PLAN MAKING AND IMPLEMENTATION

Social Justice
Run through the milestones quickly.

Call out the Advocacy Planning (Davidoff, Alinsky, et al) with 50s origins and into the 60s (as covered in more detail above)
(1793–1862) Luigi Taparelli D’azeglio

- Italian Catholic scholar; coined the term “social justice”; wrote of problems of working classes from the industrial revolution in journal *Civilta Cattolica* (cofounded in 1850)

- **Major ideas:**
  - **Sociality** and **subsidiarity**, wherein society is not a monolithic group of individuals, but various levels of sub-societies in which individuals have rights and duties.
  - All levels of society should **cooperate rationally** and not resort to competition and conflict.
Q. What were urban areas like in the late 1800s?
A. They were dirty, dangerous, crime ridden, etc.

Riis’s impactful photos captured these problems, thus illuminating the alarming living conditions for the poor and sparking activism.
Whereas we pride in calling the US a melting pot, urban areas did not exactly welcome the mixing of various ethnic groups, or the rich and poor.

Addams is known as one of the first to stimulate educated middle class to help poorer classes empower themselves through education, and various social services.
Lesson 6: SJ Origins & Planning Focus

(1962) Betty Friedan

• In *The Feminine Mystique*, captured frustration/despair of a generation of college-educated housewives who felt trapped, unfulfilled

• Contradicted accepted wisdom that housewives were content to just families; called women to seek fulfillment in work outside the home

• While the "1st wave" of the Feminist Movement pushed for women’s suffrage culminating with 19th Amendment (US Constitution) women’s right to vote (1920),
  • Friedan sparked the "2nd wave," which emboldened educated, upper- and middle-class white women to join the American feminist movement

• Other leaders include Gloria Steinem & Germaine Greer
(1970s) John Rawls

- American philosopher (1921-2002) who authored *A Theory of Justice* (1971) aimed to resolve competing claims of **freedom and equality**

- Tried to demonstrate that freedom and equality could be **integrated and unified into justice as fairness**

- Fundamental **charter of a society** must rely only on principles, arguments, and reasons that cannot be reasonably rejected by citizens; they have **social, legal, and political limits**

- **Legitimacy of law** depends on being impossible to reasonably reject
American Indian Movement

- Indian Reorganization Act, AKA the Wheeler-Howard Act (1934)
  - Enacted to conserve and develop Indian lands and resources
  - Extended the right to form businesses and other organizations
  - Granted certain rights of home rule
  - Provided for vocational education
Colonias

• Definition: Rural unincorporated communities within 150 miles of US-Mexico border lacking adequate water, sewer, or decent housing (or combination) of all three (USHUD & USDA); and established before Nov. 28, 1990

• Planners should ask **how to apply social justice principles** for this group and the many other societal groups (legal or not) that make up our complex communities.

See
Three E’s

• **Interdependence**: A community’s economy exists within a society wherein social equity is a factor. The economy and society both exist within the environment.

• Planning decisions should weigh all three.

See http://sustainability.usu.edu/hm/social-equity
Plan Making and Implementation – Suggested Reading List
Lesson 3: Communications & Stakeholder Relationships

Section: Intergovernmental Relationships

APA Zoning Practice
- 2011-5: Land-Use Compatibility Near Military Bases: A Planner’s Perspective
- 2012-1: Zoning Across Boundaries: Annexation, Joint Planning Boards, and the Challenges of Cooperative Planning

Planning and Urban Design Standards
- “Intergovernmental Coordination”; pp. 291-293
- “New Regionalism”; pp. 91-92
- “Regionalism, 1910-1940”; pp. 77-78
- “Regional Plans”; pp. 14-15

Local Planning: Contemporary Principles & Practice
- “New kinds of partnerships”; pp. 79-80
- “Intergovernmental Conflict”; p. 279
- “Recent history of regional planning”; pp. 95-97
- “Reforming Chicago’s regional planning” (CMAP); pp. 181-183
- “Regional Councils and MPOs”; pp. 180-181
- “Regional Planning”; pp. 36-37
- “Regional transportation & development in Atlanta”; pp. 183-184
- “The future of regionalism”; p. 98

APA Links
Water War, Southern Style
http://www.planning.org/planning/2012/aug/waterwar.htm

Section: Stakeholder Relationships

Planning and Urban Design Standards
- “Consensus Building & Dispute Resolution”; pp. 66-67
- “Stakeholder identification”; pp. 49-50

Local Planning: Contemporary Principles & Practice
- “Building public constituencies”; p. 27
- “Civic engagement”; pp. 234-242
- “Planning on a crowded stage”; pp. 229-232
  - “How various organization & entities use different types of plans”; pp. 230-231
- “Six essential elements of civic engagement”; p. 238
- “Stapleton’s public-private planning”; pp. 266-270
- “The social context of planning”; pp. 89-94

JAPA

APA Links
APA Policy Guides
- Neighborhood Collaborative Planning
  http://www.planning.org/policy/guides/adopted/neighborhoodcollaborative.htm
Section: Communication and Techniques

APA PAS Reports
- PAS 564 - E-Government. 2011

APA Zoning Practice
- 2008-10: Better Zoning on the Web

APA PAS Quick Notes
- QN2 – Planning and the Media. 2004
- QN11 – Charrettes. 2007

Planning and Urban Design Standards
- “Charrettes”; pp. 57-58
- “Facilitation”; p. 65
- “Public Meetings”; p. 62
- “Surveys”; pp. 51-52

Local Planning: Contemporary Principles & Practice
- “Innovative communication strategies for planning processes”; pp. 236-237
- “Planners as communicators”; pp. 456-459

APA Links
APA Planner’s Communications Guide 2.0
http://www.planning.org/communicationsguide/

APA Communications Boot Camp
http://www.planning.org/policy/communicationsbootcamp/
Social and Environmental Justice are “joined at the hip” when it comes to public participation, with some overlapping origins.
Organization of Topics

Lesson 1: Public Participation (PP) Definition and Role
Lesson 2: PP Origin Events & Theories
Lesson 3: PP Motivation & Strategies
Lesson 4: PP Tools
Lesson 5: Social Justice (SJ) Definition and Role
Lesson 6: SJ Origins & Planning Focus
Lesson 7: Environmental Justice (EJ) Definition, Origins, & Planning Focus
Definition and Role

“Citizen” sometimes interchanged for “Public” Participation. Public forums typically allow both to speak, however ongoing debate about non-citizens.

Basic definition as stated
Role

How is public participation defined in the AICP code of ethics?
Note the reference to those lacking formal organization or influence, so the concept is linked to social justice

These are aspirational principles and planner’s responsibility.
Role

Additional links to social justice, and with advocacy.

Also link to environmental planning and dealing fairly will all participants; taken together with social justice one sees the link to environmental justice.

These are aspirational principles and planner’s responsibility.
Origins

Arguably date back to Country’s origins.
Environmental Justice and Land-Use Planning

Planning board and commission members, and planning directors and their staffs, need to be mindful of the environmental justice implications of everything they do—from the plans they prepare, to the policies they recommend, to the actions they take in approving development projects. Environmental justice (EJ) means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EJ communities, which encompass environmentally burdened and marginalized communities that may include people of low income and communities of color, are typically identified as those areas that host a disproportionate impact of environmental hazards leading to, among other things, public health and economic disparities as compared to non-EJ communities.

In 1994 President Clinton issued an Executive Order (E.O. 12898) requiring, among other things, that federal agencies strive to make “achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States. . . .” The U.S. Environmental Protection Agency (EPA) hosts an Office of Environmental Justice that provides information, guidance, and data to federal and state agencies and to local governments to assist in meeting EJ principles and goals. EJ can best be achieved however, when fully incorporated into local land-use planning and decision making.

ENVIRONMENTAL JUSTICE AS A LAND-USE ISSUE

Commenting on the landmark U.S. Supreme Court decision in Euclid v Ambler (1926), Alfred Bettman noted that the decision: “… presents the conflict not as one between the individual and the community, but rather as between different communities, different social groups, or social interests, which is, when profoundly comprehended, true of all police power constitutional issues.” EJ goes to the core of traditional land-use decisions: choosing sites for locally unwanted land uses (LULUs) (geographic equity); the process for deciding where to site these unwanted land uses, including the location and timing of public hearings (procedural equity); and sociological factors, including which groups hold the political power inherent in land-use decisions (social equity). Planners are in a unique position to address EJ concerns and ensure that EJ principles are reflected in the local land-use planning and decision-making processes.

Comprehensive Plans

The process of developing a local comprehensive plan (known as general plans or master plans in some states) provides local governments with the opportunity to consider strategies and policies regarding such issues as land use, housing, economic development, transportation, community facilities and infrastructure, environmental protection, human services, historic preservation, and natural and manmade hazards. Following the lead of California, EJ should be an element of these plans.

PUBLIC PARTICIPATION IN PREPARATION OF THE COMPREHENSIVE PLAN

Planners and local officials should provide traditionally underrepresented populations with a meaningful role in the future development of their neighborhoods and communities through active public participation in the development of comprehensive plans. This requires a proactive approach that may entail public notice and information in more than one language, publication or posting of
notices in conspicuous locations around the community, and not simply complying with minimum statutory notice requirements.

**Zoning to Implement the Comprehensive Plan**

When a municipality is ready to implement its plan or vision, typically it does so by enacting a zoning ordinance. Drafters of zoning ordinances must ensure that the laws adequately address EJ principles to eliminate disparate environmental impacts among various communities and neighborhoods. They can do so by prohibiting LU LUs in minority and low-income neighborhoods, or by imposing enhanced mitigation requirements. Community representatives can also seek rezoning to achieve EJ goals. They will be most successful if they seek rezoning before specific controversies arise and if they suggest reclassifications that do not drastically decrease the value of the land.

**Eliminating Nonconforming Uses**

Undesirable uses are zoned out but preexisting uses may continue as nonconforming uses. Municipalities have the ability to eliminate through amortization nonconforming uses that pose health and environmental problems. This can be an effective tool for improving conditions in EJ communities.

**Connecting Zoning and Environmental Review**

A community impact statement (CIS) provides a mechanism for local representatives and groups to formulate their own statement of what they believe impacts will be if a particular use is approved or allowed to expand. One potential benefit of preparing a CIS is that it can be a stand-alone review, totally separate from an environmental impact review, which may not always be conducted under the “control” of members of the impacted community. If conducting CIS reviews becomes part of local zoning reviews, local officials could be required to take the results of a community group’s CIS into consideration, to hold one or more public hearings on the document, and to use the CIS as a vehicle for negotiating on behalf of residents of the impacted community with the applicant for a new or expanded facility. Requiring that a CIS be prepared and used in local zoning decisions could be important for impacted communities who might not otherwise have access to or influence over local decision makers and the results of other environmental reviews.

**Membership on Local Boards and Commissions**

In most localities, EJ considerations will be factored into local planning, zoning, and siting decisions only where the impacted communities are represented on the bodies empowered to make these critical decisions. A 1987 survey by the American Planning Association revealed that a majority of planning board members were older white males working in areas such as business, law, engineering, education, and real estate. Because boards lacking in diversity may disregard EJ impacts, either intentionally or unintentionally, planners should encourage appointing entities to consider the composition of the community to ensure fair representation of all people in the jurisdiction.

**OTHER OPPORTUNITIES FOR ADVANCING EJ POLICIES**

The following is a list of guiding principles that should be considered to advance other EJ policies:

1. Enact conditional use standards that restrict uses that could create EJ concerns.
2. Create overlay zones to cover predominantly minority and low-income neighborhoods.
3. Use performance zoning to limit environmental impacts, rather than just regulating land uses.
4. Place buffer zones between communities and uses with negative environmental impacts.
5. Impose exactions and impact fees on developers to help fund mitigations for minority and low-income communities.
6. Require zoning and planning board members to attend training sessions on EJ.
Social Justice in Planning
During the last Civil Rights Movement, in 1965, planning professor Paul Davidoff — who coined the term "advocacy planning" — instructed that "Planning action cannot be prescribed from a position of value neutrality."

Norman Krumholtz, as planning director for Cleveland in 1975, set the department's overriding goal as "providing a wide range of choices for those Cleveland residents who have few, if any, choices."
Principle A1F: "We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs"
Definition:

- **Equitable development** is an approach for meeting the needs of underserved communities through policies and programs that reduce disparities while fostering places that are healthy and vibrant (U.S. EPA).
  - Term coined by PolicyLink in 1998.

- **Gentrification** is “the process of neighborhood change that occurs as places of lower real estate value are transformed into places of higher real estate value” (U.S. EPA).

- **Externality** is “a side effect or consequence of an industrial or commercial activity that affects other parties without being reflected in the costs of the good or services involved” (Schiller 1994).
Definitions

- **Environmental Justice** is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies (U.S. EPA)

Figure 2. An illustration from the U.S. Department of Transportation’s Transportation Toolkit affirms environmental justice is an important consideration in broader dialogues about equity. Courtesy U.S. DOT (www.transportation.gov/LeadershipAcademy).
Gentrification

- Though the improvements to physical and economic infrastructure may contribute to job growth, a larger tax base, higher property values, and opportunities to expand services or offer new ones, the important question of who benefits from these improvements is often overlooked.

- Gentrification may compromise long-standing cultural assets and cherished institutions of a community, and if community improvements are neither affordable nor accessible to long-standing residents, such changes are not socially responsible or sustainable.

- Place-based solutions that simply improve the environment and boost the economy while failing to address poverty and inequality are not sustainable.
Equitable Development

- Equitable development expands choice and opportunity, encourages sustainable outcomes, and improves quality of life while mitigating impacts from activities that society considers beneficial.

- Best practices:
  - Local leaders set clear expectations, leveraged partnerships, and were persistent.
  - The efforts were community-driven and directed by clear commitments to ensuring impacted populations experienced material improvements in their quality of life.
  - Finally, the projects were implemented with a great sense of respect for local knowledge.
The following principles of equitable development were framed by an EPA civil servant after studying the lessons from successful projects in 2007:

- Housing Choice (decent housing at varying price points)
- Transportation Choice (viable alternatives that meet daily needs/lifestyles)
- Personal Responsibility (change agents get communities back on track)
- Capacity Building (outreach, education, and technical assistance)
- Healthy Communities (wellness, safety, physical activity, food access)
- Heritage Preservation (preserving important cultural places)
Principles of Equitable Development

- Stewardship (preserve assets for future generations)
- Entrepreneurship (organizing or managing a business or enterprise)
- Sustainable Wealth Creation (tools for financial intelligence)
- Civic Engagement (citizen advocacy is important)
- From Good to Great through Planning and Design, Standard of Excellence (Help citizens make informed decisions to encourage development that complements rather than detracts from the community.)
Counsel for Practitioners Seeking to Advance Equitable Development

- Acknowledge inconvenient truths
- Remain intellectually curious and challenge generalizations
- Understand that race still matters
- Be bold and take risks
Significance

- The Center for American Progress reported in 2007 that 37 million Americans were living below the official poverty line (Greenburg et al. 2007).

- At the micro level, persistent poverty translates into lost potential for children or lower productivity and earnings for adults. At the macro level, persistent poverty can impair the nation’s ability to remain competitive in a world of increasing global competition.

- Because having approximately 12 percent of the nation’s population living below the poverty level can impose enormous costs on society,
Planning with Diverse Communities

- Racial and ethnic diversity is driving demographic changes
- Historical and current disparities affect different races and ethnicities
- People of color must be included in participatory planning processes
- Many strategies and tools can promote well-being in diverse communities
- Planners must increase their cultural competency and support diversity
Public Participation and Social Justice – Suggested Reading List

Lessons 1-4: Public Participation

**APA PAS Reports**
- PAS 564 – E-Government. 2011

**APA Zoning Practice**
- 2008-10: Better Zoning on the Web

**APA PAS Quick Notes**
- QN2 – Planning and the Media. 2004
- QN11 - Charrettes. 2007
- QN15 – Visioning. 2008

**Planning and Urban Design Standards**
- “Community Involvement” (Plan Making); p. 4
- “Participation”; pp. 46-67
  - “Charrettes”; pp. 57-58
  - “Community Visioning”; pp. 55-56
  - “Computer-based Public Participation”; pp. 63-64
  - “Consensus Building”; pp. 66-67
  - “Facilitation”; p. 65
  - “Public Hearings”; p. 62
  - “Public Meetings”; pp. 59-61
  - “Stakeholder Identification”; pp. 49-50
  - “Surveys”; pp. 51-52
- “Public Participation” (Military Base Closures); p. 631
- “The Great Society & the Cities” (Model Cities); p. 82

**Local Planning: Contemporary Principles & Practice**
- “Civic Engagement”; pp. 234-242
- “Plans that fit the purpose”; pp. 213-228
- “Public Participation in Planning”; pp. 453-455

**APA Links**

**APA Policy Guides**
- Neighborhood Collaborative Planning

**APA Planner’s Communication Guide 2.0**
[https://www.planning.org/communicationsguide/](https://www.planning.org/communicationsguide/)

**High-Tech Charretters**

**Illegal Immigrants**
[http://www.planning.org/planning/2008/mar/vidalocal.htm](http://www.planning.org/planning/2008/mar/vidalocal.htm)

**Rachel Carson**
[http://www.planning.org/planning/2012/auug/evergreen.htm](http://www.planning.org/planning/2012/auug/evergreen.htm)
Lessons 5-6: Social Justice

APA Zoning Practice
- 2007-02: Ozzie and Harriet Don’t Live Here Anymore: Time to Redefine Family
- 2010-01: A Sound Approach to Regulating Social Service Facilities
- 2010-10: What Constitutes a ‘Substantial Burden’ Under RLUIPA? (Religious Institutions)

APA PAS Quick Notes
- QN28 – Universal Design. 2010
- QN45 – Transforming the Built Environment in Support of Aging. 2013

Planning and Urban Design Standards
- “Advocacy and Equity Planning”; pp. 82-83
- “Regulating Slums” (Jacob Riis); p. 79
- Three-E Diagram; p. 100

Local Planning: Contemporary Principles & Practice
- “Gentrification”; pp. 159-162
- “Immigration and Urban Development”; pp. 154-158
- “Social Justice”; p. 115

APA Links
APA Policy Guides
- Homelessness
  http://www.planning.org/policy/guides/adopted/homelessness.htm
- Provision of Child Care
  http://www.planning.org/policy/guides/adopted/childcare.htm

APA Diversity Resources
http://www.planning.org/diversity/resources.htm

Colonias
http://www.planning.org/planning/2006/feb/colonias.htm

Diversity and Aging in America
http://www.planning.org/planning/2013/mar/diversityandaging.htm

Feminism
http://www.planning.org/planning/2013/may/viewpoint.htm

Gentrification
http://www.planning.org/planning/2013/apr/gentrification.htm

Growing Old
http://www.planning.org/planning/2007/nov/growingold.htm

Public Places, Universal Spaces
http://www.planning.org/planning/2008/jul/publicspaces.htm

Saving Social Capital

NON-APA Links (Subject to Change)
Homeless Factsheet
http://www.nationalhomeless.org/factsheets/why.html
Lesson 7: Environmental Justice

APA PAS Reports
• PAS 549/550 – Fair and Healthy Land Use: Environmental Justice and Planning. 2007

APA PAS Quick Notes
• QN26 – Environmental Justice and Land-Use Planning. 2010

Planning and Urban Design Standards
• “Environmental Justice”; pp. 93-94
• “National Environmental Policy Act”; pp. 569-571

APA Links
Environmental (In)Justice
http://www.planning.org/planning/2008/mar/enviroinjustice.htm
Environmental Justice

NON-APA Links (Subject to Change)
EPA Environmental Justice
http://www.epa.gov/compliance/environmentaljustice/
E.O. 12898
http://www2.epa.gov/laws-regulations/summary-executive-order-12898-federal-actions-address-environmental-justice