



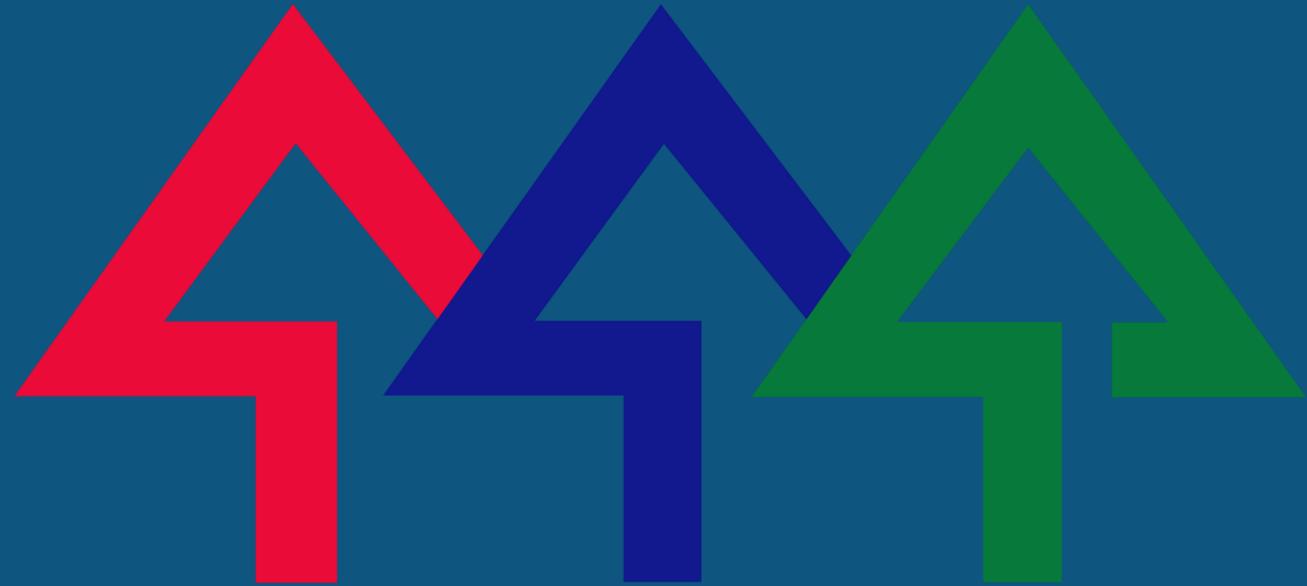
“It’s Private, It’s Restricted, It’s Secluded!”

**Racially Restrictive Covenants in Snohomish
County, Washington**

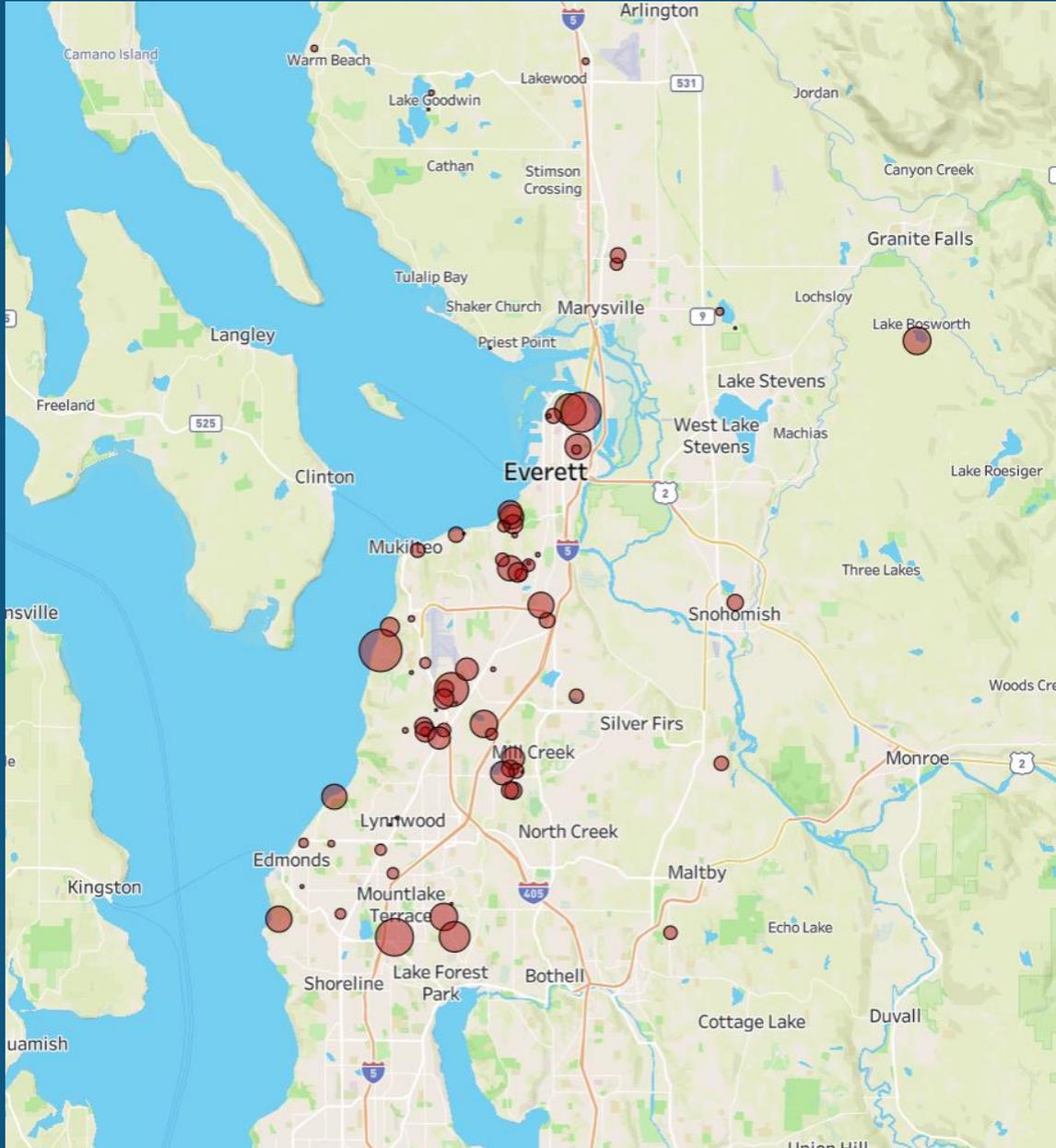
Content Warning



- This presentation contains excerpts of overtly racist and exclusionary language from unaltered legal and advertising documents
- While uncomfortable, it is essential to acknowledge past practices and policies that have negative impacts
- The information contained in this presentation is informing current actions to address and begin to undo racially disparate impacts



Racially Restrictive Covenants



- Legally enforceable between 1927 and 1968
- About 4200 restricted properties located throughout Snohomish County
- Around 50,000 restricted properties across seven Puget Sound counties
- Location data provide by the University of Washington Racial Restrictive Covenants Project
- Do not assume that unmarked areas were not restricted



Snohomish County

Racially Restrictive Covenants Report

- ▶ Part of larger racially disparate impacts, displacement and exclusion work within SnoCo's 2024 Comprehensive Plan Update.
- ▶ Part of implementing changes in housing element law made by HB 1220 (2021)
- ▶ One of the technical reports that append the Comprehensive Plan.

Seattle Daily Times (published as THE SEATTLE DAILY TIMES) - April 6, 1951 - page 37
April 6, 1951 | Seattle Daily Times (published as THE SEATTLE DAILY TIMES) | Seattle, Washington | Page 37

WATERFRONT **1031**

RUGG LAKE
YOUR DREAM
OF A LIFETIME!
IT'S PRIVATE,
IT'S RESTRICTED
IT'S SECLUDED
IT'S QUIET
IT'S RESTFUL

You may fish, swim and canoe on its placid waters and commune with and enjoy nature on its wooded shores. Only 9 miles north of Bothell on the old Everett Hiway. All waterfront tracts are large and terms easy. We invite you out Saturday and Sunday P. M. 2 to 5. For preview, phone Clyde Davidson, JU. 8058.

WEST & WHEELER
"Realtors"
2nd at Marlon ELLIOTT 5252
—Real Estate Since '88—



Snohomish County

History in Planning

- People of color have historically been subject to racist and discriminatory practices built into the housing system that have denied equal opportunities for homeownership.
- The homeownership rate for communities of color in Washington is 19% lower than white households.

143,000



Households of color would need to become homeowners for the homeownership rate for families of people of color to equal the non-Hispanic white homeownership rate in Washington

Restrictive Covenants

Seattle Daily Times (published as THE SEATTLE DAILY TIMES) - June 28, 1932 - page 20
June 28, 1932 | Seattle Daily Times (published as THE SEATTLE DAILY TIMES) | Seattle, Washington | Page 20

LAKE Forest Park—Lovely modern English cottage. Restricted community. Beach privilege. KEnwood 6153-R-4.

Seattle Daily Times (published as THE SEATTLE DAILY TIMES) - July 23, 1948 - page 26
July 23, 1948 | Seattle Daily Times (published as THE SEATTLE DAILY TIMES) | Seattle, Washington | Page 26

OLYMPUS TERRACE—Frontage and view unsurpassed between Seattle and Everett, lights, water, private parking at water level. Restrictive covenants protect values of \$900 to \$2,200 for these large lots. Open Saturday and Sunday. Mukilteo Highway one mile north Paine Field. Watch for sign and red arrows or call CAPITOL 4824.

Advertisements for restricted property
in the Seattle Time, 1932 and 1948

- ▶ Developers and sellers placed restrictions in deeds and plat documents
- ▶ Sellers often advertised these communities as having restrictions that “protect value”

Racial Restrictive Covenants. The Seattle Civil Rights and Labor History Project.

<http://depts.washington.edu/civilr/covenants.htm>

View Ridge. The Seattle Civil Rights and Labor History Project.

<http://depts.washington.edu/civilr/covenants.htm>

Legal Enforcement

RESTRICTIONS

All Tracts shall be strictly Residential

No Nationality other than of the Caucasian Race shall be permitted to own any of these Tracts

No building shall be permitted whose floor plan has less than 800 sq. ft. and whose estimated cost is less than \$7500.

No building shall be erected nearer than 65 ft to nor farther than 22.5 ft from the front lot line.

Septic tanks shall be used for waste disposal

No noxious or offensive trade shall be carried on upon any tract.

There shall be no further subdivision of these tracts.

Restriction on the face of the Plat of Puget View Tracts, Recorded in 1947

Form L88

Statutory Warranty Deed

THE GRANTORS, KENNETH A. HARRIS and MIRIAM G. HARRIS, his wife,

for and in consideration of Ten Dollars and other valuable consideration

in hand paid, conveys and warrants to CHARLES T. KENMIR and V. PATRICIA KENMIR, his wife,

the following described real estate, situated in the County of Snohomish, State of Washington:

Easterly 60 feet of Southerly 120 feet of Lot 29 as measured along the Easterly line of said Lot 29, Block 1, Shelby, according to plat thereof recorded in volume 10 of plats, page 98, records of Snohomish County, Washington. EXCEPTIONS: Conditions, covenant and agreement, limitation and restriction as hereafter set forth contained in deeds executed by Puget Mill Company, under auditor's file Nos. 501626 and 502909. That neither the said premises or any house, building or improvement thereon erected, shall at any time be occupied by persons of the Ethiopian race, or by Japanese or Chinese or any other Malay or Asiatic race, save and except as domestic servants in the employ of persons not coming within this restriction. Provides for reversion of title in event of breach.

Restriction in the deed of a property in the Plat of Shelby



Snohomish County

Social Enforcement

- ▶ Common advertising terms for restricted communities included “selective,” “secluded,” and even more abstract statements like “a community of the kind of people you are proud of”

BEAUTIFUL
RESTRICTED
WEDGWOOD
5-RM. RAMBLER
\$12,500
Winding streets lined with tall fir trees and cool green lawns provide a picture-book setting for this charming home, enhanced with every provision for comfort. Situated on huge corner lot in this lovely restricted district of Seattle's outstanding personalities. Spacious rooms. Solid Oak Floors. Full Basement. Finest A. C. Oil Furnace. A PROUD ADDRESS FOR YOU AND YOUR FAMILY. See Mr. Splik, VE. 5555; Eves., VE. 3576.



Snohomish County

Social Enforcement

12 The Seattle Times Wednesday, Sept. 27, 1967

DON DUNCAN:

Neighborhood Posh, By Gosh, Would Ban Governor



When a friend bought a home recently in a posh East Side development, he was surprised to learn that in addition to a large mortgage he also had acquired a bundle of restrictive covenants.

No backyard clotheslines. No forts or tree houses for the kids. No repainting the house a different color without approval of the building committee. No boats parked in front of the garage. No tents pitched in the back yard for campouts. And no leisurely landscaping of his pad. The covenant spelled out that everything must be landscaped, picture-book pretty, within 60 days.

WE ASKED THE PROSECUTOR'S office how enforceable these restrictive covenants are, and a spokesman said they had the force of law behind them—except.

The “except” is that only a few developments have an enforcing committee of super-snoops. Hence, little violations occur. And bent rules become precedent after a time.

In addition, the character of neighborhoods changes, despite the best intentions of men.

While restrictive covenants may state, in clear legal language, that certain restrictions apply until 1992, and for designated ten-year periods thereafter, a lot of economic changes can take place in a generation.

Man's effort to control his environment is not new, of course. And the idea of home and castle being synonymous dates to some of our earliest poems.

THERE HAVE, OF COURSE, been voices raised against those who would force conformity or become overly snooty because of their dwellings.

Henry David Thoreau, the philosopher of Walden Pond, wrote, “Any man more right than his neighbors constitutes a majority of one.” Robert Frost, the poet, wrote, “Something there is that doesn't love a wall.” And Oliver Herford rapped the upturned nose of Mrs. Rich with “In each backyard she viewed with pity, the short and simple flannels of the poor.”

John Williamson, an officer of Pioneer National Title Insurance Co. here, said his firm has made a few costly mistakes in trying to insure restrictive covenants.

Covenants and zoning laws are mutually binding, he said. But whichever is the more restrictive usually has the weight of the law behind it.

Court cases involving covenant violations are heard only by a judge, without a jury. Judges are interested in an equitable settlement. They apply discretion and conscience.

Williamson said the vast majority of new subdivisions in the Seattle area have some modest covenants—perhaps to preserve a view, or to keep out gasoline service stations.

EVEN A SINGLE property owner, subdividing his land, may draw up covenants to satisfy his esthetic senses—such as spelling out the color of rooftops so they won't offend when he looks out the window.

Although a few “exclusive” areas in Seattle had racial or religious restrictions when they were established, these would be hard to enforce in today's marketplace.

For one thing, it would be bad publicity to broadcast discriminatory practices. For another, since 1950 it has been illegal to get a federally backed loan (G. I. or F. H. A.) for any house in an area with racial restrictions.

“But these can be circumvented subtly,” Williamson said. “Suppose the big attraction of an exclusive neighborhood is its golf course. The golf-club membership committee could, without actually saying so, set up religious or ethnic restrictions and simply not invite a potential home owner to join.

“When the prospective buyer finds himself frozen out of the golf club, he doesn't go through with the sale. The area is kept ‘pure.’ I don't like that sort of thing, of course.”

Gov. Dan Evans probably would be drummed out of some “high-class” Seattle-area neighborhoods. Recently the governor designed and built a tree house on the governor-mansion lawn for the use of his children.

There have been no complaints. And why should there? When a covenant becomes more important than people, it needs re-examining.



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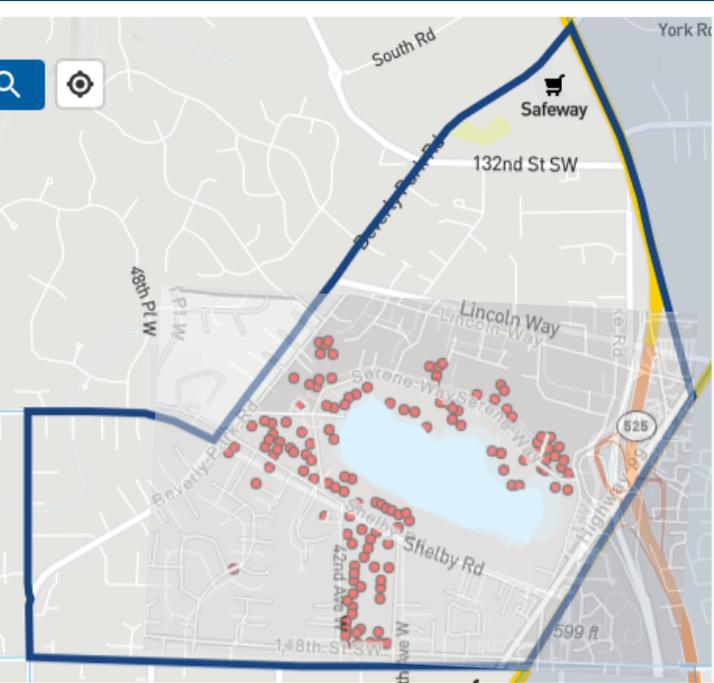
In addition, the character of neighborhoods changes, despite the best intentions of men.



Snohomish County

Climate and Economic Justice Screening Tool

Tract "A," #53061042004



Tract information
Number: 53061042004
County: Snohomish County
State: Washington
Population: 4,423

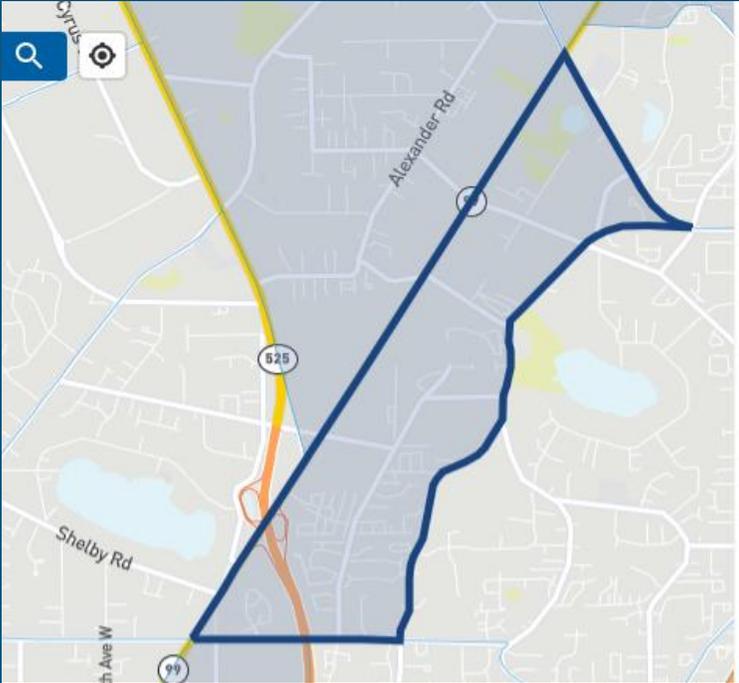
Tract demographics
Race / Ethnicity ([show](#) ▾)
Age ([show](#) ▾)

Identified as disadvantaged?
NO

This tract is not considered disadvantaged. It does not meet any burden thresholds **OR** at least one associated socioeconomic threshold.

[Send feedback](#) ✉

Tract "B," #53061041812



Tract information
Number: 53061041812
County: Snohomish County
State: Washington
Population: 6,900

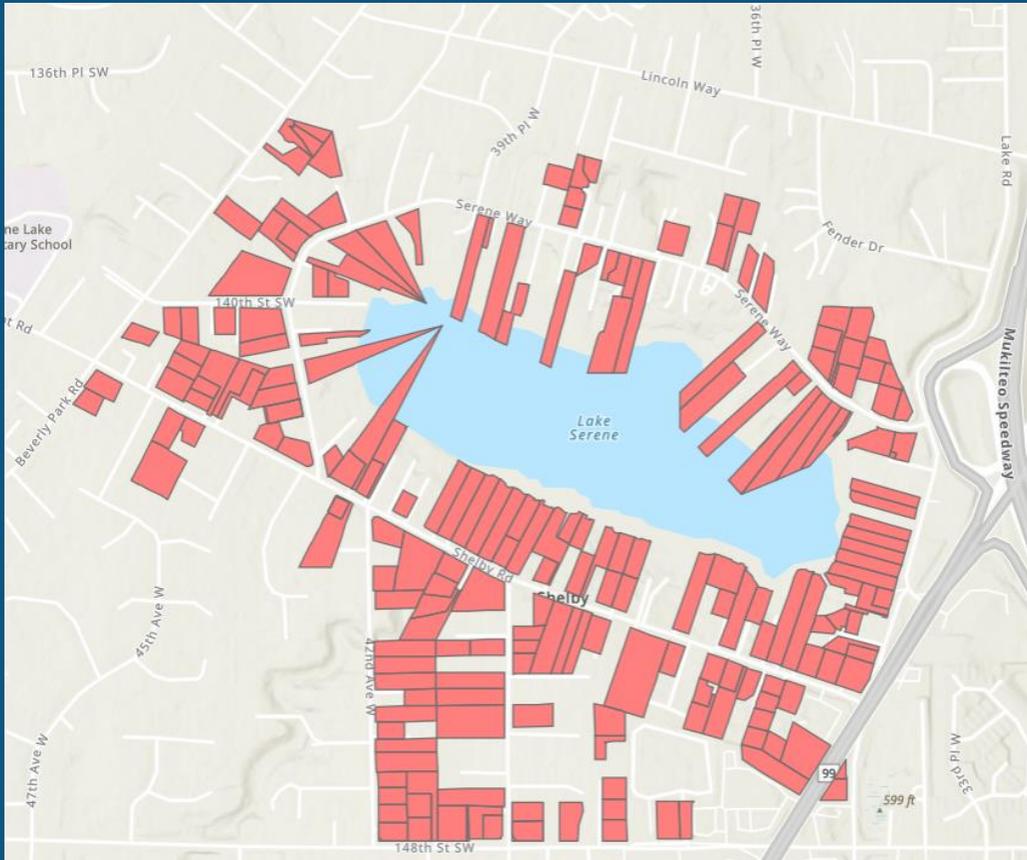
Tract demographics
Race / Ethnicity ([show](#) ▾)
Age ([show](#) ▾)

Identified as disadvantaged?
YES

This tract is considered disadvantaged because it meets more than 1 burden threshold **AND** the associated socioeconomic threshold.

[Send feedback](#) ✉

Snohomish County



- ▶ The Plat of Shelby and Shelby Divisions 2, 3 and 4 ring Lake Serene, West of the S.R. 525 and Highway 99 interchange.
- ▶ These four subdivisions are all located in unincorporated Snohomish County
- ▶ Collectively, these plats cover 201 individual properties, all contained within census tract 53061042004.

“Neither the said premises of any house, building, or improvement thereon erected, shall at any times be occupied by persons of the Ethiopian race, or by Japanese or Chinese, or any other Malay or Asiatic Race”
(Plat of Shelby, Developed by Pope and Talbot).

Demographic and Economic Distribution

▶ Tract A

Race/Ethnicity	
White	66%
Black or African American	5%
American Indian and Alaska Native	0%
Asian	19%
Native Hawaiian or Pacific Islander	0%
Other	1%
Two or more races	6%
Hispanic or Latino	1%

Low income

People in households where income is less than or equal to twice the federal poverty level, not including students enrolled in higher ed

17th

below 65th percentile

▶ Tract B

Race/Ethnicity	
White	38%
Black or African American	11%
American Indian and Alaska Native	0%
Asian	20%
Native Hawaiian or Pacific Islander	1%
Other	6%
Two or more races	6%
Hispanic or Latino	22%

Low income

People in households where income is less than or equal to twice the federal poverty level, not including students enrolled in higher ed

68th

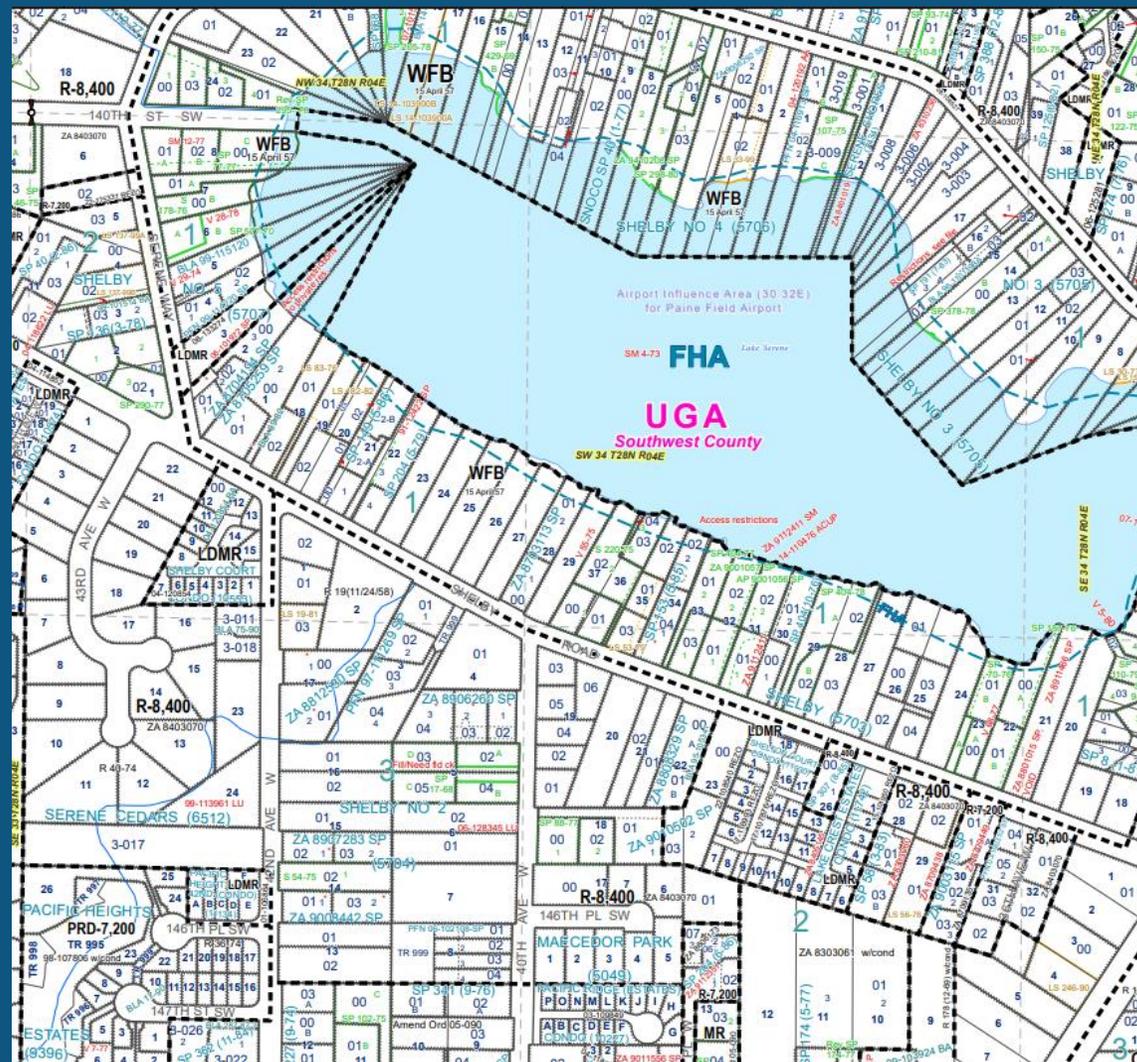
above 65th percentile



Snohomish County

Zoning and Use Disparities

- ▶ Tract A is occupied primarily by detached single family residences.
- ▶ It is designated almost entirely Urban Medium Density Residential on the Future Land Use Map (FLUM)



Climate Change Vulnerability

▶ Tract A

Tract 420.04, Snohomish County, WA ✕

	Count	Percent
Population	5,116	
People who don't speak English well	290 ± 143	5.9% ± 2.9%
Housing units that are rentals	543 ± 124	30.5% ± 7%
Children under 5 years	184 ± 85	3.6% ± 1.7%
Properties with flood risk		1.5%
Area lacking tree canopy		81.4%
Area of impervious surface		43.4%
Area in 500-yr floodplain		7.7%

Census Block Group: 530610420042

Overall Climate Vulnerability Score: 35 (42 is County average)

Individual Indexes

- Adaptive Capacity Score: 51 (48 is County average)
- Sensitivity Score: 28 (48 is County average)
- Exposure Score: 26 (30 is County average)

▶ Tract B

Tract 418.12, Snohomish County, WA ✕

	Count	Percent
Population	6,166	
People who don't speak English well	512 ± 236	9% ± 4.1%
Housing units that are rentals	1,434 ± 236	57.4% ± 9.4%
Children under 5 years	458 ± 217	7.4% ± 3.5%
Properties with flood risk		0.7%
Area lacking tree canopy		82.7%
Area of impervious surface		57.3%
Area in 500-yr floodplain		0%

Census Block Group: 530610418123

Overall Climate Vulnerability Score: 62 (42 is County average)

Individual Indexes

- Adaptive Capacity Score: 79 (48 is County average)
- Sensitivity Score: 74 (48 is County average)
- Exposure Score: 33 (30 is County average)



Snohomish County

Environmental Health Disparities

Environmental Health Disparities V 2.0		Rank
▶  Environmental Exposures		6
▶  Environmental Effects		4
▶  Socioeconomic Factors		4
▶  Sensitive Populations		9

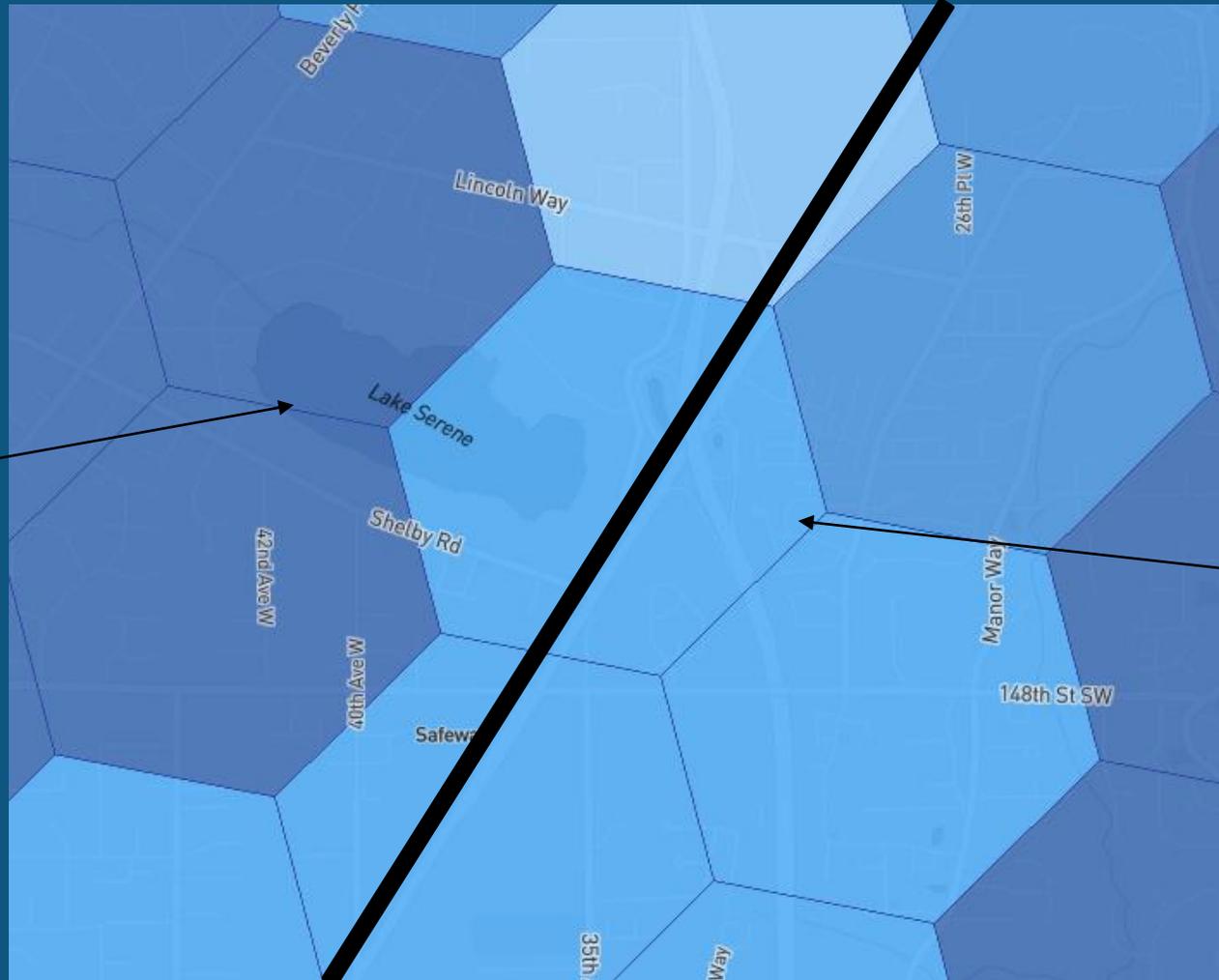
▶ Tract A

Environmental Health Disparities V 2.0		Rank
▶  Environmental Exposures		8
▶  Environmental Effects		3
▶  Socioeconomic Factors		10
▶  Sensitive Populations		3

▶ Tract B

Broadband Access Disparities

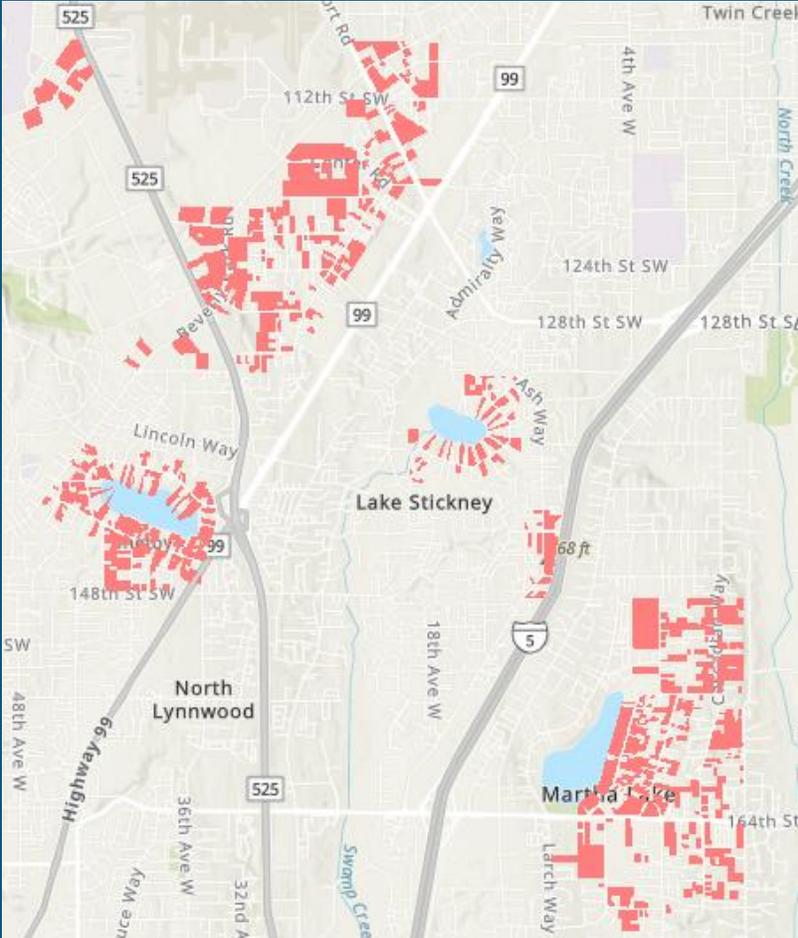
Based on data from the FCC National Broadband Map, both tracts are 100% covered by 250/25 Mbps or greater fixed broadband service. However, as we drill down, disparities emerge



88-95% coverage
by 1000/100 Mbps
fixed broadband

33-51% Coverage
by 1000/100 Mbps
fixed broadband

Nearby Restrictive Covenants



- ▶ The subdivision of Lake Stickney Tracts covers 107 properties.
- ▶ The Plat of Alderwood Manor No. 22 is adjacent to the Lake Stickney Tracts, and covers 33 properties.

“This property shall not be sold or rented to, or used by any persons not of the Caucasian race” (Lake Stickney Tracts, developed by Clifford, Edward A. and Josephine; Clifford, Richard and Edith)

Notable Developers

Seattle Daily Times (published as THE SEATTLE DAILY TIMES) - April 30, 1951 - page 26
April 30, 1951 | Seattle Daily Times (published as THE SEATTLE DAILY TIMES) | Seattle, Washington | Page 26

3140 UNIVERSITY WAY P.I. 2500

OPEN HOUSE

Close to both Boeing Plants
\$7,950—\$10,350
Lowest possible FHA terms.
Mo. pmts. less than Rent

2 bedroom ranch style homes. Hard-wood floors throughout, modern kitchen fully equipped with Youngstown steel sinks, cabinets, drawers. Beautiful bath with Colortyle around shower area. Inside city limits. City water, sewers, etc. Close to school, bus, handy shopping center.

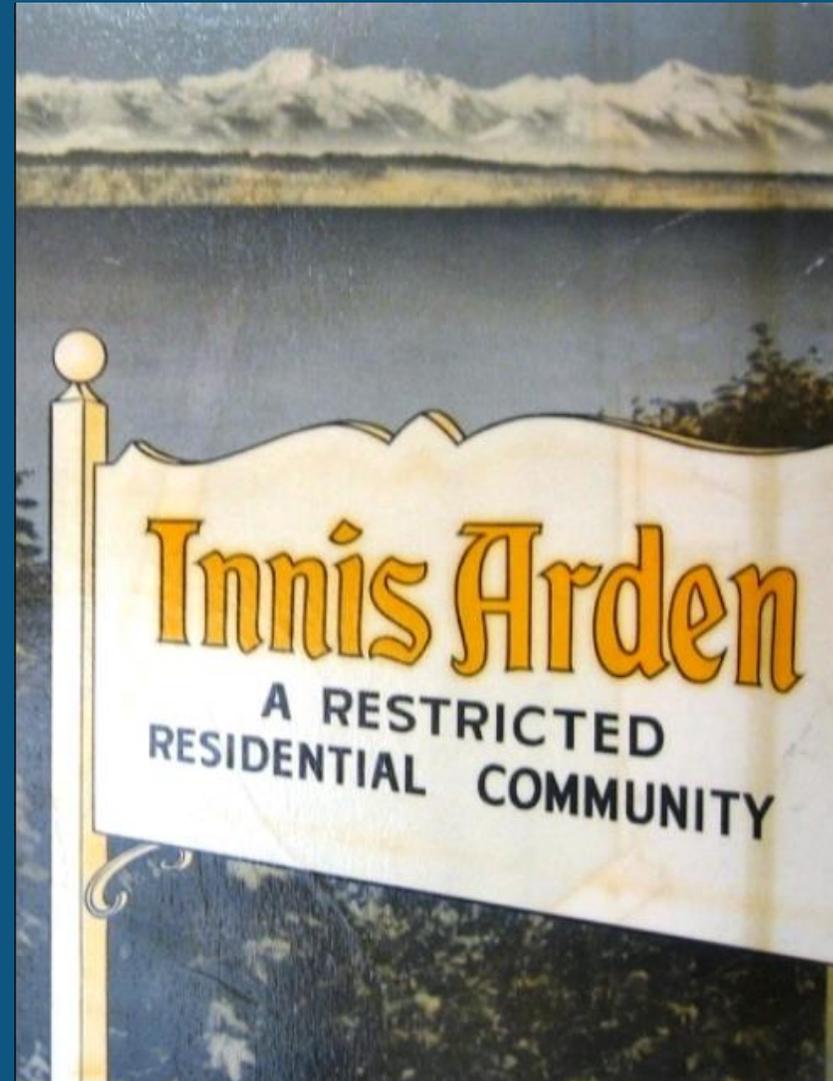
RESTRICTED

ALBERT BALCH
Community Builder
Renton Avenue & Rose St.
MOhawk 2484—RAInier 1106

- Albert Balch developed thousands of restricted properties in the Seattle area and beyond
- Balch's name is on developments as far north as Skagit County

Notable Developers

- William and Bertha Boeing developed the neighborhoods Blue Ridge and Innis Arden
- The Innis Arden HOA did not remove racially restrictive language in its bylaws until 2006



Snohomish County

Notable Developers



- A contemporary of Albert Balch, Edward Clifford developed land in Snohomish, King, and Skagit Counties
- Edward Clifford's firm developed at least 7 subdivisions in Snohomish County, all of which were restricted
- Clifford Co. was responsible for about 15% of all known restricted properties in Snohomish County

Looking Forward



- The information in this presentation is being used to inform new plans, policies, and procedures in the 2024 Comprehensive Plan Update and beyond
- Snohomish County's proposed Land Use Element contains a suite of equity policies
- Proposed inclusionary zoning code





Q&A

Henry.Jennings@snoco.org

2024 Comprehensive Plan *Update*