national registers of historic places lack cultural diversity. But, much like it's impossible to separate the establishment of the National Historic Preservation Act and NYC Landmarks law from the political and socioeconomic context of NYC of their time, there's no purity of intention in the current uses of historic districts. What appears to be the "natural" application of preservation tools is the

cumulative result of decisions that have institutionalized wealth and, in some cases, whiteness as prerequisites for a neighborhood's possession of special character or inherent values. As raised poignantly by Spellman, predominantly minority communities, even solidly middle-class ones, are often considered a problem, and these communities are most often tasked with accommodating growth. For interviewed organizations, historic districts are being utilized as a community development approach that simultaneously disincentivizes new real estate pressures, and a variety of policy decisions that they perceive would lead to significant socioeconomic change.

The ways that organizations tended to utilize historic districts and link their regulations to anti-displacement strategies give credence to their contributions to affordability. Organizations are repurposing an ostensibly neutral tool that does have repercussions for restricting the entry of new residents from neighborhoods, including in the interest of excluding higher socioeconomic groups. This may only hold in New York City's strong market and its current reliance on market-based policies to provide affordable housing and housing in aggregate. Additional work is necessary to empirically determine if its uses in lower-income communities lead to differential impacts in terms of neighborhood change. But, most likely, these forces are far stronger than the influence of one or more historic districts in a neighborhood. In an ideal situation, the research could focus on a lower-income metropolitan area experiencing socioeconomic change and compare the effects of bordering jurisdictions with and without landmark controls. Additional qualitative studies would require larger sample sizes spanning multiple cities and a review of archival evidence to identify the organizations that have sought historic districts for anti-displacement purposes. For most jurisdictions, local landmarks' public testimony is not digitized and requires access through in-person visitation, but for NRHP districts, it is available through State Cultural Resources Information Systems and the Library of Congress.

These findings also contest the existence of an all-encompassing storyline that historic districts solely function in the interests of the wealthy. Historic preservation may be deemed as an old-fashioned policy that only cares about the presence of corbels and terra cotta, but districts do have implications for the shaping of neighborhood socioeconomic trends, including when initiated by lower-income communities. Together, interviewee responses demonstrate little to no expectation that city programs will support housing affordability. Representatives' long-view of community history also recognizes the institutional limits on black and Latino communities. Ultimately, through historic preservation, the case is being made that the burdens of growth should be more evenly distributed.

# **Article 3: Zoning for Character: Contextual rezoning and socioeconomic change in New York City neighborhoods, 1986-2019**

## **3.1 Introduction**

This article examines the neighborhood socioeconomic impacts of contextual rezonings implemented in New York City between 1986-2019. Contextual zoning was first enabled by New York City's 1987 Quality Housing program and was created to regulate residential development, so new construction is more consistent with existing neighborhood character. Even as New York City's 1961 Zoning Resolution was visionary, it emerged from postwar planning goals that encouraged the separation of land uses, automobile dependence, and dense development at a scale so grand that it would be "impervious to the volatility" of the city's existing lower-income neighborhoods (Strickland 1993, 56). The modern city was divorced from its past, including what was perceived as its chaotic mixture of pedestrian-oriented neighborhoods in states of decay (Jacobs 1961). Contextual zoning is one of several tools that emerged in the decades following the resolution with the intention of protecting the city's existing 19th-century residential streetscape in aesthetics, form, and its contributions to income diversity in the local economy. Contextual rezonings are primarily implemented as a zoning map amendment and apply a layer of mandatory regulation on height, setbacks from the street line, and yard requirements to create more restrictive building envelopes. The objective is for new construction to physically and visually maintain the existing street scale, material, and rhythm (Allison and Peters 2011, 93). Independently, contextual districts should not affect the intensity of development as allowed by neighborhood zoning.

Urban planners have long argued the concept of “character” as a central component of quality urban neighborhoods (Molotch et al. 2000; Talen et al. 2015). Within the variety of zoning tools available in New York City, character has become a defining policy rationale for zoning types like contextual and special districts and—although not a type of zoning—historic districts under the NYC Landmarks Preservation Commission. In an American context, bundled with the notion of urban character are discriminatory biases about the demographic characteristics of who should be allowed to live in urban neighborhoods and whose presence adds economic value. Segregation of racial and economic groups and land uses are central components of American zoning (Trounstine 2018). Urban planning literature increasingly evaluates how changes to neighborhood zoning may affect development capacity, racial composition, and socioeconomic change. There are no existing studies on the contributions of contextual zoning to neighborhood change. Between 1987 and 2019, there were approximately 152 contextual rezonings approved in New York City. There is a gap in the literature on studies that examine how zoning’s influence on urban design factors, like the allowance of modest additions to building height and parking requirements may affect socioeconomic change. Contextual zonings will be evaluated in relation to land use restrictions in high-growth cities and their potential impacts on neighborhood affordability.

This study utilizes a difference in difference quantitative research method to answer the following research question: how does the socioeconomic status of a neighborhood change relative to others following contextual rezonings in New York City? The central hypothesis is that the percent of contextually zoned parcels in census tracts between 1980-2019 is related to greater shares of non-Hispanic white residents, increased social standing, and increased housing costs. Each racial composition, social standing, and housing characteristic variable is regressed

separately. The findings of the regressions confirm the initial hypothesis. Neighborhoods in all five boroughs of New York become more racially and economically exclusive after the implementation of contextual zones, with differential impacts in outer boroughs.

### **3.2 Origins and Rules of Contextual Zoning in New York City**

New York City has a significant place within the history of zoning. The New York City Board of Estimate and Apportionment adopted one of the first local zoning ordinances in the US in 1916 and applied both use and bulk restrictions to the entire municipality. From the beginning of its practice in the American context, metropolitan zoning has acted as a legal instrument that separates land into classes of residential, commercial, and industrial types with the primary interest of protecting private property values against encroachment by undesirable harms of traffic and pollution (Hirt 2014). The 1916 ordinance also included five height districts and five area districts with increasingly strict limits on the maximum percentage of a lot occupied by a building (Fischler 1998). By the mid-20<sup>th</sup> century, residential classes were further subcategorized by various lot sizes and the maximum number of dwelling units per lot, coupled with the emergence of several additional zoning types, including special purpose districts, historic districts, and open space conservation areas (Hirt 2014, 36). Although it is debated whether overwhelming (and unanticipated) popular support for New York City zoning came from the concerns of light and air obstruction by skyscrapers in corporate Manhattan or urban homeowners' preference for single-family housing districts (Fischler 1998, 173), underlying both motives is the desire to regulate the character of urban pattern and form in the pursuit of "good urbanism" (Talen 2012, 2010). Between 1916 and 1940, 1,371 amendments were made to the

resolution, with the majority having to do with downzoning and changes in lot coverage to reduce residential density (Plunz 1993, 39).

The city's current comprehensive Zoning Resolution was enacted by New York City's Department of City Planning in 1961 and continues today with various amendments to address the rigidity of the original system (Furman Center 2010). The 1961 resolution introduced the city-wide zoning map with residential, commercial, and manufacturing districts subdivided into various bulk and parking provisions. It introduced the floor area ratio (FAR) tool as the principal bulk regulation, which controls the proportion of building volume to the total area of a given lot. Residential districts were assigned a dwelling unit factor, which restricts the density or the maximum number of units provided in buildings. The resolution also introduced the bonus incentive program, which allows developers to increase the floor area of commercial buildings by up to 20 percent of the base FAR if they create public plazas and other amenities that would bring additional light and air to the streets (Huang and Franck 2022). The 1961 Zoning Resolution encouraged tall, "tower in the park" style buildings that maximized building height and open space by covering a smaller portion of the total lot size (Marcus 1992).

The zoning objectives aligned closely with those of the federal urban renewal program established by the Housing Act of 1949, which, like in many cities across the US, funded the economic restructuring of New York City through the clearance of occupied, lower-income neighborhoods that were identified as "blighted" and large-scale redevelopment (Fainstein and Fainstein 1987; Reichl 1997). The new resolution was heavily critiqued for its encouragement of urban development that was largely indifferent to the pre-existing built environment. Neighborhoods with historic housing stock like Greenwich Village and Brooklyn Heights became the flashpoints for protests against the resolution. The establishment of New York

City's 1965 landmarks law and commission as its regulatory authority directly responded to the resolution's lack of context-sensitive controls (Marcus 1992; Wood 2008). The concept of urban character is central to landmarks policy (Section 25-301). As blight was a term used to justify the redistribution of city land from lower-income to higher-income occupants through urban renewal, the notion of character was mobilized to demonstrate existing lower-income neighborhoods' economic vitality and value.

Legislation for contextual districts was introduced in 1987 through the Quality Housing program to preserve the character of medium and high-density residential neighborhoods. Contextual districts are a zoning tool and have an A, B, D, or X suffix added to residential and commercial districts' use and intensity designations, or a "-1" suffix for R3 and R4 districts (NYC Department of City Planning 2018). The Quality Housing program was implemented after incremental amendments to the zoning resolution for urban character, including the introduction of special district designations and the 1976 Housing Quality special permit program. The special districts and permit programs did enable greater sensitivity to the existing built fabric, but produced dozens of idiosyncratic provisions that required lengthy environmental impact statements and reviews (Levy 2015; Marcus 1992). Contextual zoning through the 1987 Quality Housing program complemented the resolution's preference for as-of-right building. So long as the rules are met, permits can be filed with the Department of Buildings without discretionary review.

Contextual zoning created by the Quality Housing program was to address the character needs of R6 through R10 higher density districts but also included low-density contextual zonings for districts of detached single-family homes and small apartment buildings (Sinclair 2017, 520). A contextual rezoning is not meant to change neighborhood floor-area-ratios or allowable

dwelling units. To encourage aesthetic harmony with existing housing, residential districts are governed by regulations that include minimum lot sizes, height limits, front and side yard requirements, off-street parking requirements, limitations on the setback of buildings from the street line depending upon its width, and in some instances, exclusion of attached housing types (Been, Madar, McDonnell 2014, 241; Levy 2015; NYC Department of City Planning 2018). Table C1 indicates the various “mixes” of regulations in each lower to higher density residential district. Parking requirements are the most consistent regulation. For low-density districts, parking must be available for each dwelling unit, and for medium and high densities, parking has to be provided for an average of 45% of dwelling units. There are twelve sub-categories of regulations for low-density contextual residential districts of “suburban character,” which are defined primarily as single-family and two-family detached homes with restrictive minimum lot areas between approximately 5,700 and 2,000 square feet. These require front, side, and backyards.<sup>32</sup> Even though the dwelling unit factor of low-density residential districts is very similar to medium and high-density districts, the presence of pitched roofs is a defining characteristic for low densities. In addition to single-family homes, contextual zoning also prioritizes the maintenance of rowhouses between one and five stories tall. High-density residential districts mapped for commercial uses at the ground floor are also subject to additional streetscape requirements to promote street activity and pedestrian safety (NYC Department of City Planning 2018). There are no eligibility guidelines for contextual zones suggesting that uniformity in building form is necessary for its implementation.

Contextual zoning, special districts, and landmarks districts became three tools that interest groups use to “circumvent” the zoning resolution’s generous building density

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<sup>32</sup> Backyard regulations were excluded from the table because these require approximately 30 ft for low to high densities.

allowances, citing these designations as necessary to protect neighborhood architecture and quality of life by containing the expansion of new development (Fainstein and Fainstein 1987, 245; Goldberg 2015, 33). The notion of character is sufficiently vague to have powerful social and political implications (Babcock 1966; Fischler 1998). Government reforms to institutionalize participation requirements for zoning and planning decisions proliferated in US cities in the 1960s-1970s in response to growing community activism against the excesses of urban renewal. New York City's participatory land use process, the uniform land use procedure (ULURP), began in 1975 as part of city charter revisions (Angotti 2008). The establishment of local community boards and opportunities for public comment introduced a level of democratic control over land use decisions, enabling community boards, politicians, organizations, and other interest groups to push city planning to initiate rezonings (Furman Center 2010). Implementation of new contextual zones requires full ULURP review and approval.

Approved in 2016, Mayor DeBlasio's Zoning for Quality and Affordability (ZQA) is the latest amendment to the city's zoning resolution that addresses neighborhood character and the built environment. The amendment's primary policy goal is to increase the production of affordable housing and affordable senior housing by modifying existing dwelling unit size and parking requirements (City Planning Commission) and by allowing developers that build affordable senior apartments, long-term care facilities, or affordable housing to add 10-20 feet to building height (NYC City Council). The ZQA also includes text amendments for medium to high-density residential districts to create buildings with more visual interest and street activity by (1) offering additional height allowances to buildings constructed with raised ground-floor apartments and ground-floor retail or community space; (2) reducing the maximum front setback requirements so that new construction doesn't inadvertently align with non-contextual buildings

set far back from the street; (3) removing rear setback requirements; and (4) encouraging architectural recesses and projections to visually diversify building façades (NYC City Council). Other fine-grained controls address height limits in transitional zones between districts.

### **3.3 Literature Review**

Much like other types of zoning, the literature demonstrates that contextual zoning is adopted into contests between forces that favor and oppose development in New York as a strong market and highly regulated coastal city. Although contextual zoning should not affect residential development capacity (Furman Center 2010), zoning scholars consider it a tool that closes the difference between the height of existing residential buildings and the height factors allowable by as-of-right zoning (Schaffer 1993, 241). The discourse surrounding the implementation of contextual zonings overwhelmingly aligns the zoning type with the interests of New York City's political and economic elite. For example, Sinel (2017) argues that although the original policy intention of the 1987 Quality Housing program was to encourage the construction of multifamily housing through regulation of urban form, contextual zoning has been most often applied to existing low-density residential districts.<sup>33</sup> Early contextual zones were implemented on a highly case-by-case basis and almost exclusively in higher-income neighborhoods (Motley 1993, 211). Researchers also demonstrate that in New York City, contextual zonings were seldomly implemented until Mayor Bloomberg's tenure from 2002 to 2013 (Furman Center 2010; Sinel 2017) and were often driven by anti-development

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<sup>33</sup> Other potentially unintended uses of the policy include the application of contextual zoning as transitional areas that mediate the differences in scale between historic districts and non-landmarked neighborhood areas (Oser 1990).

mobilizations by homeowners who advocated for the rezonings to protect single-family housing in exchange for enhancing the property tax base and electoral power (Goldberg 2015).

Several theories explain the defensive behavior of city homeowners, defined as those who choose not to opt-out from land use politics by moving to more economically and racially homogenous suburbs (Trounstine 2018, 41). Hirt (2014) and Fischler (1998) find that in an American context, zoning's highly technical language enshrines deep-seated cultural preferences for single-family homes and the presence of suburbia even within city limits. Glaeser and Gyourko (2018) argue that homeowners are interested in maximizing their economic position and seek stricter regulatory contexts that disincentive new housing production and increase prices through land values. By extension, scholars argue that low-density and contextual zoning regulations contribute to the maintenance of neighborhood economic and racial exclusion by excluding more affordable multi-family housing types (Angotti and Morse 2017, 52; Trounstine 2018). With a similar focus on the number of regulations in aggregate as Glaeser and Gyourko (2018), Einstein et al. (2019) and Fischel (2015) argue that additional layers of regulation enable more opportunities for participatory influence on land use decisions, such as through New York City's ULURP process. These hearings provide homeowners groups power to block or modify development that they perceive will negatively impact property values. Trounstine (2018) finds that in the 1960s, community-driven increases in residential regulations directly responded to the loss of exclusive land use control to black and minority groups by the participatory process and their growth of political power (115).

The low proportion of city homeowners and distribution of contextual zones across New York City also complicate contextual zoning as a single story of the urban elite utilizing the tool to further economic and racial segregation. There are instances when urban renters will behave

like homeowners (Hankinson 2018). Arguments for preserving neighborhood character are being utilized in opposition to rezonings driven by the de Blasio administration’s Mandatory Inclusionary Housing program (Berman 2017; Kully 2020; Mays and Robertson 2018), which has been critiqued as subsidizing new housing in lower-rent areas rather than in the city’s high-rent areas where added density would produce enough financial return to motivate both affordable and market-rate residential units (Madar and Willis 2015).<sup>34</sup> In lower-rent neighborhoods, it appears that contextual rezoning is sought after to remove the unbuilt as-of-right capacity from the market. Research on the initiators of contextual zones would clarify how its uses have changed from implementation in 1987, its overwhelming application during the Bloomberg administration, to its uses in today’s political economy, patterns of land use decisions, and distribution of higher-income households.

There is limited existing research on the relationships between contextual zoning and socioeconomic change. Been, Madar, and McDonnell (2014) identify non-FAR rezonings—those that change residential capacity by less than 10 percent—as a “black box” because very little is understood about how the type affects development. The authors suggest that contextual zonings may function as downzoning (247). The Furman Center Policy Brief (2010) defines contextual-only rezonings as those that do not alter a lot’s allowable FAR but do have practical impacts on residential development capacity through height limits, front, side, and rear yard requirements, lot coverage limits, and off-street parking requirements (5). Contextual zoning’s design requirements for setbacks at upper floors and features such as dormers create more visual interest from street-level but reduce the overall building envelope.<sup>35</sup> Therefore, developers often

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<sup>34</sup> Although not a zoning type, community-based organizations of lower-income neighborhoods are increasingly using landmarks preservation’s policy rationale of special character to resist or modify the scope of MIH upzoning areas (Gill 2016; Hubert 2018).

<sup>35</sup> Building envelope is defined as the maximum three-dimensional space that a building can occupy on its lot.

struggle to both maximize the capacity allowed under FAR and incorporate more visually engaging architectural features (Sinclair 2017). According to Sinclair (2017), contextual zones' building guidelines reduce housing affordability by reducing the total number of allowable dwelling units in new buildings, making neighborhood housing more expensive, and by reducing developers' ability to use additional floor area allotted through inclusionary housing programs for the addition of affordable units (527-529). Through analysis of rezonings in New York City between 2003 and 2007, the Furman Center (2010) authors find that of the 188,000 lots included in city-initiated zoning actions, 63 percent were contextual-only rezonings. Furthermore, contextually zoned lots were located in census tracts with more white residents, and higher median incomes and homeownership rates than the city median (9-10).

If contextual zonings function as a downzoning, as Been et al. (2014) suggested, studies demonstrate that low-density zoning can exclude lower-income and minority groups at the jurisdiction level in US metropolitan areas (Pendall 2000; Rothwell and Massey 2010). Pendall (2000) defines low-density zoning as large lot zoning or those controls that restrict residential density to fewer than eight dwelling units per acre (128-129). The study examines jurisdictions in the largest 25 metropolitan areas in 1980 and 1990 and utilizes ordinary least square regression to find that low-density zones reduce multi-family housing production, reducing the availability of more affordable rental units. Rental housing made a small difference in the shares of black residents. Jurisdictions with low-density zoning are disproportionately located in New York City among other northeastern metropolitan areas (138). Rothwell and Massey (2010) examine black-white segregation by measures of dissimilarity and isolation at the metropolitan level and utilize year of statehood and historic population densities as instruments to control for the endogeneity of zoning controls. The authors find a significant, positive relationship between

low-density controls and racial segregation. Importantly, these studies highlight that ostensibly race-neutral zoning controls implemented after the 1968 Fair Housing Act produce exclusionary effects. Even though racial zoning was considered unconstitutional in *Buchanan vs. Warley* (1917), jurisdictions continue to use land use controls to segregate (Pendall et al. 2006, 126).

More closely relevant literature includes studies that explicitly examine the influence of urban form on measures indicative of neighborhood socioeconomic status. In analyzing the relationships between urban form and income segregation in 96 largest US metropolitan areas between 2000 and 2010, Lens and Monkkonen (2015) utilize the Wharton Residential Land Use Regulations Index (Pendall et al. 2006) and operationalize density restrictions as minimum lot size. The authors find that density restrictions are not related to income segregation; increases in minimum lot size led to the concentration of affluent households without impacting the isolation of the poor (11). Glaeser and Ward (2009) analyze 187 municipalities in the Greater Boston area from 1980 to 2002 and find that minimum lot requirements significantly reduce the number of single-family and total permits issued and are associated with higher housing prices (275). They also find that the Wharton index has a positive impact on prices. It is possible that other non-FAR-related regulations excluded from the index, such as constraints on lot shape and street width requirements, reduce the ability to subdivide existing lots and restrict multi-family types that would reduce price and change demographic mix (Ibid). Einstein et al. (2020) build upon the methods of Glaeser and Ward (2009) by using the share of multifamily permitted units as the dependent variable rather than total permits and find that municipalities in the Greater Boston area that regulate lot shape have a lower share of multi-family unit permits (70). Both studies associate multi-family housing with socioeconomic mix, and in the case of Einstein et al. (2020), greater racial mix.

New York City's Quality Housing program also regulates off-street parking requirements and building height through its reliance on existing buildings to dictate the form of new development. McDonnell, Madar, and Been (2011) find that in New York City, minimum off-street parking produces an oversupply of parking, leading to increased costs in rent or purchase price or loss of additional residential construction. Ding (2013) draws upon Beijing's regulations of its building skyline and rigid controls on building heights due to the presence of historical and cultural sites in the city center. These features indicate the presence of urban design values of architecture, aesthetic harmony, and physical balance (488). Building height restrictions lead to a loss in housing output and increased housing prices (493), which holds relevance for New York City.

Without state and federal interventions in the provision of affordable housing, urban homeowners' tendencies to hoard affluence and the idiosyncrasies of non-FAR zoning regulations do little to diminish racial and economic exclusion. Although not a zoning tool, New York City's landmark preservation ordinance is also based on protecting special urban character. McCabe and Ellen (2016) analyze the socioeconomic impacts of historic districts in New York City between 1965 and 2009 and find that designations in NYC do not lead to neighborhood increases in housing rents or changes in the share of black residents but do lead to decreases in poverty rate and increases in neighborhood homeownership rates, share of college-educated residents, and median household income. The authors also note that an instrumental variable would better clarify the relationships (143-144). Design-based content of regulations is not entirely to blame for gentrification in a city that executes urban planning through zoning and market-driven production of affordable units. Still, there is a demonstrated relationship with socioeconomic change.

### 3.4 Methodology

In the absence of an instrumental variable to address the endogeneity of contextual zoning rules, this study draws upon the difference in difference quantitative method with panel data of Brian J. McCabe and Ingrid Gould Ellen (2016). A difference in difference model is used to control for the initial differences between New York City’s census tracts that would or would not be contextually zoned between 1980-2019 and then to evaluate if those trends change after implementation. The NYC Department of City Planning Zoning Application Portal indicates 152 contextual rezonings occurred in NYC between 1986 and 2019. These include geographic areas that were certified as completed rezonings and select city-initiated text amendments to the Zoning Resolution that have discrete geographical boundaries. The 152 contextual rezonings were then geographically located using the NYC Open Data Zoning Map Amendments Shapefile (NYZMA) in QGIS. Qualitative review of 152 City Planning Commission (CPC) reports further confirmed that the sample only includes contextual, area-wide rezonings. To utilize the difference in difference technique, the number of contextual rezonings was reduced to 117 non-overlapping contextual districts. The majority of contextual zones in the sample are located in Queens. In each borough, contextual zones cover between 12 and 19 percent of its total area (Table 3).

**Table 3. NYC Area Contextually Zoned by 2010**

	Percent of borough area contextually zoned	Percent of total contextual zones	Number of contextual zones
Manhattan	0.132	0.120	14
Brooklyn	0.185	0.189	22
Queens	0.192	0.342	40
Bronx	0.116	0.171	20
Staten Island	0.187	0.180	21
<b>Total</b>			<b>117</b>

To address the issue of census tract boundary change, this study utilizes the Brown University Longitudinal Tract Database for 1980, 1990, and 2000 census data and 2015-2019 American Community Survey data as representative of the years 2010-2019, with census tract boundaries as defined in 2010. Data from the decennial census and the American Community survey are then used to measure neighborhood change through a total of 9 racial composition, social standing, and housing variables. These three categories of variables capture the socioeconomic characteristics of a neighborhood. Racial composition is depicted by percent non-Hispanic black, percent non-Hispanic white, and percent Hispanic variables. Social standing is captured by the percent college-educated, median household income, and percent poverty. Housing conditions include the percent of owner-occupied units, median rent, and median home value.

The sample is constricted to census tracts with populations greater than zero and those located in NYC's community districts with at least one contextually zoned parcel by 2010 (Figure 1). A total of 1,842 census tracts are observed once every decade between 1980-2010, making 7,370 observations. Descriptive statistics of 1980 census tract characteristics indicate census tracts that become contextually zoned by 2010 have higher shares of non-Hispanic white residents and lower shares of non-Hispanic black and Hispanic residents than those tracts that are never contextually zoned (Table 4). Contextually zoned tracts possess more college-educated residents, higher median incomes and home values, and higher homeownership rates. The poverty rates are also lower in 1980 for tracts that become contextually zoned compared to those that do not. Contextually zoned tracts tend to possess higher socioeconomic status, but these numerical differences cannot be attributed only to the rezoning.

**Table 4. Characteristics of tracts in 1980**

	NYC census tracts with no parcels contextually zoned by 2010 ( <i>N</i> = 775)		NYC census tracts with greater than 75% of parcels contextually zoned by 2010 ( <i>N</i> =573)	
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Percent White	0.506	0.370	.584	.365
Percent Black	.245	.302	.218	.343
Percent Hispanic	.206	.218	.155	.183
Percent college-educated	.109	.128	.095	.094
Poverty rate	.208	.166	.164	.125
Median household income	\$14,709	\$6,621	\$15,306	\$5,349
Percent owner-occupied	.277	.261	.347	.252
Median home value	\$54,621	\$40,394	\$53,819	\$32,098
Median rent	\$225	\$72.9	\$225	\$51.8

For tracts with populations > 100

The difference in difference quasi-experimental research method controls for neighborhood characteristics that are difficult to define and not adequately captured by control variables in the regression, such as the presence of 19<sup>th</sup>-century urban form that likely influences consideration for contextual protections or the political resources of its residents necessary to initiate or block rezonings. The difference in difference method compares the initial socioeconomic trends of census tracts that do and do not become contextually zoned. It then measures any differences in socioeconomic trends after its implementation. The assumption is that neighborhoods would have followed similar trends in the absence of contextual zoning. If there are statistically significant differences in the regression models, these changes can be attributed more closely to the rezoning. This study's central hypothesis is that the percentage of

contextually zoned parcels in tracts between 1980-2010 is related to neighborhood socioeconomic change. Each neighborhood change variable is regressed individually.

Drawing upon the methodology of McCabe and Ellen (2016), key variables of the difference in difference model include *CZEver*, which captures the baseline differences between those census tracts that do and do not become contextual districts by 2010. For each census tract, New York City primary land use tax lot output (PLUTO) data from the Department of City Planning determines the percentage of parcels that will become contextually zoned by 2010. This percentage is assigned to each tract for its four observations. Depending upon the percentage of parcels in each census tract by decade, each tract is then assigned to a category: *CZEver* <1% if zero to less than one percent of parcels are in a contextual zone; *CZEver* 1-24% if greater than 1 percent and fewer than 25 percent of parcels are in a contextual zone; 25-75% in a contextual zone; or 76-100%. The year and name of rezonings were pulled from the Zoning Application Portal and CPC reports and assigned to each parcel. Census tracts assigned to *CZEver* <1% are those that were never contextually zoned (n= 775) and serve as the control group. The census tracts are mapped using QGIS.

*CZPost* is the primary variable of interest and indicates how tracts' racial, social, and housing characteristics contextually zoned between 1980-2010 change relative to those initial baseline differences (Tables 5-13). For the *CZPost* variable, the percentage of contextually zoned lots is assigned only to the census tract observation in the decade the contextual zoning was implemented. This percentage is also categorized into *CZPost* <1%; *CZPost* 1-24%; *CZPost* 25-75%; and *CZPost* 76-100%. Borough and community district boundaries are also mapped in QGIS. Column 1 of each table includes fixed effects for each of New York City's community districts and decade fixed effects. The model is estimated by the following equation below for

census tract  $n$ , in community district  $d$ , and decade  $t$ .  $I_{dt}$  controls for decade and community district fixed effects.  $CZ_{nt}$  is the set of contextual zoning dummy variables for each census tract,  $CZEver$  and  $CZPost$ .

$$Y_{ndt} = \alpha + \delta_{dt}I_{dt} + \theta CZ_{nt} + \varepsilon_{it}$$

The remaining columns (2-4) of each table report the results for models that are more tightly controlled for census tract fixed effects, as well as community district and decade fixed effects. With the addition of census tract fixed effects, the  $CZEver$  variables are dropped due to multicollinearity.

Column 3 shows the results of the model with the addition of time variables along with census tract, community district, and decade fixed effects. Because each census tract is observed four times from 1980 to 2010 but designated once as a contextual district in a specific year, the variable  $CZTrend$  takes on positive or negative integer values that count the years before or after the zoning's implementation.  $CZTrend$  further controls for the possibility that census tracts in the same community district followed different demographic trends prior to the contextual zoning. The variable  $TPost$  only observes the number of years after contextual zoning for each tract, depending upon the percent of parcels contextually zoned. It controls for the demographic trends that may have occurred from one decade to the next, independent of the zoning implementation. For Column 4, the sample is reduced to contextual rezonings in all boroughs excluding Manhattan. The lower population densities and presence of single-family homes in Queens, Brooklyn, Bronx, and Staten Island make the findings for these boroughs more comparable to other cities (McCabe and Ellen 2016, 140).

## 3.5 Findings

Neighborhood socioeconomic change is captured by nine variables that fall into the categories of racial composition, social standing, and housing characteristics. These variables are percentage non-Hispanic white; percentage non-Hispanic black; percentage Hispanic; percentage college-educated residents; poverty rate; median household income; median home value; median rent; and percentage owner-occupied housing units. Each dependent variable is regressed individually and the results are presented in Tables 5 through 13. Findings are derived primarily from the models of columns 3 and 4, which control for census tract fixed effects, pre-existing differences in socioeconomic trends by census tract (*CZTrend*), and the impacts of contextual zoning over time (*TPost*). The models of columns 1 and 2 are included in the tables as they are the most intuitive demonstration of the difference and difference technique and illustrate the progression of results when the models are more tightly controlled. Overall, the difference in difference regressions indicate that neighborhoods in all five boroughs become more racially and economically exclusive after the implementation of contextual zoning over the past 40 years.

### 3.5.1 Racial Composition

Table 5 demonstrates that there are no statistically significant differences in the percentage of non-Hispanic white residents following contextual zoning, including when the sample is constricted to census tracts outside of Manhattan. The *TPost* variables in Table 5, column 3 indicate that with each additional year following a rezoning, the percentage of white residents grows by 11-14 percent for census tracts contextually zoned between 1-75 percent. *TPost* variables capture changes that would have occurred independently of the zoning over time, therefore contextual zoning cannot be attributed to any changes in the percent of white residents.

The models indicate that percentage of non-Hispanic black residents falls with the addition of more stringent census tract fixed effects (Table 6). Column 3 demonstrates that the share of non-Hispanic black residents falls by 1.5 percent for tracts that are 25-75 percent contextually zoned. When the sample is constricted to the outer boroughs, the loss is slightly greater at 2 percent for tracts that are 25-75% contextually zoned. The results of columns 3 and 4 also indicate that decreases in the percent of black residents can be attributed to the contextual zoning even with the overall loss of black residents in these neighborhoods, 1980-2020. The final racial composition variable is the percentage of Hispanic residents. Table 7 indicates that only in the outer boroughs, the share of Hispanic residents falls by 1.4 percent for tracts contextually zoned 1-24%. Although relatively modest percentage changes in racial composition, contextual zones tend to decrease the percentage of non-Hispanic black residents across NYC and Hispanic residents when the sample is restricted to the outer boroughs, with little effect on the percentage of non-Hispanic white residents.

**Table 5. Regression of percentage non-Hispanic white residents in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	-.001 (.016)	.002 (.011)	-.005 (.011)	.001 (.012)
CZPost 25-75%	-.013 (.013)	-.000 (.008)	-.002 (.008)	.001 (.009)
CZPost 76-100%	.010 (.011)	.005 (.007)	.005 (.007)	.007 (.008)

CZEver 1-24%	.014			
	(.010)			
CZEver 25-75%	-.007			
	(.008)			
CZEver 76-100%	.015**			
	(.007)			
CZTrend			.000	.000
			(.000)	(.000)
TPost 1-24%			.145***	.149***
			(.026)	(.027)
TPost 25-75%			.115***	.121***
			(.037)	(.038)
TPost 76-100%			.000	.000*
			(.000)	(.000)
Constant	.853***	.805***	.805***	.821***
	(.040)	(.138)	(.137)	(.)
Observations	7,370	7,370	7,358	6,345
Adjusted R <sup>2</sup>	.602	.838	.839	.835

Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

**Table 6. Regression of percentage non-Hispanic black residents in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	.002	-.009	-.003	-.005
	(.014)	(.008)	(.008)	(.008)
CZPost 25-75%	-.004	-.017***	-.015**	-.020***
	(.011)	(.006)	(.006)	(.006)

CZPost 76-100%	-0.012 (.009)	-0.007 (.005)	-0.008 (.005)	-0.007 (.005)
CZEver 1-24%	-0.007 (.009)			
CZEver 25-75%	.000 (.007)			
CZEver 76-100%	.015** (.006)			
CZTrend			.000 (.000)	.000 (.000)
TPost 1-24%			-.104*** (.019)	-.106*** (.020)
TPost 25-75%			-.087*** (.027)	-.088*** (.028)
TPost 76-100%			.000*** (.000)	.000*** (.000)
Constant	.049 (.035)	.044 (.100)	.045 (.099)	-.014 (.051)
Observations	7,370	7,370	7,358	6,345
Adjusted R <sup>2</sup>	.615	.894	.894	.896

Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

**Table 7. Regression of percentage Hispanic residents in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	-.017* (.010)	-.008 (.006)	-.007 (.006)	-.014* (.007)

CZPost 25-75%	.011 (.008)	.002 (.005)	.002 (.005)	.002 (.005)
CZPost 76-100%	-.004 (.007)	-.001 (.004)	-.001 (.004)	-.003 (.004)
CZEver 1-24%	.001 (.006)			
CZEver 25-75%	-.002 (.005)			
CZEver 76-100%	-0.14*** (.004)			
CZTrend			.000 (.000)	.000 (.000)
TPost 1-24%			-.026* (.016)	-.027* (.016)
TPost 25-75%			.002 (.022)	-.001 (.023)
TPost 76-100%			.000 (.000)	.000 (.000)
Constant	.024 (.025)	.046 (.083)	.046 (.083)	.193** .042
Observations	7,370	7,370	7,358	6,345
Adjusted R <sup>2</sup>	.568	.844	.844	.836

Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

### 3.5.2 Social Standing

Tables 8 through 10 show the results for three measures of social standing, which include the percentage of college-educated residents, poverty rate, and median household income (logged). Census tracts that are 76-100% contextually zoned show small increases of .6-.9% in

percent college-educated residents consistently across all five boroughs and when the sample excludes Manhattan census tracts (Table 8).

**Table 8. Regression of percentage college-educated residents in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	-.005 (.007)	-.007 (.004)	-.010 (.004)	-.006 (.004)
CZPost 25-75%	-.003 (.005)	.000 (.003)	.000 (.003)	.003 (.003)
CZPost 76-100%	.008* (.004)	.006** (.003)	.006** (.003)	.009*** (.003)
CZEver 1-24%	.007* (.004)			
CZEver 25-75%	-.004 (.003)			
CZEver 76-100%	-.003 (.003)			
CZTrend			.000** (.000)	.000*** (.000)
TPost 1-24%			.061*** (.011)	.063*** (.011)
TPost 25-75%			.047** (.016)	.049*** (.015)
TPost 76-100%			.000 (.000)	-.000 (.000)
Constant	.433***	.143**	.143**	.170***

	(.017)	(.059)	(.059)	(.027)
Observations	7,370	7,370	7,358	6,345
Adjusted R <sup>2</sup>	.667	.858	.859	.771

Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

**Table 9. Regression of poverty rate in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	-.001 (.007)	.002 (.005)	.004 (.005)	.000 (.005)
CZPost 25-75%	-.005 (.005)	-.008** (.004)	-.008** (.004)	-.010** (.004)
CZPost 76-100%	-.012** (.005)	-.010*** (.003)	-.010** (.003)	-.011*** (.003)
CZEver 1-24%	-.008* (.003)			
CZEver 25-75%	-.016*** (.003)			
CZEver 76-100%	-.020*** (.003)			
CZTrend			.000*** (.000)	.000*** (.000)
TPost 1-24%			-.042*** (.012)	-.043*** (.012)
TPost 25-75%			-.055*** (.017)	-.057*** (.017)
TPost 76-100%			.000	.000

			(.000)	(.000)
Constant	.114***	.127**	.127**	.139***
	(.017)	(.064)	(.064)	(.032)
Observations	7,370	7,370	7,358	6,345
Adjusted R <sup>2</sup>	.488	.766	.766	.765
Standard errors clustered by census tract *p<.1, **p<.05, ***p<.01				

The poverty rate also consistently declines by approximately one percentage point when including and excluding Manhattan census tracts, for tracts between 25% and 100% contextually zoned. The findings for median household income are not as consistent. Table 10, column 3 indicates that for tracts that are the least contextually zoned in all boroughs, the household income falls by 4.5 percent after implementation, and increases by two percentage points for tracts zoned 76-100%. Similarly in the outer boroughs, household incomes also rise for tracts contextually zoned 76-100%.

**Table 10. Regression of median household income (logged) in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effect with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	-.024	-.037*	-.045***	-.023
	(.025)	(.017)	(.017)	(.017)
CZPost 25-75%	-.004	.001	.000	.018
	(.020)	(.013)	(.013)	(.013)
CZPost 76-100%	.022	.020*	.020*	.034***
	(.017)	(.011)	(.011)	(.011)
CZEver 1-24%	.040***			

		(.015)		
CZEver 25-75%		.023*		
		(.013)		
CZEver 76-100%		.030***		
		(.011)		
CZTrend			.000	.000
			(.000)	(.000)
TPost 1-24%			.156***	.163***
			(.041)	(.038)
TPost 25-75%			.107**	.117
			(.058)	(.054)
TPost 76-100%			.000	.000
			(.000)	(.000)
Constant	10.2***	10.3***	10.3***	9.63***
	(.061)	(.213)	(.213)	(.100)
Observations	7,340	7,340	7,328	6,321
Adjusted R <sup>2</sup>	.791	.910	.911	.913

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Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

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### 3.5.3 Housing

Median home value (logged), median rent (logged), and percent owner-occupied units capture neighborhood housing characteristics, and Tables 11-13 indicate contextual zoning's relationships to these variables. The findings for neighborhood housing characteristics also demonstrate increases in socioeconomic status following contextual zoning. The median home value increases by 5.1% for tracts contextually zoned more than 75 percent (Table 11, column 3). Contextual zoning has no effect on home values in the outer boroughs. Table 12 indicates that median rents increase by 2.9-3.9 percentage points for tracts greater than 75% contextually zoned, including when the sample excludes Manhattan.

The results in Table 13 for the percent of owner-occupied housing units were not anticipated. Columns 3 and 4, which allow comparison of results with the addition of time variables and the exclusion of Manhattan, indicate that owner-occupied housing falls between 1.1 and 1.8 percent at all levels of contextual zoning. None of the time variables in column 3 are statistically significant, indicating the loss of owner-occupied units is primarily the result of contextual rezonings.

**Table 11. Regression of median home value (logged) in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	.042 (.035)	.038 (.031)	.023 (.031)	.039 (.028)
CZPost 25-75%	.026 (.028)	.017 (.024)	.015 (.024)	.005 (.021)
CZPost 76-100%	.052** (.023)	.051*** (.020)	.051** (.020)	.015 (.018)
CZEver 1-24%	.037* (.022)			
CZEver 25-75%	.001 (.018)			
CZEver 76-100%	.002 (.015)			
CZTrend			.000 (.000)	.000 (.000)
TPost 1-24%			.285*** (.073)	.282*** (.062)

TPost 25-75%			.259**	.268***
			(.102)	(.087)
TPost 76-100%			.000	.000
			(.000)	(.000)
Constant	11.1***	11.2***	11.2	11.08***
	(.101)	(.217)	(.217)	(.160)
Observations	7,067	7,067	7,055	6,191
Adjusted R <sup>2</sup>	.816	.872	.872	.897

Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

**Table 12. Regression of median rent (logged) in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	-.012	-.011	-.017	.032
	(.018)	(.012)	(.013)	(.013)
CZPost 25-75%	-.004	-.002	-.002	.015
	(.014)	(.010)	(.010)	(.010)
CZPost 76-100%	.029**	.029***	.029***	.039***
	(.012)	(.008)	(.008)	(.008)
CZEver 1-24%	.031***			
	(.011)			
CZEver 25-75%	.033***			
	(.009)			
CZEver 76-100%	.030***			
	(.008)			
CZTrend			.000	.000
			(.000)	(.000)
TPost 1-24%			.128***	.127***

			(.031)	(.029)
TPost 25-75%			.074*	.075*
			(.043)	(.041)
TPost 76-100%			.000	.000
			(.000)	(.000)
Constant	6.11***	6.47***	6.47***	5.29***
	(.044)	(.160)	(.160)	(.075)
Observations	7,336	7,336	7,324	6,314
Adjusted R <sup>2</sup>	.894	.951	.951	.954

Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

**Table 13. Regression of percent owner-occupied housing units in contextual rezonings**

	(1)	(2)	(3)	(4)
	Community District and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects	Community District, Census Tract, and Decade Fixed Effects with Time	Community District, Census Tract, and Decade Fixed Effects with Time
	All Boroughs	All Boroughs	All Boroughs	Outer-Boroughs
CZPost 1-24%	-.007	-.017***	-.018***	-.018***
	(.013)	(.005)	(.005)	(.005)
CZPost 25-75%	-.018*	-.016***	-.015***	-.011***
	(.010)	(.004)	(.004)	(.004)
CZPost 76-100%	-.010	-.012***	-.012***	-.011***
	(.008)	(.003)	(.003)	(.003)
CZEver 1-24%	.014*			
	(.008)			
CZEver 25-75%	.014**			
	(.006)			
CZEver 76-100%	.015***			
	(.005)			
CZTrend			.000*	.000**
			(.000)	(.000)

TPost 1-24%			.017 (.012)	.020* (.012)
TPost 25-75%			-.014 (.017)	-.013 (.017)
TPost 76-100%			.000 (.000)	.000 (.000)
Constant	.140 (.031)	-.041 (.065)	-.040 (.065)	.139*** (.030)
Observations	7,370	7,370	7,358	6,345
Adjusted R <sup>2</sup>	.544	.931	.931	.938

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Standard errors clustered by census tract \*p< .1, \*\*p<.05, \*\*\*p<.01

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### 3.6 Discussion

Studies on the relationships between contextual zoning and neighborhood change are limited, and this study seeks to begin filling that gap in the literature. Descriptive statistics indicate that in 1980, census tracts that would become a contextual zone over the next four decades had higher levels of socioeconomic status to begin with compared to those tracts that were never contextually zoned. Even with these initial differences, the difference in difference method demonstrates that contextual zones implemented in New York City from 1980 to 2010 are consistently related to decreases in the percent non-Hispanic black residents in neighborhoods contextually zoned 25-75 percent. This loss increases by 5 percent when examining only the outer boroughs. The percent of Hispanic residents also decreases, but primarily occurs in the outer boroughs when the percent of a neighborhood contextually zoned is 1-24 percent. Percent college-educated increases and the poverty rate falls. The findings for household income are more polarized, depending upon the percentage of a tract contextually zoned. For those tracts contextually zoned 76-100 percent, the models indicate that household

income rises for all boroughs and when Manhattan is excluded. But, for those tracts that are the least contextually zoned in all boroughs, household incomes fall by 3.7 to 4.5 percent, a significant decrease. This likely indicates that tracts at the fringe of contextually zoned neighborhood areas experience differential impacts than those more fully bounded by the contextual zone's boundaries. For housing characteristics, median home values and median rents consistently increase for those tracts zoned greater than 75 percent. The findings for percent owner-occupied are particularly striking. Across all models in Table 13, columns 1 through 4, the percentage of owner-occupied units falls, which may indicate that the regulations and their effects on housing prices are becoming too burdensome even for homeowners, leading to conversions as income-producing properties.

Although the regressions for each variable indicate modest increases and decreases of less than 10 percent, the findings indicate that after implementation, contextually zoned neighborhoods increase in socioeconomic status and become more predominately white and affluent. These changes are also likely not due to gentrification since neighborhoods had similar characteristics in 1980, but represent a further entrenchment of white isolation that solidifies related privileges (Goetz et al. 2020). Though, in the absence of variables that explicitly measure black-white segregation or the unevenness of how racial groups are distributed across geographic units, the models do not demonstrate if contextual zones lead to racial and economic segregation. A strength of the difference in difference model is the results show that the concentration of white affluence is not only the result of individual preferences to pay a premium to live in white neighborhoods. These preferences are realized through local government regulations that may be racially motivated (Rothwell and Massey 2010, 780). Ostensibly race-neutral zoning controls implemented after the 1968 Fair Housing Act still likely produce exclusionary effects.

The difference in difference model controls for several alternative explanations with a few limitations. First, the analysis focused only on implementing contextual zoning and did not include whether contextual rezonings were coupled with changes in FAR, such as downzoning (Angotti 2008, 106). Second, the models examine the aggregate impact of accumulated contextual regulations rather than the effects of a specific regulation such as minimum front yard requirements. It cannot be determined if certain aspects of contextual regulations lead to greater changes in socioeconomic status than others. For example, McDonnell, Madar, and Been (2011) state that minimum off-street parking produces an oversupply that increases housing costs and reduces residential construction. But, required parking is mandatory in both contextual and non-contextual residential districts, so this may not produce a unique effect in contextual zones. For this reason, parking requirements were removed from Table C1, a summary of non-FAR regulations in residential contextual districts by density. When contextual zones are placed in conversation with neighborhood affordability, the requirement of pitched roofs in lower-density districts is arbitrary. Height limitations in medium-density contextual zones, based on existing built fabric, are also somewhat arbitrary. These areas have the potential to match the greater number of residential units allowed by high-density non-contextual zones.

In future studies, variables that capture the value of the lost development capacity in contextual zones and the rezonings of individual properties from single to multi-family would improve the models. For example, rowhouses are referred to frequently in contextual zoning rules and allow flexibility of dwelling units. Samples with multiple jurisdictions would also enhance the potential of instrumental variables as utilized by Rothwell and Massey (2010).

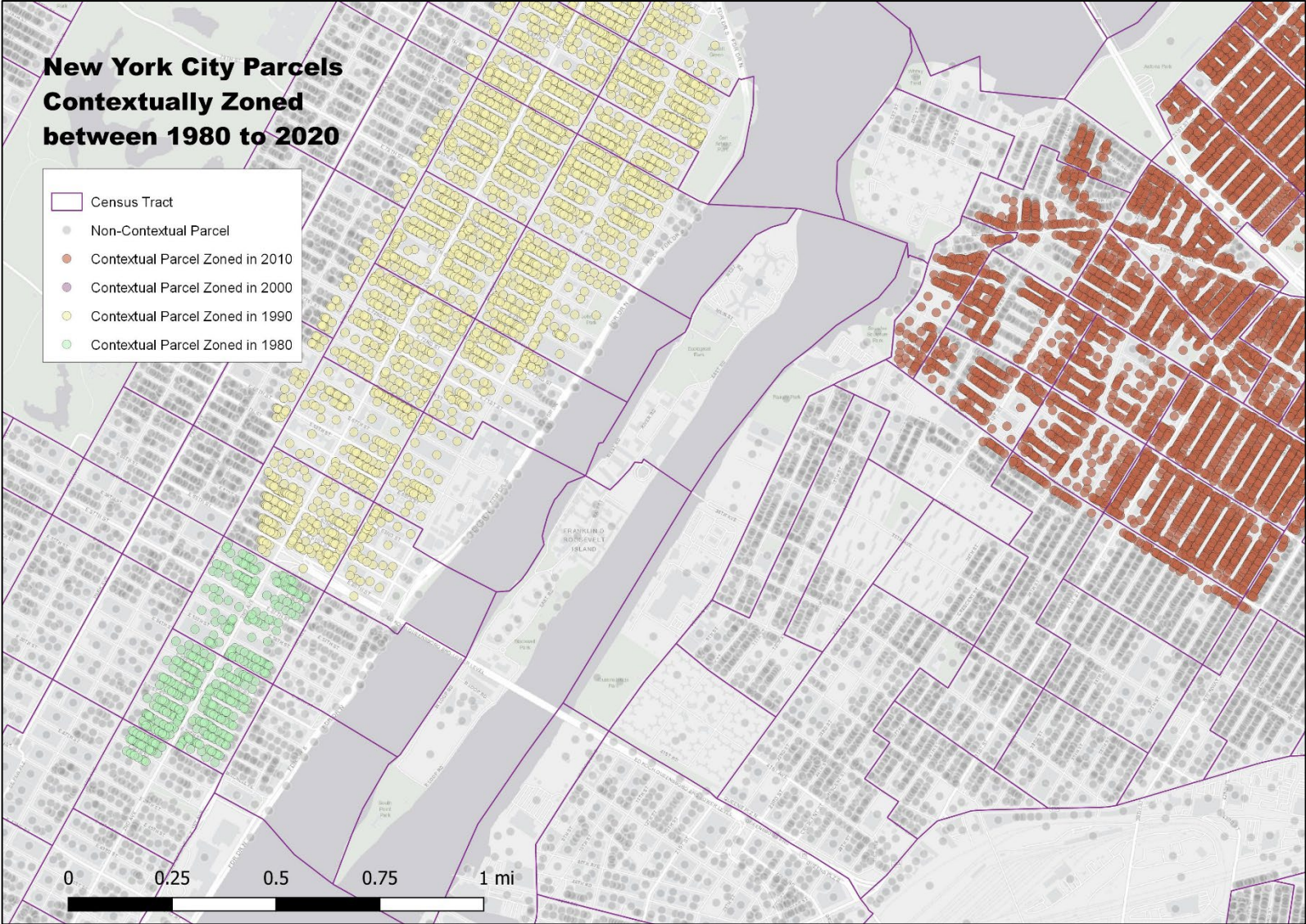
### 3.7 Conclusion

As Goetz et al. (2020) argued, urban planning does not routinely scrutinize white racial isolation as a target for public policy. Urban spaces of white affluence are considered the ideal standard, while predominantly black and Hispanic neighborhoods are problems to be avoided (146). Examples of contextual zoning's application in practice also complicate its uses as a simple story of black-white division. There are examples of homeowners in predominantly African American neighborhoods seeking contextual zoning, such as the 2013 Crown Heights West rezoning in Central Brooklyn where homeowners desired architectural preservation and to restrict retail from residential blocks (Goldberg 2011, 44). This endeavor also required significant political and civic resources to organize. As with examples demonstrated in historic preservation, there are likely minority and lower-income groups seeking contextual zones to arrest future development for sustaining neighborhood affordability and property values. But there are too few examples to determine if a difference in motivations produces different effects on changes in socioeconomic status or housing affordability. It is possible that character-dependent zoning tools disincentivize the siting of city-led upzoning in New York City, such as the Mandatory Inclusionary Housing program rezonings that many argue incentivize new housing demand previously absent in the targeted lower-income neighborhoods. These uses by minority homeowners and the loss of owner-occupied units in predominantly affluent contextually zoned districts suggest the presence of middle-class housing stress.

Across potential motivations for their application, contextual zones are implicated in preserving historic residential densities that do not match current housing needs. Ostensibly non-political arguments in support of urban character are likely blanketing the ways that pre-1960 organization of city space was implicitly tied to racial and economic segregation. Particularly in

the absence of evaluative criteria and its greater reliance on administrative process than discretionary review in New York City, the notion of urban character needs to be further scrutinized for its impacts on affordability and segregation as the defining aspect of policy for contextual zoning. This article does not suggest that the pursuit of urban character should be abandoned. Still, without state and federal interventions in the provision of equitably distributed affordable housing, contextual zoning is exacerbating white isolation and should not impede the larger issue of expanded housing access.

Figure 1. Map of census tracts and parcels contextually zoned by decade, 1980-2020



## References

- Abrams, Amanda. (2018, May 1). In a revived Durham, black residents ask: Is there still room for us. *New York Times*. <https://www.nytimes.com/2018/05/01/business/durham-real-estate-growth.html>.
- Ahlfeldt, G.M., K. Möller, S. Waights, N. Wendland. (2017). Game of zones: The political economy of conservation areas. *The Economic Journal* 127(605), F421–F445.
- Allison, Eric and Lauren Peters. (2011). *Historic Preservation and the Livable City*. Hoboken: John Wiley and Sons, Inc.
- Andrews, Kenneth T., and Bob Edwards. (2004). Advocacy organization in the U.S. political process. *Annual Review of Sociology* 30, 479-506.
- Angotti, Tim. (2008). *New York for sale: Community planning confronts global real estate*. Cambridge: MIT Press.
- Angotti, Tim and Sylvia Morse. (2017). *Zoned out! Race, displacement, and city planning in New York City*. New York: Terreform.
- Arlotta, Allison and Erica Avrami. (2020). Preservation's engagement with questions of inclusion: A literature review. In Erica Avrami (Ed.), *Preservation and social inclusion* (pp. 224-235). New York: Columbia UP.
- Arnold, Craig Anthony. (2007). The structure of the land use regulatory system in the United States. *Journal of Land Use and Environmental Law* 22(2), 441-523.
- Arnstein, Sherry. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners* 35(4), 216-224.
- Asabere, Paul K., Forrest E. Huffman, Seyed Mehdian. (1994). The adverse impacts of local historic district designation: The case of small apartment buildings in Philadelphia. *The Journal of Real Estate Finance and Economics* 8, 225–234.

Ascendant Neighborhood Development Corporation. "What we do." Accessed May 2022.  
<https://ascendant.nyc/>.

Avrami, Erica. (Ed.) (2020). *Preservation and social inclusion*. New York: Columbia UP.

Avrami, Erica. (2016). Making historic preservation sustainable. *Journal of the American Planning Association*, 82(2), 104–112.

Avrami, Erica, Cherie-Nicole Leo, Alberto Sanchez. (2018). Confronting exclusion: Redefining the intended outcomes of historic preservation. *Change Over Time* 8(1), 102-120.

Avrami, Erica and Randall Mason. (2019). Mapping the issue of values. In Erica Avrami, Susan MacDonald, Randall Mason, and David Myers (Eds.), *Values in heritage management: Emerging approaches and research directions*. The Getty Conservation Institute.

Avrami, Erica, Randall Mason, and M. de la Torre (2000). Values and heritage conservation. The Getty Conservation Institute.

Babcock, Richard F. (1966). *The zoning game: Municipal practices and policies*. Madison: University of Wisconsin Press.

Baer, W. (1995). When old buildings ripen for historic preservation. *Journal of the American Planning Association* 61(1), 82.

Beauregard, Robert. (2018). *Cities in the urban age: A dissent*. Chicago: Chicago UP.

Beauregard, Robert. (2010). The chaos and complexity of gentrification. In Loretta Lees, Tom Slater, and Elvin Wyly (Eds.), *The Gentrification Reader* (pp. 11-23). New York: Routledge.

Beauregard, Robert. (1990). Trajectories of neighborhood change: The case of gentrification. *Environment and Planning A* 22(7), 855–874.

Beekman, Daniel. (2017, May 1). High-rises in Chinatown ID? Fear that development could erase neighborhood's culture. *Seattle Times*.

- Been, Vicki. (2018). City NIMBYS. *Journal of Land Use* (33)2, 217-250.
- Been, Vicki, Ingrid Gould Ellen, Michael Gedal, Edward Glaeser, and Brian J. McCabe. (2015). Preserving history or restricting development? The heterogeneous effects of historic districts on local housing markets in New York City. *Journal of Urban Economics* 92, 16–30.
- Been, Vicki, Ingrid Gould Ellen, and Katherine O’Regan. (2018). Supply Skepticism: Housing Supply and Affordability. NYU Furman Center. <https://furmancenter.org/research/publication/supply-skepticism-housing-supply-and-affordability>.
- Been, Vicki and John Infranca. (2013). Transferable development rights programs: post-zoning. *Brooklyn Law Review* 78(2), 435-465.
- Been, Vicki, Josiah Madar, and Simon McDonnell. (2014). Urban land-use regulation: Are home voters overtaking the growth machine? *Journal of Empirical Legal Studies* 11(2), 227-265.
- Berman, Andrew. (2017, December 10). Where the Mayor opposes affordable housing and neighborhood character. *Gotham Gazette*. <https://www.villagepreservation.org/wp-content/uploads/2020/04/7312-where-the-mayor-opposes-affordable-housing-and-neighborhood-character.html>.
- Bernstein, Ken, and Louise Bedsworth. (2022). Balancing sustainable growth, preservation, and equity: Lessons from California. In Erica Avrami (ed.), *Preservation, sustainability, and equity*. New York: Columbia UP.
- Berry, Christopher. (2001). Land use regulation and economic segregation: Does zoning matter? *American Law and Economics Review* 3(2), 251-74.
- Birch, Eugenie L. (2005). *Who lives downtown?* Washington, DC: The Brookings Institution Living Cities Census Series.
- Birch, Eugenie L. and Douglas Roby. (1984). The planner and the preservationist. *Journal of the American Planning Association* 50(2), 194-207.

- Boyd, Michelle. (2008). Defensive development: The role of racial conflict in gentrification. *Urban Affairs Review* 43(6), 751-776.
- Brady, Claudette. (2020, March 24). "Virtual Discussion Panel: The impact of preservation." Brooklyn Chapter, American Institute of Architects. <https://aiabrooklyn.org/aia-brooklyn-virtual-panel-discussion-the-impact-of-preservation/>.
- Brindell, James R. (2012). Improving the standards and process of historic designation. *The Urban Lawyer* 44(1), 265-277.
- Brown-Sarancino, Japonica. (2010). *A neighborhood that never changes: Gentrification, social preservation, and the search for authenticity*. Chicago: Chicago UP.
- Buzbee, William W. (2014). *Fighting Westway: Environmental law, citizen activism, and the regulatory war that transformed New York City*. Ithaca: Cornell UP.
- California Office of Historic Preservation. Mills Act program. Accessed December 2020. [https://ohp.parks.ca.gov/?page\\_id=21412](https://ohp.parks.ca.gov/?page_id=21412).
- Carvalho, Anabela, Zara Pinto-Coelho, and Eunice Seixas. (2016). Listening to the public-enacting power: Citizen access, standing, and influence in public participation discourses. *Journal of Environmental Policy and Planning* 21(5), 563-576.
- Castells, M. (1983). *The city and the grassroots: A cross-cultural theory of urban social movements*. London: E. Arnold
- Change.org. "Dean Sage House Petition." <https://www.change.org/p/jwilliams-council-nyc-gov-stop-irresponsible-development-by-icl-at-one-of-brooklyn-s-last-historic-landmarks>.
- Checkoway, Barry. (1981). The politics of public hearings. *Journal of Applied Behavioral Science* 17(4), 566-582.
- Cheong, Caroline. (2020). Connecting historic preservation and affordable housing. In Erica Avrami (Ed.), *Preservation and Social Inclusion*. New York: Columbia UP.

Cirillo, Chris. (2022, April 12). Interview.

City of Seattle. International Special Review District. Accessed November 18, 2020.  
<https://www.seattle.gov/neighborhoods/programs-and-services/historic-preservation/historic-districts/international-special-review-district>.

Cofresi, Lina and Rosetta Radtke. (2003). Local government programs: Preservation where it counts. In Robert E. Stipe (Ed.), *A richer heritage: Historic preservation in the twenty-first century*. Chapel Hill: The University of North Carolina Press.

Cohen, James R. (1998). Combining historic preservation and income class integration: A case study of the Butcher's Hill neighborhood of Baltimore. *Housing Policy Debate* 9(3), 663-697.

Conde, Sarah. (2009). Striking a match in the historic district: Opposition to historic preservation and responsive community building. *Historic Preservation Law Seminar*, Georgetown University. Law Center.

Corey, Kenneth. (1972). Advocacy in planning: A reflective analysis. *Antipode* 4(2), 46-63.

Costonis, John J. (1989). *Icons and aliens: Law, aesthetics, and environmental change*. Urbana: University of Illinois Press.

Coulson, N. Edward and Michael Lahr. (2005). Gracing the land of Elvis and Beale Street: Historic designation and property values in Memphis. *Real Estate Economics* 33(3), 487-507.

Coulson, Edward N. and Robin M. Leichenko. (2004). Historic preservation and neighborhood change. *Urban Studies* 41(8), 1587-1600.

Coulson, Edward N. and Robin M. Leichenko. (2001). The internal and external impact of historical designation on property values. *Journal of Real Estate Finance and Economics* 23(1), 113-124.

Cresswell, John W. and Cheryl N. Poth. (2018). *Qualitative inquiry and research design: Choosing among five approaches*. Thousand Oaks: Sage Publications.

Davidoff, Paul. (1965). Advocacy and pluralism in planning. *Journal of the American Institute of Planners* 31(4), 331–338.

Davis, Jenna. (2021). How do upzonings impact neighborhood demographic change? Examining the link between land use policy and gentrification in New York City. *Land Use Policy* 103, 1-7.

Dear, Michael. (1992). Understanding and overcoming the NIMBY syndrome. *Journal of the American Planning Association* 58(3), 288–300.

DeFilippis, James. (2004). *Unmaking goliath: Community control in the face of global capital*. New York: Routledge.

DeFilippis, James, Brian Stromberg and Olivia R. Williams. (2018). W(h)ither the community in community land trusts? *Journal of Urban Affairs* 40(6), 755-769.

Ding, Chengri. (2013). Building height restrictions, land development, and economic costs. *Land Use Policy* (3), 485-495.

Ding, Lei, Jackelyn Hwang, and Eileen Divringi. (2016). Gentrification and residential mobility in Philadelphia. *Regional Science and Economics* 61, 38-51.

Dolkart, Andrew. (2019). Conversation with Author.

Dragan, Kacie L., Ingrid Gould Ellen, and Sherry A Glied. (2019). Gentrification and the health of low-income children in New York City. *Health Affairs* 38(9), 1425-1432.

Dubin, Jon. (1993). From junkyard to gentrification: Explicating a right to protective zoning in low-income communities of color. *Minnesota Law Review*, 1683.

Dulak, Matt. (2013). What's it to you? Citizen challenges to landmark preservation decisions and the special damage requirement. *Columbia Law Review* 113(2), 447-482.

- East Harlem Neighborhood Plan. (2016). Accessed May 2022. <http://www.cb11m.org/east-harlem-neighborhood-planning-and-rezoning/>.
- Einstein, Katherine Levine, David Glick, and Maxwell Palmer. (2019). *Neighborhood defenders: Participatory politics and America's housing crisis*. Cambridge: Cambridge UP.
- Ellen, Ingrid Gould, Brian McCabe, and Eric Stern. (2016). Fifty years of historic preservation in New York City. NYU Furman Center. <https://furmancenter.org/research/publication/fifty-years-of-historic-preservation-in-new-york-city228>.
- Fainstein, Norman I. and Susan S. Fainstein. (1987). Economic restructuring and the politics of land use planning in New York City. *Journal of the American Planning Association* 53(2), 237-248.
- Fainstein, Susan. (2010). *The Just City*. Ithaca: Cornell UP.
- Fainstein, Susan. (2009). Planning and the Just City. In Peter Marcuse, James Connolly, Johannes Novy, Ingrid Olivo, Cuz Potter, and Justin Steil (Eds.), *Searching for the Just City: Debates in urban theory and practice* (pp. 19-39). New York: Routledge.
- Fainstein, Susan. (1990). Neighborhood planning: Limits and potentials. In N. Cannon (Ed.), *Neighborhood Policy and Programmes* (pp. 223-37). New York: St. Martin's.
- Fainstein, Susan S. and Adam Lubinsky. (2020). The relationships between citizen participation and the Just City: Can more participation produce more equitable outcomes? In Mickey Lauria and Carissa Schively Slotterback (Eds.), *Learning from Arnstein's ladder: From citizen participation to public engagement* (pp.129-147). New York: Routledge.
- Fatorić, Sandra and Erin Seekamp. (2017). Are cultural heritage and resources threatened by climate change? A systematic literature review. *Climate Change* 142, 227-254.
- Firey, Walter. (1945). Sentiment and symbolism as ecological variables. *American Sociological Review* 10, 140-148.

- Fischel, William A. (2015). *Zoning rules! The economics of land use regulation*. Cambridge: Lincoln Institute of Land Policy.
- Fischel, William A. (2001). *The homevoter hypothesis: How home values influence local government taxation, school finance, and land-use politics*. Cambridge: Harvard UP.
- Fischler, Raphaël. (1998). The metropolitan dimension of early zoning: Revisiting the 1916 New York City ordinance. *Journal of the American Planning Association* 64 (2), 170-188.
- Flyvbjerg, Bent. (1998). *Rationality and power: Democracy in practice*. Chicago: Chicago UP.
- Forester, John. (1989). *Planning in the face of power*. Berkeley: University of California Press.
- Fraser, J. (2004). Beyond gentrification: mobilizing communities and claiming space. *Urban Geography* 25, 437–457.
- Freeman, Lance and Frank Braconi. (2004). Gentrification and displacement: New York City in the 1990s. *Journal of the American Planning Association* 70(1), 39-52.
- Freeman, Lance and Tiancheng Cai. (2015). White entry into black neighborhoods: Advent of a new era? *Annals of the American Academy of Political and Social Science* 660, 302-318.
- Freemark, Yonah. (2020). Upzoning in Chicago: Impacts of a zoning reform on property values and housing construction. *Urban Affairs Review* 56(3), 758-789.
- Fullilove, Mindy Thompson. (2004). *Root shock: How tearing up city neighborhoods hurts American and what we can do about it*. New York: New Village Press.
- Furman Center for Real Estate and Urban Policy. (2010). How have recent rezonings affected the city's ability to grow? *Policy Brief*. New York: Furman Center for Real Estate and Urban Policy.
- Gabbe, C.J. (2019). Local regulatory responses during a regional housing shortage: an analysis of rezonings in Silicon Valley. *Land Use Policy* 80, 79–87.

- Gale, Dennis E. (1991). The impacts of historic district designation planning and policy implications. *Journal of the American Planning Association* 57(3), 325–340.
- Gans, Herbert. (1962). *The urban villagers: Group and class in the life of Italian-Americans*. New York: Free Press.
- Gao, Di and Jenna Dublin. (2020). *Preserving African American places: Growing preservation's potential as a path for equity*. National Trust for Historic Preservation.
- Gill, Lauren. (2016, January 29). Boerum Hill group wants to expand historic district to protect against Mayor's upzoning. *Brooklyn Paper*. <https://www.brooklynpaper.com/boerum-hill-group-wants-to-expand-historic-district-to-protect-against-mayors-upzoning/>.
- Glaeser, Edward. (2021, April 12). How Biden Can Free America from its Zoning Straightjacket. *New York Times*. <https://www.nytimes.com/2021/04/12/opinion/biden-infrastructure-zoning.html>.
- Glaeser, Edward. (2011). Preservation follies. *City Journal* 20(2), 62-67.
- Glaeser, Edward and Joseph Gyourko. (2018). The economic implications of housing supply. *The Journal of Economic Perspectives* 32(1), 3-30.
- Glaeser, Edward and Bryce A. Ward. (2009). The causes and consequences of land use regulation: Evidence from Greater Boston. *Journal of Urban Economics* 65(3), 265-278.
- Goetz, Edward G. (2013). *New Deal ruins: Race, economic justice, and public housing policy*. Ithaca: Cornell UP.
- Goetz, Edward G., Rashad A. Williams and Anthony Damiano. (2020). Whiteness and urban planning. *Journal of the American Planning Association* 86(2), 142-156.
- Goldberg, Leo. (2015). Game of zones: Neighborhood rezonings and uneven urban growth in Bloomberg's New York City. [Master's Thesis, Massachusetts Institute of Technology]. MIT Libraries.

- Gorska, Karolina Maria. (2015). *Different shades of change: Historic districts in Los Angeles and their impact on gentrification and neighborhood trends* (Publication No. 3723073). [Doctoral dissertation, UCLA]. ProQuest Dissertations and Theses.
- Gotham, Kevin F. (2005). Tourism gentrification: The case of New Orleans' Vieux Carre (French Quarter). *Urban Studies* 42(7), 1099–1121.
- Greenfield, Brian. (2004). Marketing the past: Historic preservation in Providence, Rhode Island. In Max Page and Randall Mason (Eds.), *Giving preservation a history: Histories of historic preservation in the United States* (pp. 163-94). New York: Routledge.
- Greenstone, David and Paul Peterson. (1973). *Race and authority in urban politics: Community participation and the War on Poverty*. Chicago: Chicago University Press.
- Gregory, Steven. (1999). *Black Corona: Race and the politics of place in an urban community*. Princeton: Princeton UP.
- Grooms, Wes and Emmanuel Frimpong Boamah. (2018). Toward a political urban planning: Learning from the growth machine and advocacy planning to 'plannitize' urban politics. *Planning Theory* 17(2), 213-233.
- Hackworth, Jason. (2007). *The neoliberal city: Governance, ideology, and development in American urbanism*. Ithaca: Cornell UP.
- Halpern, Robert. (1995). *Rebuilding the inner city: A history of neighborhood initiatives to address poverty in the United States*. New York: Columbia UP.
- Hankinson, Michael. (2018). When do renters behave like homeowners? High rent, price anxiety, and NIMBYISM. *American Political Science Review* 112(3), 473-493.
- Healey, Patsy. (1997). *Collaborative planning: Shaping places in fragmented societies*. London: MacMillan.
- Hirt, Sonia. (2014). *Zoned in the USA: The origins and implications of American land-use regulation*. Ithaca: Cornell UP.

- Historic District Council. (2018). Testimony for LPC Hearing on February 13, 2018. Accessed September 2018. <http://hdc.org/hdclpc/hdclpc-testimony-for-lpc-hearing-on-february-13-2018>.
- Historic Districts Council. "Bedford-Stuyvesant/Stuyvesant Heights Historic District and Extension." Accessed July 2022. <https://hdc.org/buildings/bedford-stuyvesantstuyvesant-heights-historic-district-extension/>.
- Huang, Te-Sheng and Karen A. Franck. (2022). A history of New York City's bonus incentive programme and the changing role of the planning department from 1961 to 2019. *Journal of Urban Design*, 1-17.
- Hubert, Craig. (2018, May 23.) As rezoning looms, Gowanus locals renew push to landmark area, reveal list of key sites. *Brownstoner*. <https://www.brownstoner.com/architecture/gowanus-rezoning-proposed-sites-landmarking-historic-district-frogg-hdc-batcave/>.
- Hutson, Malo André. (2015). *The urban struggle for economic, environmental, and social justice*. London: Routledge.
- Huxley, Margo. (2000). The limits to communicative planning. *Journal of Planning Education and Research* 19, 369-377.
- Hyra, Derek S. (2008). *The new urban renewal: The economic transformation of Harlem and Bronzeville*. Chicago: Chicago UP.
- Innes, Judith E. (1995). Planning theory's emerging paradigm: Communicative action and interactive practice. *Journal of Planning Education and Research* 14(3), 183-189.
- Innes, Judith E. and David E. Booher. (2004). Reframing public participation: strategies for the twenty-first century. *Planning Theory & Practice* 5(4), 419-436.
- Jacobs, Jane. (1961). *The death and life of great American Cities*. New York: Random House.

- Jennings, Angel. (2015, July 8). Black Beverly Hills debates historic status vs. white gentrification. *Los Angeles Times*. <https://www.latimes.com/local/la-me-adv-view-park-20150719-story.html#page=1>.
- Johnson, Kimberley. (2004). Community development corporations, participation, and accountability: The Harlem Urban Development Corporation and the Bedford-Stuyvesant Restoration Corporation. *The Annals of the American Academy of Political and Social Science* 594, 109-124.
- Kadowaki, Joy. 2019. The contemporary defended neighborhood: Maintaining stability and diversity through processes of community defense. *City & Community* 18(4), 1220-1239.
- Katznelson, Ira. (1981). *City trenches: Urban politics and the patterning of class in the United States*. New York: Pantheon Books.
- Kaufman, Ned. (2009). *Place, race, and story: Essays on the past and future of historic preservation*. London: Routledge.
- Kaufman, Rachel. (2016, April 22). Giving communities the historic preservation, they want. *Next City*. <https://nextcity.org/daily/entry/san-francisco-preserve-cultural-heritage-neighborhoods>.
- Kinahan, Kelly L. (2019). The neighborhood effects of federal historic tax credits in six legacy cities. *Housing Policy Debate* 29(1), 166-180.
- King County. (2019, August 13). Glossary of TDR Terms. <https://www.kingcounty.gov/services/environment/stewardship/sustainable-building/transfer-development-rights/definitions.aspx#certified%20TDRs>.
- Kinney, Jen. (2017, June 23). How should Seattle factor equity into upzone decision? *Next City*. <https://nextcity.org/daily/entry/how-should-seattle-factor-equity-into-upzone-decision>.
- Koster, Hans R.A., Jos van Ommeren, and Piet Rietveld. (2012). Bombs, boundaries, and buildings: A regression discontinuity approach to measure the costs of housing supply restriction. *Regional Science and Urban Economics* 42, 631-641.

- Krumholz, N. (1982). A retrospective view of equity planning: Cleveland 1969–1979. *Journal of the American Planning Association* 48(2), 163–174.
- Kully, Sadeq Ali. (2020, September 1). Six Down, One to Go: Where de Blasio’s Rezoning Stand. *City Limits*. <https://citylimits.org/2020/09/10/six-down-one-to-go-where-de-blasios-rezonings-stand/>.
- Landmarks Conservancy. Historic preservation overlay zone. Accessed March 2022. <https://www.laconservancy.org/historic-preservation-overlay-zone-hpoz>.
- Leichenko, Robin M., N. Edward Coulson, and David Listokin. (2001). Historic preservation and residential property values: An analysis of Texas cities. *Urban Studies* 38(11), 1973–1987.
- Lens, Michael C. and Paavo Monkkonen. (2016). Do strict land use regulations make metropolitan areas more segregated by income? *Journal of the American Planning Association*, 82(1), 6-21.
- Levy, Rachel Mollie. (2015). Contextual zoning and a preservation planning tool in New York City. [Master’s Thesis, Columbia University]. Columbia University Academic Commons.
- Liou, Thomas Y. and Robert C. Stroh. (1998). Community development intermediary systems in the United States: Origins, evolution, and functions. *Housing Policy Debate* 9(3), 575-594.
- Listokin, David, Barbara Listokin, and Michael Lahr. (1998). The contributions of historic preservation to housing and economic development. *Housing Policy Debate* 9(3), 431–478.
- Lloyd, Sarah Anne. (2017, April 18). Chinatown-International district on deck for upzones. *Curbed- Seattle*. <https://seattle.curbed.com/2017/4/18/15344320/chinatown-international-district-hala-mha-upzones>.
- Lodewick, Colin. (2019, January 23). Not on my block: New development threatens West Philadelphia’s historic buildings. *34street.com*. <https://www.34st.com/article/2019/01/historic-preservation-west-philadelphia-spruce-hill-uch-campus-apartments-gentrification>.

- Logan, John R. and Harvey Molotch. (1989). *Urban fortunes: The political economy of place*. Berkeley: University of California Press.
- Logan, John R. and Gordana Rabrenovic. (1990). Neighborhood associations: Their issues, their allies, and their opponents. *Urban Affairs Quarterly* 26(1), 68-94.
- Logan, John R., Rachel Bridges Whaley, and Kyle Crowder. (1997). The character and consequences of growth regimes: An assessment of 20 years of research. *Urban Affairs Review* 32 (5), 603-630.
- Los Angeles Department of City Planning. Local historic districts. Accessed December 2020. <https://planning.lacity.org/preservation-design/local-historic-Districts>.
- Los Angeles Landmarks Conservancy. Interim control ordinances. Accessed March 2022. <https://www.laconservancy.org/interim-control-ordinances-icos>.
- Lyon, Angel. (2022, April 12). Interview.
- Lyon, Elizabeth and David Brook. (2003). Local government programs: Preservation where it counts. In Robert E. Stipe (Ed.), *A richer heritage: Historic preservation in the twenty-first century*. Chapel Hill: The University of North Carolina Press.
- Madar, Josiah and Mark Willis. (2015). Creating Affordable Housing Out of Thin Air: The Economics of Mandatory Inclusionary Zoning in New York City. NYU Furman Center, Policy brief.
- Mangin, John. (2014). The new exclusionary zoning. *Stanford Law & Policy Review* 25(1), 91-120.
- Marcus, Norman. (1992). New York City Zoning 1961-1991: Turning back the clock but with an up-to-the-minute social agenda. *Fordham Urban Law Journal* 19(3), 707-726.
- Marshall, Catherine and Gretchen Rossman. (2000). *Designing qualitative research* (3<sup>rd</sup> ed.). Thousand Oaks: Sage Publications.

- Martin, Deborah G. (2013). Up against the law: Legal structuring of political opportunities in neighborhood opposition to group home siting in Massachusetts. *Urban Geography* 34(4), 523-540.
- Martin, Deborah G. (2004). Reconstructing urban politics: Neighborhood activism in land-use change. *Urban Affairs Review* 39(5), 589-612.
- Martin, Shayla. (2021, August 19). Can a grassroots movement save Harlem's culturally rich buildings? We talked to the women preserving the neighborhood's history. *Verdana*. <https://www.veranda.com/home-decorators/a37189748/preservation-of-harlem/>.
- Mason, Randall. (2004). Fixing historic preservation: A constructive critique of 'significance.' *Places* 16(1), 64-71.
- Mason, Randall. (2004). Historic preservation, public memory, and the making of New York City. In Max Page and Randall Mason (Eds.), *Giving preservation a history: Histories of historic preservation in the United States*. New York: Routledge.
- Mays, Jeffery C. and Aaron Robertson. (2018, August 7). Fighting Over the Future of Inwood, Manhattan's Last Affordable Neighborhood. *The New York Times*. <https://www.nytimes.com/2018/08/07/nyregion/inwood-rezoning-nyc-manhattan.html>.
- McCabe, Brian J. (2019). Protecting neighborhoods or priming them for gentrification? Historic preservation, housing, and neighborhood change. *Housing Policy Debate* 29(1), 181-183.
- McCabe, Brian J. and Ingrid Gould Ellen. (2016). Does preservation accelerate neighborhood change? Examining the impact of historic preservation in New York City. *Journal of the American Planning Association* 82(2), 134-146.
- McQuarrie, Michael. (2012). Community organizations in the foreclosure crisis: The failure of neoliberal civil society. *Politics and Society* 41(1), 73-101.
- Mento, Tarryn. (2018, August 21). How City Heights is trying to protect its multicultural roots. *KPBS*. <https://www.kpbs.org/news/2018/aug/21/city-heights-cultural-designation/>.

- Minkoff, Debra C. (1994). From service provision to institutional advocacy: The shifting legitimacy of organizational forms. *Social Forces* 72(4), 943-969.
- Minkoff, Debra C., Silke Aisenbrey, and Jon Agnone. (2008). Organizational diversity in the U.S. advocacy sector. *Social Problems* 55(4), 525-548.
- Minner, Jennifer. (2016). Revealing synergies, tensions, and silences between preservation and planning. *Journal of the American Planning Association* 82(2), 72-87.
- Mollenkopf, John H. (1983). *The Contested City*. Princeton: Princeton UP.
- Molotch, Harvey, William Freudenburg and Krista E. Paulsen. (2000). History repeats itself, but how? City character, urban tradition, and the accomplishment of place. *American Sociological Review* 65(6), 791-823.
- Morley, Judy Mattivi. (2004). Making history: Historic preservation and civic identity in Denver. In Max Page and Randall Mason (Eds.), *Giving preservation a history: Histories of historic preservation in the United States*. New York: Routledge.
- Motley, R. Susan. (1993). Planning the equitable city. In Todd W. Bressi (ed.), *Planning and zoning New York City: Yesterday, today, and tomorrow* (pp. 206-223). New York: Routledge.
- National Conference of State Historic Preservation Officers. Resources. Accessed December, 2020. <https://ncshpo.org/resources/>.
- National Historic Preservation Act. Accessed December 2020. <http://xoxyohh9fh753j91bj7hl151-wpengine.netdna-ssl.com/wp-content/uploads/2017/02/nhpaTitle54Dec2016.pdf>.
- National Park Service. (2019). How to list a property. Accessed December 2020. <https://www.nps.gov/subjects/nationalregister/how-to-list-a-property.htm>.
- National Park Service. CLG program. Accessed December 2020. <https://www.nps.gov/clg/index.html>.

- National Trust for Historic Preservation. (1997). *Preservation Yellow Pages*. Hoboken: Wiley and Sons.
- Netherton, Ross D. (1987). The due process issue in zoning for historic preservation. *The Urban Lawyer* 19(1), 77-104.
- Newman, Harvey K. (2001). Historic preservation policy and regime politics in Atlanta. *Journal of Urban Affairs* 23(1), 71-86.
- Newman, Kathe and Elvin Wyly. (2006). The right to stay put, revisited: Gentrification and resistance to displacement in New York City. *Urban Studies* (43), 23-57.
- Newsome, Michael. (1971). Blacks and historic reservation. *Law and Contemporary Problems* 36, 423-24.
- New York City Charter and Administrative Code. (2021). *American Legal Publishing Corporation*. Accessed December 2020.  
<https://codelibrary.amlegal.com/codes/newyorkcity/latest/overview>.
- New York City Council. Zoning for Quality and Affordability. Accessed April 2022.  
[https://council.nyc.gov/land-use/plans/mih\\_zqa/zqa/#:~:text=Zoning%20for%20Quality%20and%20Affordability%20\(ZQA\)%20made%20a%20long%20list,and%20changing%20rules%20which%20affect](https://council.nyc.gov/land-use/plans/mih_zqa/zqa/#:~:text=Zoning%20for%20Quality%20and%20Affordability%20(ZQA)%20made%20a%20long%20list,and%20changing%20rules%20which%20affect).
- New York City Department of City Planning. (2018). Zoning Handbook 2018 edition. Accessed April 2022. <https://www1.nyc.gov/assets/planning/download/pdf/about/publications/zoning-handbook/zoning-handbook.pdf>.
- New York City Department of City Planning. History of the planning commission. Accessed April 2022. <https://www1.nyc.gov/site/planning/about/city-planning-history.page?tab=2>.
- New York City Department of City Planning. Zoning Application Portal. Accessed April 2022.  
<https://zap.planning.nyc.gov/projects>.

New York City Landmarks Law of 1965. Title 25, Chapter 3.

New York City Landmarks Preservation Commission. Designations. Accessed December 2020. <https://www1.nyc.gov/site/lpc/designations/designations.page>.

New York City Landmarks Preservation Commission. Historic Preservation Grant Program. Accessed December 2020. <https://www1.nyc.gov/site/lpc/about/historic-preservation-grant-program.page>.

New York City Landmarks Preservation Commission. Public Correspondence Files. Crown Heights I, II, and III historic district designation public hearings.

New York City Landmarks Preservation Commission. Public Hearing Videos. Accessed December 2020. <https://www.youtube.com/user/nyclpc/about>.

New York City Landmarks Preservation Commission. Suggest a Landmark. Accessed December 2020. <https://www1.nyc.gov/site/lpc/designations/suggest-a-landmark.page>.

New York City Quality Housing Program. Article 2, Chapter 8.

New York City Rent Guidelines Board. Rent stabilization frequently asked questions. Accessed May 2022. <https://rentguidelinesboard.cityofnewyork.us/resources/faqs/rent-stabilization/>.

New York Landmarks Conservancy. (2018). Preservation issues: Conservancy urges LPC to protect Inwood before rezoning complete. Accessed September 2018. [http://www.nylandmarks.org/advocacy/preservation\\_issues/conservancy\\_urges\\_lpc\\_to\\_protect\\_inwood\\_before\\_rezoning\\_complete](http://www.nylandmarks.org/advocacy/preservation_issues/conservancy_urges_lpc_to_protect_inwood_before_rezoning_complete).

New York State Cultural Resources Information System. Accessed September 2018. <https://cris.parks.ny.gov/>.

New York State Parks, Recreation, and Historic Preservation. Tax credit programs. Accessed December 2020. <https://parks.ny.gov/shpo/tax-credit-programs/>.

- Noonan, Douglas S. and Douglas J. Krupka. (2011). Making—or picking—winners: Evidence of internal and external price effects in historic preservation policies. *Real Estate Economics* 39(2), 379-407.
- O'Connor, Alice. (2007). Swimming against the tide: A brief history of federal policy on poor communities. In James DeFilippis and Susan Saegert (Eds.), *The community development Reader*. New York: Routledge.
- Oser, Alan S. (1990, October 28). Perspective: Zoning; Controlling scale near historic districts. *New York Times*.
- Osman, Suleiman. (2011). *The invention of Brownstone Brooklyn: Gentrification and the search for authenticity in postwar New York*. New York: Oxford UP.
- Passell, Aaron. (2021). *Preserving neighborhoods: How urban policy and community strategy shape Baltimore and Brooklyn*. New York: Columbia UP.
- Pattillo, Mary. (2007). *Black on the block: The Politics of race and class in the city*. Chicago: Chicago UP.
- Pendall, Rolf. (2000). Local land use regulation and the chain of exclusion. *Journal of the American Planning Association* 66(2), 125-142.
- Pendall, Rolf, Robert Puentes and Jonathan Martin. (2006). From traditional to reformed: A review of the land use regulations in the nation's 50 largest metropolitan areas. Washington, DC: Brookings Institution. Accessed April 2022. <http://www.brookings.edu/research/reports/2006/08/metropolitanpolicy-pendall>.
- Peterman, William. (2000). *Neighborhood planning and community-based development*. Thousand Oaks: Sage Publications, Inc.
- Plunz, Richard A. (1993). Zoning and the new horizontal city. In Todd W. Bressi (ed.), *Planning and zoning New York City: Yesterday, today, and tomorrow* (pp. 27-47). New York: Routledge.

ProPublica. Nonprofit explorer. Accessed February 2021.  
<https://projects.propublica.org/nonprofits/>.

Putnam, Robert. (1993). *Making democracy work: Civic traditions in modern Italy*. Princeton: Princeton UP.

Reichl, Alexander J. (1997). Historic preservation and progrowth politics in U.S. cities. *Urban Affairs Review* 32(4), 513-535.

Rodriguez, Akira Drake. (2021). *Diverging space for deviants: The politics of Atlanta's public housing*. Athens: University of Georgia Press.

Rose, Carol M. (1981). Preservation and community: New directions in the law of historic preservation. *Stanford Law Review* 33(3), 473-534.

Rothstein, Richard. (2017). *The color of law: A forgotten history of how our government segregated America*. New York and London: Liveright Publishing Company.

Rothwell, Jonathan and Douglas S. Massey. (2009). The effect of density zoning on racial segregation in US urban areas. *Urban Affairs Review* 44(6), 779-806.

Ryberg, Stephanie. (2012). Historic preservation's urban renewal roots: Preservation and planning in midcentury Philadelphia. *Journal of Urban History* 39(2), 193-213.

Ryberg, Stephanie. (2011). Preservation at the grassroots: Pittsburgh's Manchester and Cincinnati's Mt. Auburn neighborhoods. *Journal of Planning History* 10(2), 139-163.

Ryberg-Webster, Stephanie. (2017). Community development and historic preservation: Exploring intersections in Seattle's Chinatown-International District. *Community Development Journal* 54(2), 290-309.

Ryberg-Webster, Stephanie. (2014). The landscape of urban preservation: A spatial analysis of federal rehabilitation tax credits in Richmond, Virginia. *Journal of Urban Affairs* 37(4), 410-435.

- Ryberg-Webster, Stephanie. (2013). Preserving downtown America: Federal rehabilitation tax credits and the transformation of U.S. Cities. *Journal of the American Planning Association* 79(4), 266-279.
- Ryberg-Webster, Stephanie and K.L. Kinahan. (2014). Historic preservation and urban revitalization in the twenty-first century. *Journal of Planning Literature* 29(2), 119–139.
- Rypkema, Donovan. (2002) *Historic preservation and affordable housing: The missed connection*. Washington, DC: National Trust for Historic Preservation.
- Rypkema, Donovan. (1995). Economics and historic preservation. *Historic Preservation Forum* 9, 39-45.
- Rypkema, Donovan. (1991). *The Economics of Rehabilitation*. Washington, DC: National Trust for Historic Preservation.
- Rypkema, Donovan, Caroline Cheong, and Randall Mason. (2013). *Measuring economic impacts of historic preservation: A report to the Advisory Council on Historic Preservation by Place Economics*. Washington DC: Advisory Council on Historic Preservation.
- Saito, Leland T. (2009). From ‘blighted’ to ‘historic,’ race, economic development, and historic preservation in San Diego, California. *Urban Affairs Review* 45(2), 166–187.
- Sampson, Robert. (2012). *Great American City: Chicago and the enduring neighborhood effect*. Chicago: Chicago UP.
- Sandercock, Leonie. (2003). *Cosmopolis II: Mongrel cities*. New York: Continuum International Publishing Group.
- Save Harlem Now. “Advocacy.” Accessed July, 2022.  
[http://www.saveharlemnow.org/?page\\_id=30](http://www.saveharlemnow.org/?page_id=30).
- Schaeffer, Peter V. and Cecily Ahern Millerick. (1991). Impact of historic district designation on property values: An empirical study. *Economic Development Quarterly* 5(4), 301-312.

- Schaffer, Richard L. (2019). Reflections on planning and zoning New York City. In Todd W. Bressi (ed.), *Planning and zoning New York City: Yesterday, today, and tomorrow* (pp. 239-251). New York: Routledge.
- Schneider, Todd. (2001). From monuments to urban renewal: How different philosophies of historic preservation impacts the poor. *Georgetown Journal on Poverty Law and Policy* 8(1), 257-282.
- Sclar, Elliott, Bernadette Baird-Zars, Lauren Ames Fischer, and Valerie E. Stahl (eds.). (2020). *Zoning: A Guide for 21<sup>st</sup> Century Planning*. New York: Routledge.
- Shadish, William R., Thomas D. Cook, and Donald T. Campbell (2002). *Experimental and quasi-experimental designs for generalized causal inference*. Boston: Houghton, Mifflin, and Company.
- Silver, Christopher (1991). Revitalizing the urban south: Neighborhood preservation and planning since the 1920s. *Journal of the American Planning Association* 57(1), 69-84.
- Sinel, Genna L. (2017). New density and shrink-wrapped streets: Contextual zoning policy in New York City. *New York University Journal of Law and Liberty* 11(1), 510-555.
- Smith, Neil. (1998). Comment on David Listokin, Barbara Listokin, and Michael Lahr's 'The contributions of historic preservation to housing and economic development: historic preservation in a neoliberal age.' *Housing Policy Debate* 9(3), 479-485.
- Smith, Preston H. (2012). *Racial democracy and the black metropolis: Housing policy in postwar Chicago*. Minneapolis: Minnesota UP.
- Sohmer, Rebecca and Robert E. Lang. (1998). Beyond this old house: Historic preservation in community development. *Housing Policy Debate* 9(3), 425-430.
- Souza, Marcelo Lopes de. (2006). Social movements as 'critical urban planning' agents. *City* 10(3), 327-342.

Spellen, Suzanne. (2022, April 20). Interview.

Sprinkle Jr., John. (2014). *Crafting preservation criteria: The National Register of Historic Places and American historic preservation*. New York: Routledge.

Stake, Robert E. (2006). *Multiple case study analysis*. New York: Guilford Press.

Stickland, Roy. (1993). The 1961 Zoning Revision and the template of the ideal city. In Todd W. Bressi (ed.), *Planning and zoning New York City: Yesterday, today, and tomorrow* (pp. 48-60). New York: Routledge.

Sugrue, Thomas J. (1996). *The origins of urban crisis: Race and inequality in postwar Detroit*. Princeton: Princeton UP.

Summer, Rebecca. (2012). Exposing the legal and bureaucratic underpinnings of gentrification: Municipal property transfers through alley closures in Washington DC. *Environment and Planning C: Politics and Space* 39(5), 995-971.

Talen, Emily. (2012). *City rules: How regulations affect urban form*. Washington DC: Island Press.

Talen, Emily, Sunny Menozzi and Chloe Schaefer. (2015). What is a 'great neighborhood'? An analysis of APA's top-rated places. *Journal of the American Planning Association* 81(2), 121-141.

Taylor, Dorceta E. (1993). Environmentalism and the politics of inclusion. In R. Bullard (Ed.), *Confronting environmental racism: Voices from the grassroots* (pp. 53-61). Boston: South End.

Thomas, June Manning. (2008). The minority-race planner in the quest for a just city. *Planning Theory* 7(3), 227-247.

Thomas, June Manning. (1997). *Redevelopment and race: Planning a finer city in postwar Detroit*. Baltimore: Johns Hopkins UP.

- Thornsby, David. (1997). Making preservation happen: The pros and cons of regulation. In J. Mark Schuster, John de Monchaux, and Charles A. Riley II (Eds.), *Preserving the built heritage: Tools of implementation*. Hanover: UP of New England.
- Torres, Maria. (2022, March 29). Interview.
- Trounstein, Jessica. (2018). *Segregation by design: Local politics and inequality in American cities*. Cambridge: Cambridge UP.
- Tyler, Norman, Ted Ligibel, and Ilene Tyler. (2009). *Historic preservation: An introduction to its history, principles, and practice* (2<sup>nd</sup> ed.). New York: W.W. Norton and Company, Inc.
- Upton, Dell. (2017, September 13). Confederate monuments and civic values in Charlottesville. *Society of Architectural Historians*. <https://www.sah.org/publications-and-research/sah-blog/sah-blog/2017/09/13/confederate-monuments-and-civic-values-in-the-wake-of-charlottesville>.
- Vande Panne, Valerie. (2017, October 3). How Harlem residents found a unique way to fight gentrification: A group of concerned citizens is taking action to preserve East Harlem's vibrant spirit. *Salon*. [https://www.salon.com/2017/10/03/a-community-using-a-surprising-tool-against-gentrification\\_partner/](https://www.salon.com/2017/10/03/a-community-using-a-surprising-tool-against-gentrification_partner/).
- Verweij, Stefan and Lasse M. Gerrits. (2019). Evaluating infrastructure project planning and implementation: A study using qualitative comparative analysis. In *SAGE Research Methods Cases*. <https://dx.doi.org/10.4135/9781526467997>
- Weiss, Robert (1994). *Learning from strangers: The art and method of qualitative interview studies*. New York: The Free Press.
- Werwath, Peter. (1998). Comment on David Listokin, Barbara Listokin, and Michael Lahr's 'the contributions of historic preservation to housing and economic development: Historic preservation in a neoliberal age. *Housing Policy Debate* 9(3), 487–495.
- Willets, Sarah. (2017, June 17). Mayor Bill Bell has overseen a Bull City renaissance. So why

- has Durham's poverty rate gone up on his watch? *Indy Week*.  
<https://indyweek.com/news/mayor-bill-bell-overseen-bull-city-renaissance-durham-s-poverty-rate-gone-watch/>.
- Whittemore, Andrew. (2017). Racial and class bias in zoning: Rezoning involving heavy commercial and industrial land use in Durham (NC), 1945-2014. *Journal of the American Planning Association* 83 (3), 235-248.
- Wolf-Powers, Laura. (2005). Up-zoning New York City's mixed-use neighborhoods: Property-led economic development and the anatomy of a planning dilemma. *Journal of Planning, Education, and Research* 24(4), 379-393.
- Wong, Pamela. (2018, February 2). Crown Heights community group fights to save historic Dean Sage Mansion. Bklynr. <https://bklynr.com/crown-heights-community-group-fights-save-historic-dean-sage-mansion/>.
- Wood, Anthony C. (2008). *Preserving New York: Winning the right to protect a city's landmarks*. New York: Routledge.
- Yiftachel, Oren. (1998). Planning and social control: exploring the dark side. *Journal of Planning Literature* 12(4), 395-406.
- Yiftachel, Oren and Margo Huxley. (2000). Debating dominance and relevance: Notes on the 'communicative turn,' in planning theory. *International Journal of Urban and Regional Research* 24(4), 907-913.
- Yin, Robert K. (2018). *Case study research and applications: Design and methods* (6<sup>th</sup> ed.). Thousand Oaks: Sage Publications.
- Yuhl, Stephanie E. (2005). *A golden haze of memory: The making of historic Charleston*. Chapel Hill: University of North Carolina Press.
- Zhang, Yue. (2013). *The fragmented politics of urban preservation: Beijing, Chicago, and Paris*. Minneapolis: Minnesota UP.
- Zhang, Yue. (2011). Boundaries of power: Politics of urban preservation in two Chicago

neighborhoods. *Urban Affairs Review* 47(4), 511-540.

Zhou, Yang. (2021). The political economy of historic districts: The private, the public, and the collective. *Regional Science and Urban Economics* 86, 1-18.

Zukin, Sharon. (1991). *Landscapes of power: From Detroit to Disney World*. Berkeley: University of California Press.

Zukin, Sharon. (1982). *Loft living: Culture and capital in urban change*. Baltimore: Johns Hopkins UP.

## Appendix A

**Table A1. LA and NYC Districts Included in Sample, 2000-2020**

LA	Year	Neighborhood	Local	NRHP
	2000	South LA	Adams-Normandie	
		—————	Harvard Heights	
	2001	Wilmington-Harbor City	Banning Park	
		San Pedro	Vinegar Hill	
	2004	Northeast	Lincoln Heights	
	2005	Wilshire Central	Windsor Square	
	2006	Wilshire- Hollywood	Hancock Park	
	2008	Wilshire- Central	Wilshire Park	
	2011	West Adams-Baldwin	Jefferson Park	
		Northeast / Silver Lake		Arroyo Seco Parkway
	2012	Hollywood		Hollywood High School
		Wilshire- Central		Boulevard Heights
	2014	South LA		52 <sup>nd</sup> Place
	2016	West Adams-Baldwin		View Park
		Central	Carthay Square	
		Wilshire	Miracle Mile	
	2016	—————	Oxford Square	
		Hollywood	Sunset Square	
	2018	Wilshire		Beverly Fairfax
NYC	Year	Borough	Local	NRHP
	2000	Queens		Douglaston Hill
	2002	Manhattan		Sugar Hill

2003	————		Murray Hill
2005	Queens		Douglaston
2006	————		Broadway-Flushing
	Manhattan		L.E.S. Expansion
			U.E.S. Expansion
2007	Manhattan		Gansevoort Market
2010	————		Park Avenue
2011	Queens	Addisleigh	
	Brooklyn	Crown Heights N. II	
		Wallabout	
2012	————	Park Slope Ext.	
		Park Place	
	Manhattan	East 10 <sup>th</sup> Street	
		East Village/ L.E.S.	
2013	Brooklyn	Bedford/ Exp. Stuy. Heights	
	Manhattan	South Village	
		West End Collegiate Ext.	
	————		Bowery
	Queens		Far Rockaway Bungalow
2014	————	Central Ridgewood	
2015	Brooklyn	Bedford Corners	
		Crown Heights N. III	
	Manhattan	Mount Morris Park Ext.	
		Riverside-West End Ext. II	
2016	Bronx	Fort Independence	
	Manhattan	Sullivan Thompson	
2017	————	Morningside Heights	
2018	Brooklyn	Boerum Hill Extension	

	Manhattan	Central Harlem	
	——	Park Terrace West	
	Queens		Ridgewood Reservoir
2019	Manhattan		Dorrance Brooks
			East Harlem
	Brooklyn	Sunset Park	
2020	Bronx	Manida Street	

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**Table A2. Archival Research 2000-2020**

	<b>Materials Reviewed</b>		<b>Sources</b>	<b>Product</b>	<b>Motivation</b>
				Sample of CBOs	Statements with “gentrification,” “affordability,” or “displacement.”
<b>NYC</b>	29	Local HD reports	LPC Archives		
	9	Hearing recordings	LPC YouTube		
	35	NRHP HD reports	NY CRIS		
	<b>73</b>			<b>110</b>	<b>10/110= 9%</b>
<b>LA</b>	27	Local HD reports	LA Clerk		
	3	Hearing recordings	California Historical Commission		
	32	NRHP HD reports	National Archives		
	<b>62</b>			<b>29</b>	<b>5/29= 17%</b>
	<b>135</b>	<b>Total Reviewed</b>		<b>139 Total CBOS</b>	

**Table A3. Motivations Related to Gentrification, Affordability, Displacement**

Organization	Motivations
<p>1 52<sup>nd</sup> Street Block Club LA, 2014  52nd Place Tifal Brothers Tract HPOZ  Planning Report</p>	<p>“Though not an official  downzoning...the establishment of the  HPOZ will prevent the replacement of  affordable homes...”</p>
<p>2 Adams Normandie Neighborhood Association LA, 2000  Adams Normandie HPOZ  Planning Report</p>	<p>“The historic homes provide affordable  single-family and multi-family housing,  and their restoration would create a  significant number of jobs for skilled  craftsmen.”</p>
<p>3 Bedford Corners Historic District Joint Block Association NYC, 2015  Bedford HD</p>	<p>“She feared that displacement would  occur if the area were not regulated,  which is why she favors the  designation.”</p>

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Dunlap, (2013, January 16), In Effort to  
Preserve Bedford-Stuyvesant, Some Ask: For  
Whom? *The New York Times*.

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4	Bronx Borough Landmarks Committee  NYC, 2020  Manida Street HD  Hearing, May 12, 2020	“As everyone already knows, the Bronx was primarily abandoned for decades. Now that developers have turned their attention to our borough, we need to rapidly move.”
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5	Emmaus House  NYC, 2015  Mount Morris Park HD Extension  Hearing, July 21, 2015	“Save not merely architecture but also rent-stabilized housing... DeBlasio has shown where he stands, but incentivizing rezoning threatens existing affordable housing...”
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6	Fifth Avenue Committee  NYC, 2012  Park Slope HD  Correspondence	“The preservation of the neighborhood's older, historic housing stock is one means of slowing its replacement by luxury condominiums...”
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7	<p>Fort Independence Park Neighborhood Association NYC, 2016</p> <p>Fort Independence NRHP HD</p> <p>Beekman, (2012, January 13), Victory for history: Group names two sites for preservation, <i>New York Daily News</i>.</p> <p>“FIPNA Statement on the Mayor’s Zoning Proposal,” <i>FIPNA</i>, November 8, 2015, <a href="http://www.fipna.org/">http://www.fipna.org/</a>.</p>	<p>“FIPNA has been fighting land grabs and new housing projects... HDC will help FIPNA get it listed on the national historic register.”</p> <p>“We, in close cooperation with CB 8, fought to limit development pressure by downzoning parts of our neighborhood to match the way it has historically developed...”</p>
8	<p>Hunts Point CDC NYC, 2020</p> <p>Manida Street HD Hearing, May 12, 2020</p>	<p>“The fear is if this does not happen since many of the homeowners are seniors, things will change very quickly, and this block will not remain the same for very long, unfortunately, since it is zoned to go r6.”</p> <p>From property owner: “There is a fear of gentrification, and that's my</p>

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		<p>understanding that this whole thing is specifically more geared towards that, not so much the economical and the architectural and everything else that landmarks stand for...”</p>
9	<p>Jefferson Park Neighbors LA, 2011  Jefferson Park HPOZ Planning Report</p>	<p>“An HPOZ status will increase the likelihood of reinvestment in the neighborhood by ensuring long-term stability and by providing incentives such as the Mills Act to prospective home-buyers.”</p>
10	<p>Landmark East Harlem NYC, 2019  East Harlem NRHP HD  Vande Panne (2017, October 3), Harlem residents found a unique way to fight gentrification, <i>Salon Magazine</i>.</p>	<p>“While many are also involved in local coalitions and demonstrations and are vocally expressing their opposition to the city’s rezoning plans that would further gentrify the neighborhood, Landmark East Harlem is working quietly and methodically, seeking historic district and landmark status on properties across the neighborhood.”</p>

<p>11 Miracle Mile Residents Association LA, 2016  Miracle Mile HPOZ  Correspondence</p>	<p>“Without HPOZ, there is no way to preserve the Miracle Mile's historic apartments and rent-stabilized homes...”</p>
<p>12 Mott Haven Historic Districts Association NYC, 2020  Manida Street HD  Hearing, May 12, 2020</p>	<p>“As everyone already knows the Bronx was primarily abandoned for decades. Now that developers have turned their attention to our borough we need to rapidly move.”</p>
<p>13 Save Harlem Now! NYC, 2018  Central Harlem HD  Correspondence</p>	<p>“This community deserves additional landmark protections immediately; otherwise, the ongoing real estate development pressures and resultant gentrification will irreversibly compromise the integrity of Harlem...”</p>
<p>14 View Park Conservancy LA, 2016  View Park NRHP HD</p>	<p>“In 2013, a series of major developments were approved within one-quarter mile of View Park...out of this, the Conservancy was born to</p>

<p>Hearing, April 18, 2016</p>	<p>determine the best way to preserve the neighborhood and officially archive history...”</p>
<p>15 West 132<sup>nd</sup> Street Block Association          NYC, 2018            Central Harlem HD            Correspondence</p>	<p>“All are either NYC or non-profit owned, rent-stabilized, affordable housing or shelter/transitional housing. We believe that all these structures within the district should remain.”</p>

**Table A4. Characteristics of Census Tracts in 2000 by Designation/Listing Status**

NYC	Tracts that intersect NRHP HDs		Tracts that don't intersect NRHP HDs			Tracts that intersect local HDs		Tracts that don't intersect local HDs		
	n= 310		n=1906			n=297		n=1919		
	m	s.d.	m	s.d.	<i>p</i>	m	s.d.	m	s.d.	<i>p</i>
Total Population	4,418	2,484	3,483	2,434		4,450	2,452	3,484	2,439	
Percent Latino	24.7	22.9	24.8	22.5	1.96	19.6	19.1	25.6	22.91	.000
Percent non-Hispanic Black	21.3	28.8	28.9	32.7	.000	27.8	32.2	27.9	32.2	0.991
Percent non-Hispanic White	51.0	30.3	43.2	31.1	.000	50.7	32.3	43.3	30.8	.000
Percent Rental Units	67.4	20.9	59.0	24.5	.000	66.8	20.2	59.2	24.6	.000
Percent College- Educated	27.8	23.0	15.1	13.1	.000	31.7	22.8	14.5	12.6	.000
Percent Below Poverty	18.5	12.6	19.8	15.5	.085	17.2	12.4	20.0	15.4	.000
Median Income	\$47,402	\$28,542	\$38,882	\$18,563	.000	\$50,005	\$29,576	\$38,537	\$18,191	.000
Two sample T-Test (Two-tailed) for Unequal Variances										

**Table A4 (continued). Characteristics of Census Tracts in 2000 by Designation/Listing Status**

LA	Tracts that intersect NRHP HDs		Tracts that do not intersect NRHP HDs			Tracts that intersect local HDs		Tracts that do not intersect local HDs		
	n= 35		n= 956			n=103		n=888		
	m	s.d.	m	s.d.	<i>p</i>	m	s.d.	m	s.d.	<i>p</i>
Total Population	4,426	1,520	4,474	1,513		4,258	1,313	4,503	1,526	
Percent Latino	47.7	30.6	44.7	29.5	.567	50.6	30.0	44.1	29.4	.040
Percent non-Hispanic Black	18.4	25.1	11.2	17.5	.102	9.9	13.4	11.7	18.3	.000
Percent non-Hispanic White	31.4	17.1	48.4	23.7	.000	42.5	21.8	48.5	23.8	.009
Percent Rental Units	76.5	16.8	54.6	24.9	.000	65.4	20.4	54.3	25.3	.000
Percent College-Educated	14.7	11.7	17.0	15.6	.275	17.0	16.4	16.9	15.4	.094
Percent Below Poverty	30.8	11.5	20.3	13.5	.000	23.3	11.7	20.5	13.8	.018
Median Income	\$24,962	\$12,885	\$43,862	\$27,316	.000	\$36,010	\$19,519	\$44,079	\$27,778	.000
Two sample T-Test (Two-tailed) for Unequal Variances										

**Table A5. Full Model**

	1. Land Use		2. Gross Assets		3. Gross Assets as control	
	<i>B</i>	S.E.	<i>B</i>	S.E.	<i>B</i>	S.E.
Development (=Yes)	.3256	.9687			1.792	1.211
Gross Assets			-7.56e-08	7.29e-08	-1.16e-07	8.40e-08
City (=NY)	-2.328	1.971	-1.846	2.001	-2.076	1.963
NYC Borough (= Manhattan)	1.001	.9286	-1.336	.9753	1.322	1.000
Designation (=Local)	-.0642	.9870	-.1893	.9855	-.3754	.9847
Months to Designation	.0010	.0098	.0022	5.469	.0031	.0098
Time Period (Reference =						
Time 1, 2000-2009)						
Time 2, 2010-2013	1.536	1.678	1.507	1.663	1.297	1.680
Time 3, 2014-2020	3.028	1.991	3.301*	1.954	2.954	1.926
Total Population	-.0001	.0004	-.0002	.0004	-.0002	.0004
Percent Latino	3.668*	2.221	3.919*	2.338	4.275*	2.415
Percent Non-Hispanic black	-.0992	2.502	-.9106	2.449	-.4463	2.497
Percent Non-Hispanic white	-9.397**	3.793	-9.715**	3.835	-10.31**	3.987
Percent Below Poverty	-1.549	5.281	-1.269	5.469	-2.325	5.562
Percent Rental Units	2.872	2.684	2.461	2.758	3.061	2.867
Median Income	.0000	.0000	.0000	.0000	.0000	.0000
Percent College-Educated	-2.154	1.836	-1.933	1.794	-1.974	1.829
Constant	-3.882	3.344	-3.014		-3.256	3.459
Sample Size	139		139		139	
Prob > chi2	.0029		.0013		.0010	
Pseudo R2	.3622		.3874		.4112	

\*p<0.1, \*\*p<0.05, \*\*\*p<0.01.

## Appendix B

**Table B1. Semi-Structured Interview Questions**

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### **Mission**

1. Would you characterize your organizational mission as historic preservation, community development, and environmental justice? Or does your organization have a different mission?
2. What groups of people does your organization primarily serve, particularly in terms of their racial/ethnic identities and the types of housing they live in? For example, are they:
  - a. Predominantly renters
  - b. Homeowners
  - c. Non-resident property owners
  - d. Business proprietors
3. How many years has your organization worked in this community?

### **Motivations**

4. What types of historic designation/listing has your organization been involved in, since 2000 and onwards? Such as:
  - a. NYC individual landmark
  - b. NYC historic district
  - c. NRHP individual landmark
  - d. NRHP historic district
  - e. State listing/designation
  - f. Other
5. In what years did your organization pursue this historic district designation/listing?

6. In addition to your neighborhood's historical significance, were there particular events or factors that led your organization to pursue this historic district? Such as:
  - a. New housing development
  - b. New commercial development
  - c. New zoning
  - d. Existing residents upgrading properties
  - e. New residents upgrading properties
  - f. Demolition
  - g. Loss of businesses
  - h. Poor maintenance/ inappropriate changes to properties
  - i. Other
7. Would these events or factors lead to undesirable neighborhood changes? Such as:
  - a. Displacement by gentrification
  - b. Displacement by demolition
  - c. Loss of public housing or other public services
  - d. Siting of unwanted local public facilities, like landfills or powerplant
  - e. Other
8. How would these events or factors lead to undesirable neighborhood changes?

### **Desired Outcomes**

9. From your organization's perspective, how would this historic district help to reduce undesirable neighborhood changes?
  - a. Veto power/ public scrutiny of each new development
  - b. Regulations influence types of as-of-right, future development
  - c. Reduce zoning amendments
10. Are there other outcomes your group hoped to achieve through this historic district? Such as:

- a. Access to tax credits or grants
- b. Sense of community
- c. Other

## **Process**

11. Around the same time as pursuing this historic district, did your organization try other options to stop or reduce undesirable neighborhood change? Such as:
- a. Attending city planning public hearings
  - b. Lawsuits
  - c. Downzoning
  - d. Communicating with politicians
  - e. Other
12. What types of evidence did your organization use to document and share the neighborhood concerns with city agencies, politicians, and other city decision-makers?
- a. Commissioned study
  - b. Demographic analysis
  - c. Survey
  - d. Others
13. How would this evidence help your organization?
14. Did your organization struggle in finding or preparing evidence?
15. How did the historic district relate to these other options you pursued to stop undesirable neighborhood changes?
16. In terms of stopping undesirable neighborhood changes, was pursuing the historic district more accessible than other options? Such as, in terms of:
- a. Expense
  - b. Evidence / expertise required

- c. Convincing decision-makers of your concerns
  - d. Time commitment
  - e. Other
17. During public hearings, does your organization believe that its concerns are received and addressed by some city agencies more than others?
- a. In what ways?
  - b. How does your organization approach or talk to some city agencies differently than others to get its concerns addressed?
  - c. Are discussions about the neighborhood's character accepted by city agencies?

### **Measurable Outcomes**

18. Since the district was established, has your organization witnessed any demographic or housing changes in your neighborhood? In terms of:
- a. Socioeconomic status
  - b. Number of renters or homeowners
  - c. Racial composition
  - d. Types of development allowed in your neighborhood
19. Has your organization documented these changes over time?
20. Would these changes have occurred the same way without the historic district?
21. Would your organization recommend the historic district approach to other community organizations resisting displacement?
- a. If so, how?
  - b. In concert with other approaches?
  - c. If not, what other approaches would your organization recommend?

## Appendix C

**Table C1. Non-FAR regulations for residential contextual districts by density**

Character	Building Form	Lot Area Minimum	Lot Width Minimum	Front Yard Minimum	Side Yards Minimum	Lot Coverage Maximum	Building Height	Dwelling Unit Factor			
Low											
R1-1, R1-2, R1-2A	Suburban	Single-family detached	5,700 sf	60 ft	20 ft	20 ft	30%	35 ft	2,850		
R2A			3,800 sf	40 ft	15 ft	13 ft				n/a	1,900
R2X			2,850 sf	30 ft	10 ft	10 ft					2,900
R3-1	Suburban	Single and two-family detached	3,800 sf	40 ft	15 ft	13 ft	35%	35 ft	625		
		Semi-detached	1,700 sf	18 ft		8 ft					
R3A	Pitched roof homes on smaller zoning lots	Single and two-family detached and zero-lot-line	2,375 sf	25 ft	10ft	8ft	n/a	35 ft	710		
R3X	Detached, pitched roof homes on average size lots	Single and two-family detached	3,325 sf	35ft	10ft	10ft	n/a	35 ft	1,000		
R4-1	Suburban with slightly larger homes than R3-1	Single and two-family detached, zero lot line	2,375 sf	25 ft	10 ft	8 ft	n/a	35ft	870		
		Semi-detached	1,700 sf	18 ft		4 ft					
R4A	Detached, pitched roof homes on smaller zoning lots	Single and two-family detached	2,850 sf	30 ft	10ft	10ft	n/a	35ft	1,280		
R4B	One and two-story rowhouses	Single and two-family detached, zero lot line	2,375 sf	25 ft	5 ft	8ft	55%	24 ft	870		
		Semi-detached and attached	1,700 sf	18 ft		4 ft					
R5A	Pitched roof homes on smaller zoning lots than R3A and R4A	Single and two-family detached	2,850 sf	30 ft	10 ft	10ft	n/a	35 ft	1,560		

Character	Building Form	Lot Area Minimum	Lot Width Minimum	Front Yard Minimum	Side Yards Minimum	Lot Coverage Maximum	Building Height	Dwelling Unit Factor		
Medium										
R5B, R5D	Three-story rowhouses	Single and two-family detached and zero lot line	2,375 sf	25ft	5ft	8 ft	55%	33 ft	760-900	
		Semi-attached	1,700 sf	18ft						4 ft
		Attached								n/a
		Multi-family								
R6A	Seven-eight stories tall with wide streets	Multi-family	1,700 sf	18 ft	n/a	n/a	65-100%	75-85 ft	680	
		Mandatory Inclusionary Housing								
R6B	Four to five-story rowhouse with narrow streets	Multi-family	1,700 sf	18 ft	n/a	n/a	60-100%	50 ft	680	
		Mandatory Inclusionary Housing								
R7A, R7B	Six to nine stories	Multi-family	1,700 sf	18 ft	n/a	n/a	65-100%	40-65 ft Base	680	
		Mandatory Inclusionary Housing						75-90 ft Height		
R7X	Twelve to fourteen stories	Multi-family	1,700 sf	18ft	n/a	n/a	70-100%	60-105ft Base	680	
		Mandatory Inclusionary Housing						120-140 ft Height		
High										
R8A	Twelve to fourteen stories with wide streets	Multi-family	1,700 sf	18ft	n/a	n/a	70-100%	60-105 ft Base	680	
		Mandatory Inclusionary Housing						120-140 ft Height		
R8B	Six to seven-story rowhouses	Multi-family	1,700 sf	18ft	n/a	n/a	70-100%	75 ft Height	680	
R8X	Fifteen and seventeen stories	Multi-family	1,700 sf	18ft	n/a	n/a	70-100%	60-85 ft Base	680	
		Mandatory Inclusionary Housing						60-105 ft Height		
R9A	Thirteen to seventeen stories	Multi-family	1,700 sf	18 ft	n/a	n/a	70-100%	60-125 ft Base	680	
		Mandatory Inclusionary Housing						135-170 ft Height		
R9D	Tower on contextual base along elevated rail lines	Multi-family	1,700 sf	18 ft	n/a	n/a	70-100%	25 ft Base	680	
		Mandatory Inclusionary Housing						No height limit		
Character	Building Form	Lot Area Minimum	Lot Width Minimum	Front Yard Minimum	Side Yards Minimum	Lot Coverage Maximum	Building Height	Dwelling Unit Factor		
High (cont.)										

R9X	Sixteen to twenty stories in very few locations	Multi-family	1,700 sf	18 ft	n/a	n/a	70-100%	60-245 ft Base	680
								160-200 ft Height	
R10A	Twenty-one to twenty-three stories with avenues	Multi-family	1,700 sf	18 ft	n/a	n/a	70-100%	60-155 ft Base	680
		Mandatory Inclusionary Housing						185-230 ft Height	
R10X	Tower on six to eight-story	Multi-family	1,700 sf	18 ft	n/a	n/a	70-100%	60-85 ft Base	680
		Mandatory Inclusionary Housing						No height limit	