

FROM COVENANT TO CODE: NASHVILLE'S 1933 ZONING MAP

VERSION 1.0 · 2026-06-11 · ALEX PEMBERTON
 COMPANION TO "VENEERS OF HISTORY IN GREEN HILLS EAST", *NASHVILLE SCENE*

FINDING

Nashville's 1933 zoning map sorted by race as its first covenant cohort expired — Residence A averaged 5 percent Black, Residence D 70 percent — and homeowners asked it to perpetuate their lapsing restrictions; Residence A areas carry 22.9 percent overlay coverage today, Residence D 2.6.

SUPPORTS IN THE ARTICLE

- *Nashville's 1933 zoning map, delivered by chief zoning engineer Gerald Gimre*
- *the police power stood in for the private covenants which had maintained exclusivity*

ABSTRACT

Nashville's first comprehensive zoning code arrived in 1933 just as the city's earliest racial covenants were expiring, and it offered what no covenant could: a public instrument backed by the police power, with no end date. The map it produced sorted the city by race — Residence A, the best residential class, averaged roughly 5 percent Black; Residence D, the lowest, averaged roughly 70 percent — and white homeowners at the public hearing asked it to "perpetuate" the protections their expiring deed restrictions had given them. The police power stood in for the private covenant. The sources show function, not motive: the code performed the covenant's work, and Gimre's survey mapped racial composition as a classification input; they do not show the lines were drawn to institutionalize private covenants, and the record makes no such claim. The 1933 racial geography predicts the modern protective-overlay map: former Residence A areas carry 22.9 percent overlay coverage today, former Residence D 2.6.

SOURCES

Primary documents and analysis

- Alex Pemberton, "The Last Single-Family House in the Murphy Addition," *Nashville Scene*, July 31, 2024 (extended version, alexaustinpemberton.com). The documentary reconstruction of Nashville's path to the 1933 code: the temporary 1932 ordinance, the Gimre study, the July 1933 hearing, and the role of expiring covenants. The key sentence: the Murphy Addition's white homeowners "leveraged immense political capital to protect their property values, with the public police power of a new zoning code to stand in for the private covenants which had maintained exclusivity—social, economic, and racial."

- Gerald Gimre, Chief Zoning Engineer, City of Nashville. Memorandum to the Nashville City Planning and Zoning Commission, January 26, 1933 (quoted in Pemberton). The survey description — “the location of the negro population, assessed values of properties and the trends of building development” — and the rationale of preventing “ill-suited uses” and the “moral problems which arise from the types of inhabitants which move into such areas.”
- *Nashville Banner*, 1933, on the Residence D class (quoted in Pemberton): the district covers “those areas which are now inhabited by the Negro population,” with provisions “entirely different” from other residence districts “because of the extreme difference in the character of those sections.”
- The author’s reconstruction joining a hand-traced copy of the 1933 zoning map (81 polygons) to 1930 IPUMS NHGIS census tracts (40 Davidson County tracts), 2020 ACS, and 2021 Metro Nashville zoning and overlay data — the source of the Residence A ≈5% / Residence D ≈70% finding and the regulatory-succession statistics, reproducible from those public datasets.

Scholarship

- Yale Rabin, “Expulsive Zoning: The Inequitable Legacy of *Euclid*,” in *Zoning and the American Dream: Promises Still to Keep*, ed. Charles M. Haar and Jerold S. Kayden (Chicago: Planners Press, 1989). The concept that names the asymmetry documented here.
- Christopher Silver, “The Racial Origins of Zoning in American Cities,” in *Urban Planning and the African American Community: In the Shadows*, ed. June Manning Thomas and Marsha Ritzdorf (Thousand Oaks: Sage, 1997). The national pattern of comprehensive planning reaching the result that explicit racial zoning no longer could.
- Robert James Parks, *Grasping at the Coattails of Progress: City Planning in Nashville, Tennessee, 1932–1962* (M.A. thesis, Vanderbilt University, 1971). On Gimre and the Nashville planning apparatus.

THE COVENANT EXPIRED; THE CODE DID NOT

A racially restrictive covenant ran with the land for a fixed term — the Murphy Addition’s expired January 1, 1933, Richland’s the same year, Green Hills’ on January 1, 1960 (see [Racial Covenants and Shelley v. Kraemer](#)) — and could not be enforced past it without renewal. Nashville’s planning commission approved a temporary, use-preserving zoning ordinance in 1932 and a permanent code in 1933, both arriving as the first covenant cohort lapsed. At the public hearing on the permanent ordinance, July 11, 1933, the audience was dominated by Murphy Addition homeowners, whose deed restrictions against commercial use and Black occupancy were soon to expire and who wanted them “perpetuated” by the zoning ordinance.¹ The new instrument differed in form and duration, but the homeowners wanted from it exactly what the lapsing covenant had given them.

GIMRE'S SURVEY MAPPED RACE AS AN INPUT TO CLASSIFICATION

The chief zoning engineer delivered a comprehensive land-use study in January 1933. His memorandum of January 26 described a “complete survey of all property within the city” recording existing uses, building character and condition, occupancy, and — listed among the data assembled “to assist in arriving at a determination of the character of the various sections of the city” — “the location of the negro population, assessed values of properties and the trends of building development.”² Race entered the classification beside blight and value. Gimre’s stated aim was to ensure that “residential neighborhoods will not be invaded by ill-suited uses” that lower value and bring “the moral problems which arise from the types of inhabitants which move into such areas” — a phrasing that, in the local idiom, attached “moral problems” to the occupants of mixed neighborhoods themselves.²

THE MAP SORTED THE CITY BY RACE

In the quantitative reconstruction, Residence A — the best residential class, mapped onto the white, often-covenanted additions — averaged about 5 percent Black population by the 1930 census; Residence D averaged about 70 percent.⁴ Five of six Residence A areas had under 10 percent Black population; every Residence D area exceeded 50 percent. The *Banner* said as much in plain print: Residence D covered “those areas which are now inhabited by the Negro population.”³ The code named no race in its operative text, and the *Banner* was careful to note that it “does not set aside this district as race segregation.” The lines fell where the people were anyway.

ZONING CODIFIED A SEGREGATION THAT ALREADY EXISTED

The 1930 racial map and the 1933 zoning map are near-identical. In the longitudinal data, 1930 percent Black strongly predicts Residence D classification, and 1930 percent Black predicts 2020 percent Black ($p = 0.04$), while the 1933 zone adds only marginal explanatory power beyond the 1930 baseline ($p = 0.15$).⁴ The police power stood in for the covenant, locking in a pattern that covenants, custom, sewer geography, and elite flight had already produced and giving that pattern an instrument with no expiration date. Nashville did what cities across the South did in the years after the Supreme Court struck down racial zoning: it reached the same segregated result through a facially neutral comprehensive plan.⁵ The conception of zoning as a permanent successor to the term-limited deed restriction is treated separately (see [From Model Homes to Federal Law](#)).

PROTECTION RAN ONE WAY

Murphy Addition residents protested commercial classifications along their borders, and each protest succeeded.¹ Watkins Park, directly across the Charlotte Avenue color line, got no such protection: roughly half of it was zoned commercial or industrial, and the most heavily Black

neighborhoods — Black Bottom and Hell’s Half Acre — were zoned industrial and commercial in their entirety despite being residential, in Gimre’s words “in the hope that chance development may improve the character of such districts.”² Restrictive zoning shielded white neighborhoods from the uses that would invite Black residence; permissive zoning over Black neighborhoods admitted the uses that displaced residence outright. The planner Yale Rabin named the pattern “expulsive zoning” — lower-grade zoning laid over minority neighborhoods to admit the burdensome industrial and commercial uses that drive residents out, the mirror of the restrictive zoning that kept them away from white blocks.⁶

THE 1933 GEOGRAPHY PERSISTS IN THE MODERN REGULATORY MAP

The overlay data records the succession. Former Residence A areas became predominantly single-family (RS) zoning with high protective-overlay coverage — about 22.9 percent — while former Residence D areas became predominantly multi-family (RM) zoning with almost none, about 2.6 percent.⁴ The neighborhoods granted the most restrictive class in 1933 secured conservation and historic overlays in the 2000–2020 wave; the ones given the least protective 1933 class remain unprotected, and it is there that by-right high-density redevelopment concentrates. For the continuity from the 1933 line to the present overlay map, see [From the 1947 League to the 2025 Overlay](#) and [Overlay Demographics: “About a Third Whiter”](#).

The sources establish function, not motive. They show that the 1933 code let the police power stand in for the expiring covenant, and that Gimre’s survey mapped “the location of the negro population” as a classification input; they do not show that he drew the map to institutionalize private racial covenants, and the record carries no such claim. Gimre is better documented as a competent and forgettable implementer of the national planning movement’s methods than as an author of racial intent.⁷ The reconstruction is itself a tracing — the 1933 polygons hand-traced from a newspaper image and joined to 1930 census tracts — so the zone-to-tract means are approximate at the boundaries, and the succession statistics show the 1933 line predicting the modern overlay map, not a mechanism by which one caused the other.

NOTES

1. Alex Pemberton, [“The Last Single-Family House in the Murphy Addition,”](#) *Nashville Scene*, July 31, 2024 (extended version at alexaustinpemberton.com), on the 1932–33 zoning code, the July 11, 1933 hearing, and the Murphy Addition homeowners’ request that the ordinance perpetuate their expiring deed restrictions: the police power “to stand in for the private covenants which had maintained exclusivity—social, economic, and racial.” ↩ ↩
2. Gerald Gimre, Chief Zoning Engineer, City of Nashville, memorandum to the Nashville City Planning and Zoning Commission, January 26, 1933, quoted in Pemberton, [“The Last Single-Family House in the Murphy Addition.”](#) ↩ ↩ ↩
3. *Nashville Banner*, 1933, on the Residence D class, quoted in Pemberton, [“The Last Single-Family House in the Murphy Addition.”](#) ↩
4. The author’s reconstruction joining a hand-traced copy of the 1933 zoning map to 1930 IPUMS NHGIS census tracts, 2020 ACS, and 2021 Metro Nashville zoning and overlay data. ↩ ↩ ↩
5. Christopher Silver, “The Racial Origins of Zoning in American Cities,” in *Urban Planning and the African American Community: In the Shadows*, ed. June Manning Thomas and Marsha Ritzdorf (Thousand Oaks, CA: Sage, 1997), 23–42. ↩

6. Yale Rabin, "Expulsive Zoning: The Inequitable Legacy of *Euclid*," in *Zoning and the American Dream: Promises Still to Keep*, ed. Charles M. Haar and Jerold S. Kayden (Chicago: Planners Press, 1989). ↩
7. Robert James Parks, *Grasping at the Coattails of Progress: City Planning in Nashville, Tennessee, 1932–1962* (M.A. thesis, Vanderbilt University, 1971). ↩

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SUGGESTED CITATION

Pemberton, Alex. "From Covenant to Code: Nashville's 1933 Zoning Map." Research Brief C6, *Veneers of History in Green Hills East*. alexaustinpemberton.com/journalism/veneers-of-history/#covenant-to-zoning-pivot-nashville. Accessed [date].