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# What is Equity?

The screenshot shows a web browser window displaying the Planetizen website. The article title is "Rebuilding America through Equitable Development" by Carlton Eley, dated October 14, 2010. The article discusses the objectives of urban redevelopment and the need for equitable development. It mentions that planners and public servants have a duty to raise awareness about approaches that improve the quality of life for all Americans. The article also includes a photo of three people sitting around a table, looking at a map or document.

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**HSR** HIGH SPEED RAIL NEWS a project of Planetizen

## Rebuilding America through Equitable Development

United States / Community / Economic Development / Equitable Development / Social / Demographics  
14 October 2010 - 10:08am  
Author: Carlton Eley

**The objectives of urban redevelopment and meeting the needs of underserved communities are not mutually exclusive goals, says Carlton Eley.**

I believe the best is yet to come for America's urban renaissance through the application of equitable development. In simple terms, equitable development is a place-based approach for encouraging environmental justice.

As central cities have become chic places to live again, citizens and policy-makers are looking to innovative approaches for planning and development that strive to achieve a sustainable or efficient urban form through policies and practices that serve the economy, community, and the environment. This is a triple bottom-line approach to sustainability. While this approach has been effective in expanding economic development opportunities, fostering community livability, and preserving the natural environment, its limitation or deficiency lies in the treatment of social equity as a peripheral issue. [1]

Planners and public servants have a duty to raise awareness about approaches that improve the quality of life for all Americans. The International City/County Management Association offers a valid thesis to embrace that suggests planning at its best takes into account the social implications of land use and economic development decisions. Accounting for social equity during the planning and development process can improve management of the built environment by introducing innovative ideas/solutions; garnering broader public support for proposed projects which can translate into cost savings for developers; and encouraging outcomes that are beneficial for a wider range of stakeholders.

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- Quantifying the Impact of Abandoned Properties in Philly
- How to Grow New York's Economy

*Equity: Encouraging community parity and sustainable settlements through access to health, education, employment, resources, and services for underserved populations and vulnerable groups, especially populations that bore the disproportionate burdens from urban disinvestment and urban flight.*

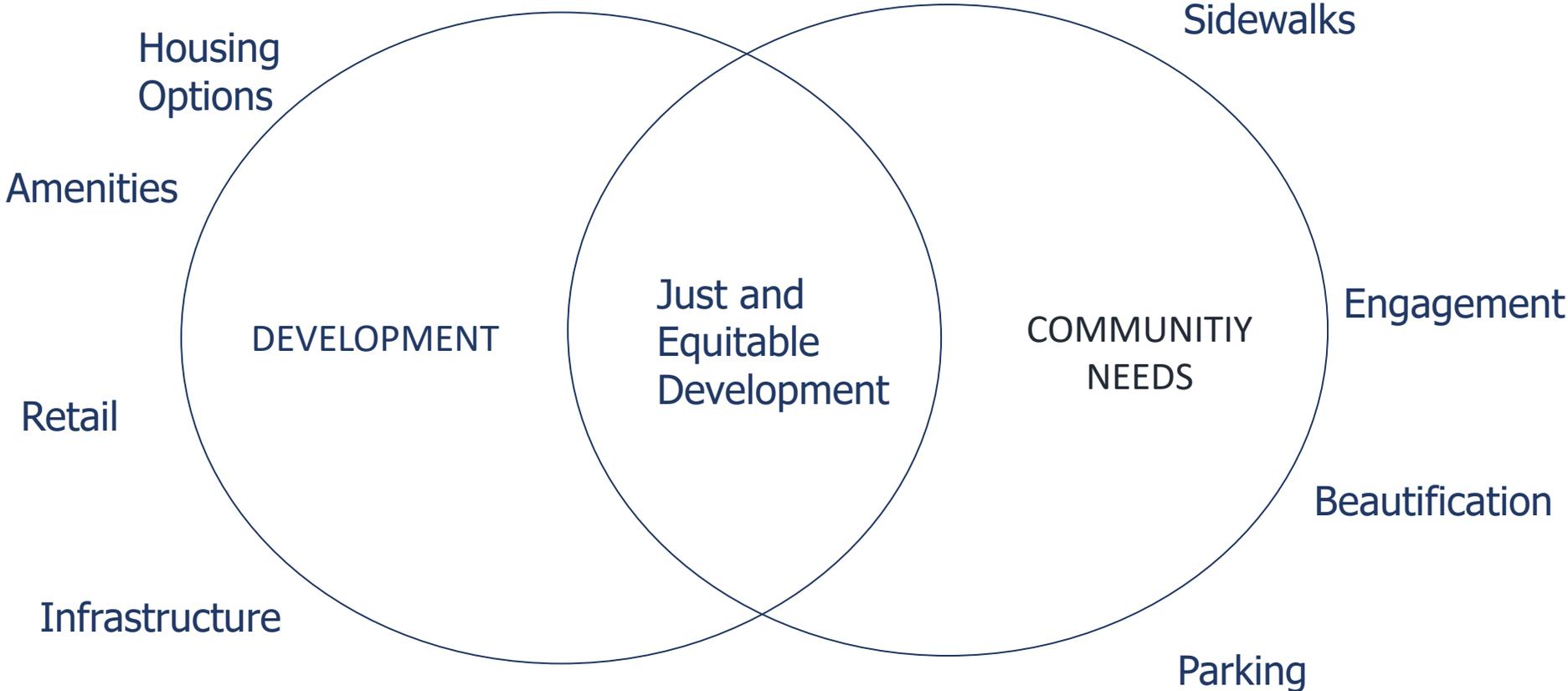
Footnote from  
**'Rebuilding America through Equitable Development'** (2010)



**Equitable development** is an approach for meeting the needs of underserved communities through projects, programs, and/or policies that reduce disparities while fostering places that are healthy, vibrant, and diverse.

<https://www.epa.gov/environmentaljustice>

The Benefits Development Brings are the same Benefits that Communities Need



**WHERE AND HOW MUCH?**



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# Environmental Justice Through Planning

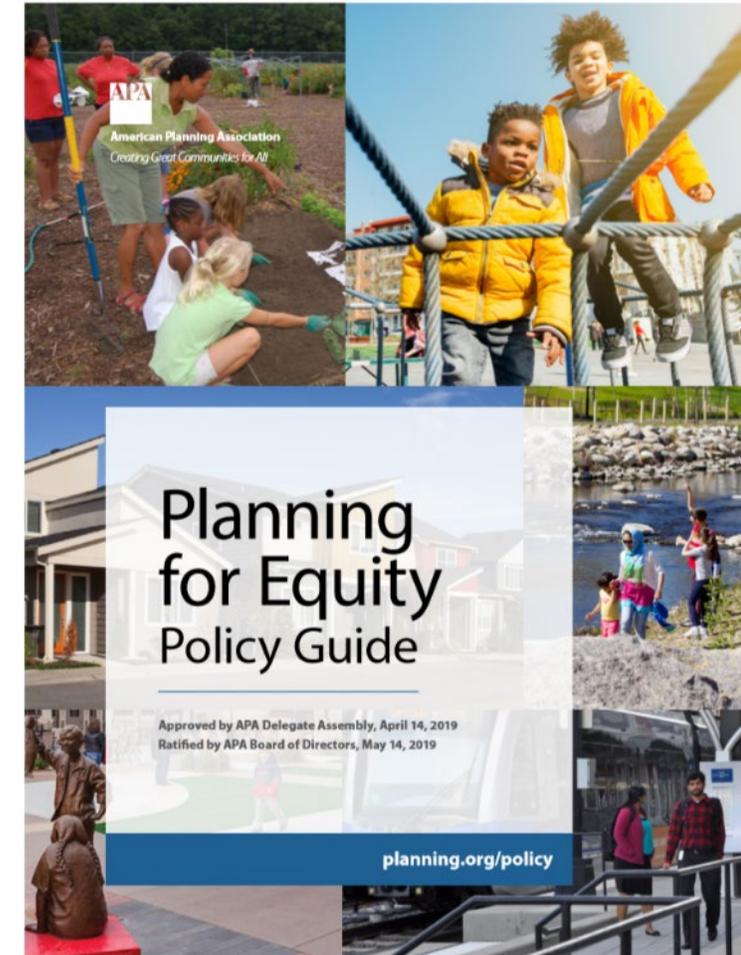
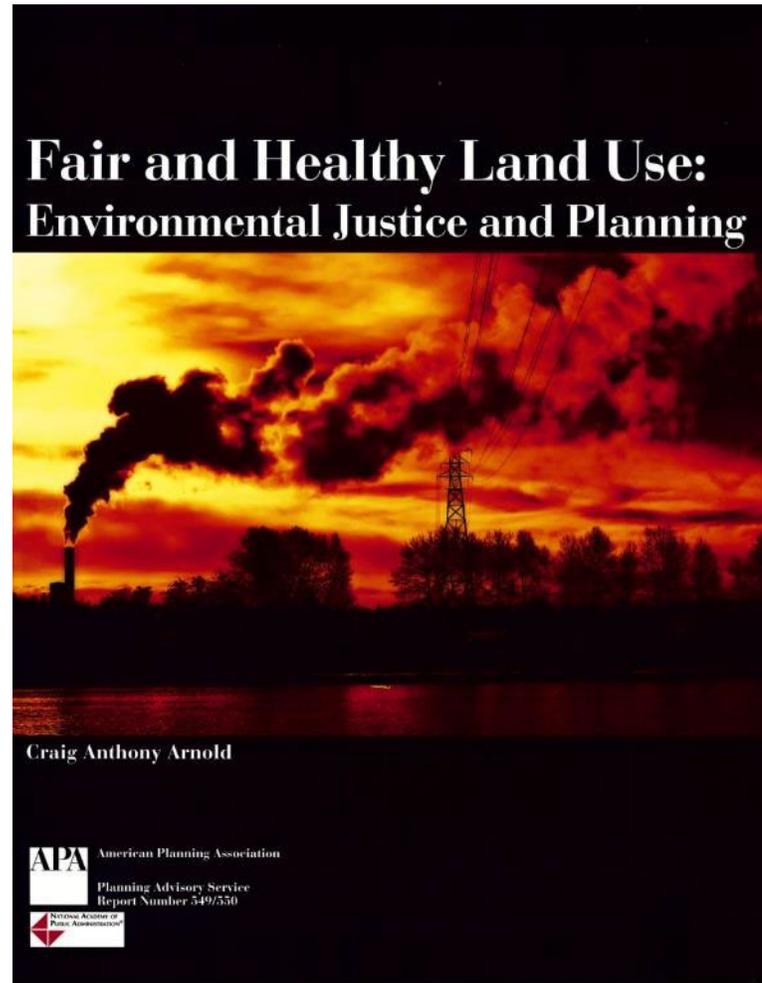


# Environmental Justice and Planning

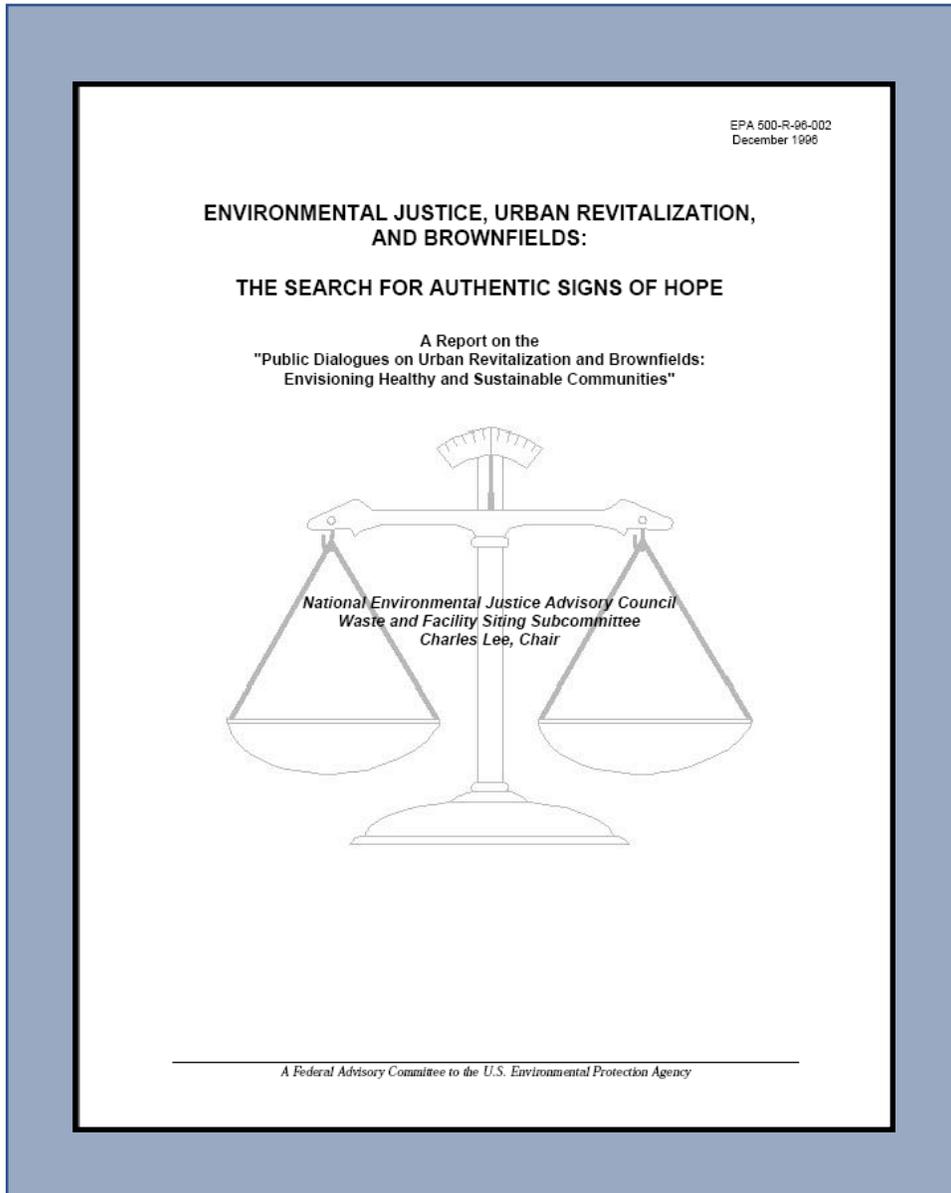
Report by a Panel of the  
NATIONAL ACADEMY OF  
PUBLIC ADMINISTRATION  
For the U. S. Environmental Protection Agency

July 2003

ADDRESSING COMMUNITY CONCERNS:  
HOW ENVIRONMENTAL JUSTICE  
RELATES TO LAND USE PLANNING AND ZONING



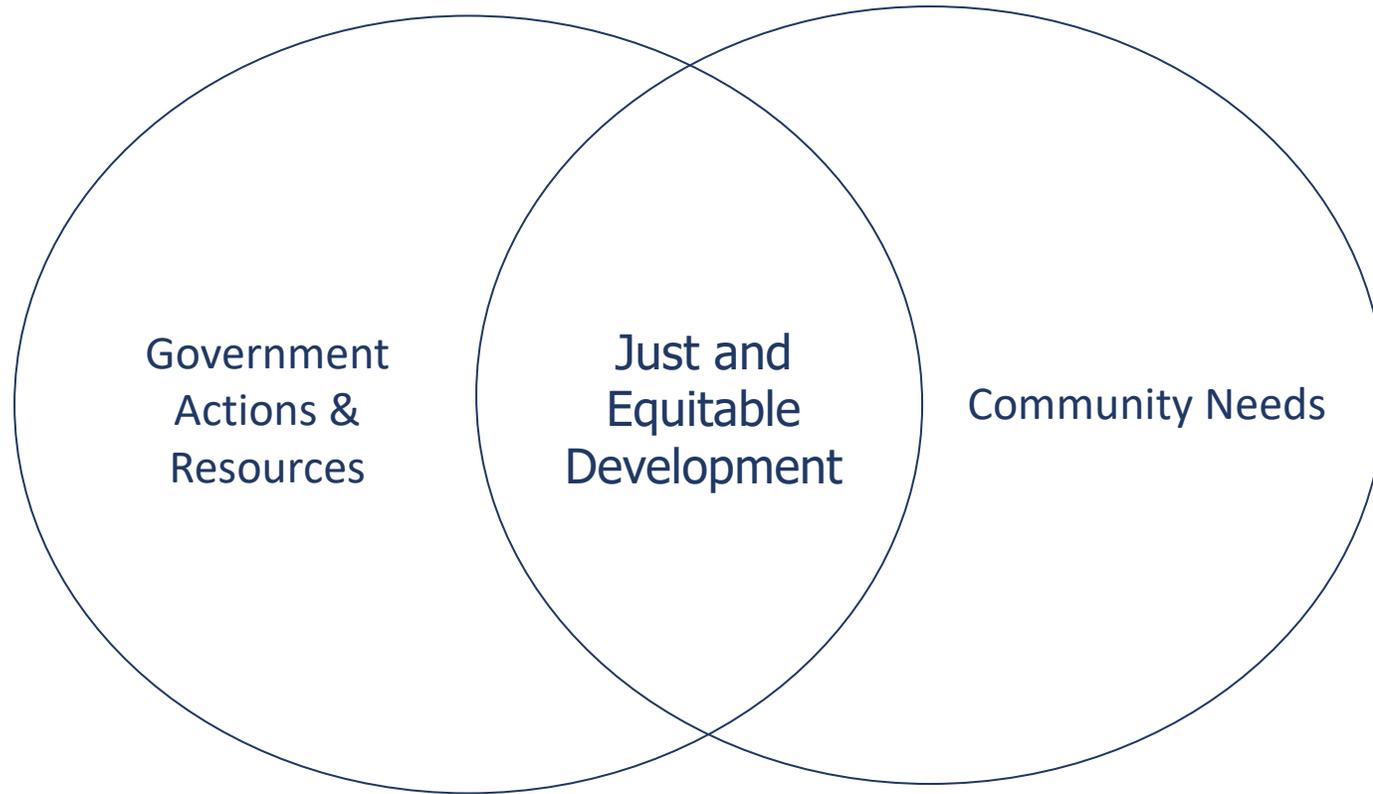
# “Plan to Overcome Injustice”



*As we look to the 21<sup>st</sup> Century, what endeavor could be more eminently worthy and necessary; more obviously logical and deserving of our national attention, expertise, and resources; or more meaningful and spiritually nourishing than that of revitalizing America's urban areas and ensuring healthy and sustainable communities, both urban and rural.*

National Environmental Justice  
Advisory Council  
(1996)

# Environmental Justice Framework



**WHERE AND HOW MUCH?**

# Environmental Justice Context

Public Health

Public Involvement

The Law

Infrastructure

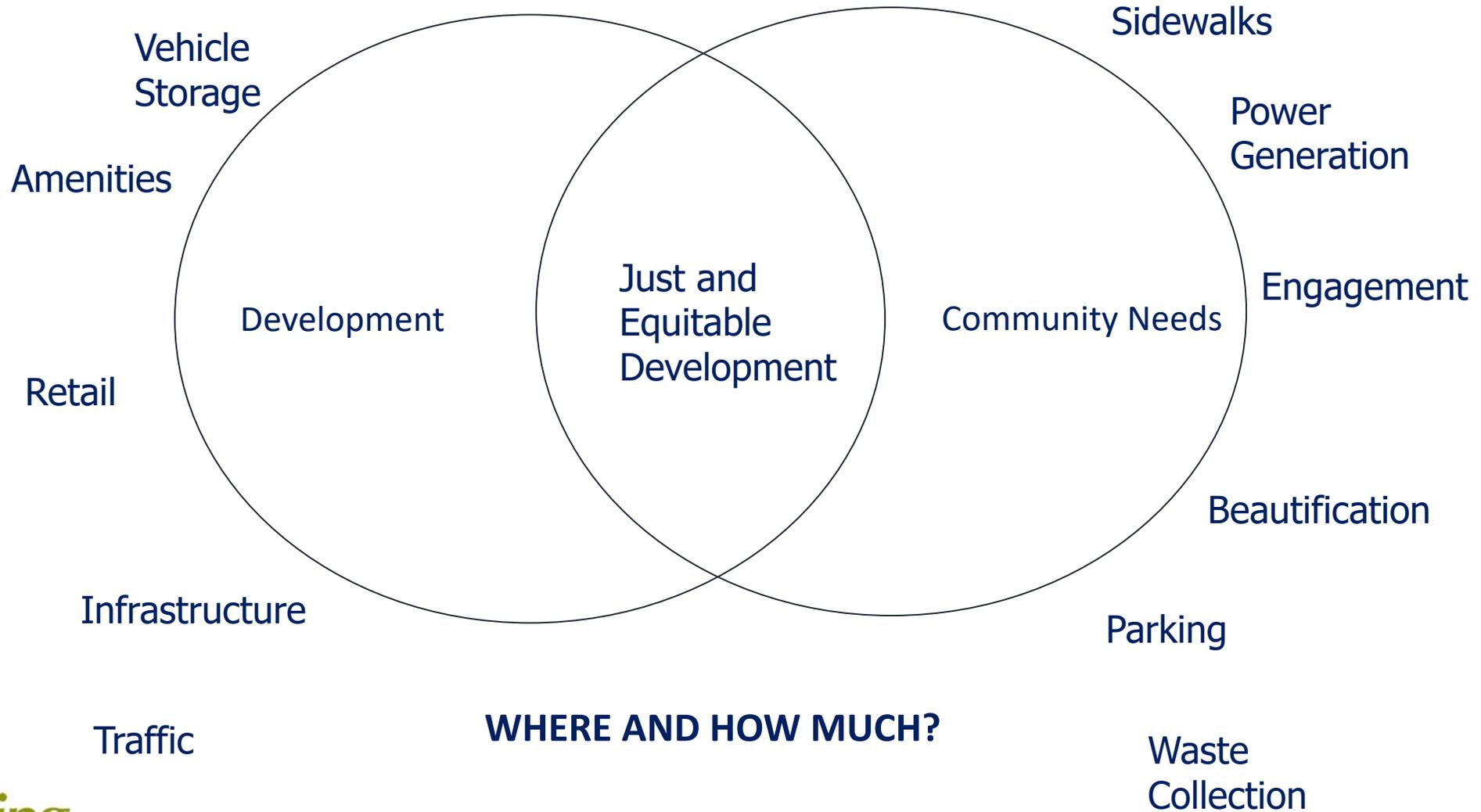
Community Development

# Attaining Equity and Justice

- Sharing in the Costs and Benefits of Change in the Community
- Opportunities to Preserve Community Culture
- Increasing Diversity and Inclusion in guiding decisions
- Mitigating and Reversing the impacts of redlining and other unjust practices
- Envisioning Equitable and Just Communities
- Establishing metrics/benchmarks for where we are and aspirations for Communities



The Benefits Development Brings are the same  
Benefits that Communities Need



# Methods for Environmental Justice Analysis

- Used mainly in transportation and environmental planning
  - Required by National Environmental Protection Act (NEPA)
  - Required for Metropolitan Planning Organizations (MPOs)
- Could be useful for other fields like community and economic development
- Public engagement will be key in EJ analysis, but EJ is not limited to engagement





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## 1. Create a profile of the impacted area and population

- Demographic
- Socioeconomic
- Renter v. owner
- Cost burdened households
- Segregation
- Historical displacement
- Displacement pressure

## 2. Identify negative and positive impacts

- New real estate value and taxes
- Gentrification and displacement
- Economic opportunities
- Placemaking, transportation and streetscape improvements
- Health impacts
  - Food access
  - Access to services
  - Green space



### 3. Quantify and determine disproportionately high impacts

- New real estate value and taxes
- Displacement
- Jobs and for whom?
- Green space, flooding/stormwater impacts
- Food and services access
- Placemaking impact on retail
- Sense of community ownership



A photograph of a city street with multi-story brick buildings, trees, and parked cars. The street is lined with mature trees, and the buildings have a mix of brick and stone facades. The scene is bright and sunny, with shadows cast on the pavement.

## 4. Seek opportunities to amplify benefits and mitigate adverse impacts

- Create a community benefit agreement
- Reduce displacement
- Hire from the community
- Placemaking, transportation, & streetscape improvements
- Attract grocery and other services
- Public engagement for a sense of community ownership

# Connect with Us

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Short Q&A for  
Charnelle Hicks and  
Jaime Phillips

Presentation on Zoning  
and Community  
Engagement

2020 Forward Equitable  
Development Conference

**JustLaws**

Steve Masters, Esq.  
August 12, 2020

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# Disclaimer

This presentation is designed to educate participants at the 20920 Forward Equitable Development Conference around equitable zoning issues.

The information shared in this presentation (1) is not provided in the course of and does not create or constitute an attorney-client relationship, (2) is not intended as a solicitation, (3) is not intended to convey or constitute legal advice, and (4) is not a substitute for obtaining legal advice from a qualified attorney.

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# JustLaws

# Grandeur – at what price?



# The Community Benefits Approach

A community benefits approach recognizes that when development is done right, it opens up opportunities for a community and its residents — not just profits to the developer.

Instead of simply trying to fight development, a community benefits approach means trying to work with the City and the developer to maximize the benefits that development projects create.

The Tracking Toolbox, page 2

# Community Benefits Can Reduce a Developers' Risk and Boost their Bottom Line

- Time is money
- Public input results in projects that attract local customers
- Many community benefits produce a lot of bang for the buck
- Community benefits foster a deeper relationship with the community.
- Local officials value community benefits
- Developers may fear being taken to the cleaners by a community coalition, but many important benefits are low- or no-cost
- Community benefits are part of a sustainable development agenda

# Understanding the Development Process

**Step 1.** Familiarize yourself with useful sources of information about the development process

**Step 2.** Identify the roles that different agencies and bodies play in development in Philadelphia

**Step 3.** Identify the flow of the development approvals process in Philadelphia

**Step 4.** Understand development subsidies

# Community's Goals Might Include

- Living wage jobs with healthcare
- Affordable housing
- Job training
- Local hiring
- Unionized construction jobs
- Card-check neutrality for low-wage service jobs
- Protections for small, local businesses
- Set asides for minority businesses and workers
- Community centers
- Parks and open space
- Environmental concerns
- Traffic, parking concerns
- Displaced residents, businesses

The Tracking Toolbox, page 30

# What Makes an Effective CBA?

- A CBA is a legally binding contract (or set of related contracts), resulting from substantial community involvement, and signed by community groups and by a developer.
- The contract establishes a range of community benefits regarding a development project.
- CBAs are not aspirational memorandums of understanding made up of issues to be resolved or negotiated on a future date.
- Instead, they feature concrete deliverables, timeframes, monitoring requirements, and enforcement mechanisms.
- (Source: Common Challenges In Negotiating Community Benefits Agreements)

# Community Benefits Case Studies

- Union Transfer, West Poplar Neighborhood Advisory Committee and Callowhill Neighborhood Association
- 60<sup>TH</sup> Street Corridor, LP, Masjid Mujahideen and Progressive Communities CDC
- Lower Merion Township, One Ardmore Associates LP and Cricket Lot Businesses

# For Further Exploration

## **The Partnership for Working Families** [www.communitybenefits.org](http://www.communitybenefits.org)

The Partnership for Working Families organizes, negotiates, and implements precedent-setting community benefits agreements (CBAs) on projects around the country. Its Community Benefits Law Center and extensive peer network promote best practices around community benefits campaigns and negotiations, and fosters and supports progressive municipal policies that benefit working families.

## **JustLaws** [www.justlaws.org](http://www.justlaws.org) | [steve@justlaws.org](mailto:steve@justlaws.org) | 484.483.3344

To successfully navigate the development landscape in Philadelphia, you need more than a zoning attorney for your project. With the JustLaws Edge, you'll have a seasoned zoning law firm with the inside connections and community engagement experience to get the job done right the first time.

# Short Q&A for Steve Masters



# A Council Agenda Rooted in Equity

Philadelphia City Councilmember Jamie Gauthier, 3rd District



## EQUITABLE DEVELOPMENT: PROFESSION MEETS POLITICS

Equitable development is achieved when quality of life outcomes, such as affordable housing, living wage employment, healthy environments, and transportation are equitably experienced by the people currently living and working in a neighborhood.

It also promotes public and private investments, programs, and policies in neighborhoods that meet the needs of residents and reduce racial disparities, taking into account past history and current conditions.

JOB DESCRIPTION,  
DIRECTOR OF EQUITABLE DEVELOPMENT

# What does this mean for the 3rd District?

## DEMOGRAPHICS

150,000 residents

71% Black

19% White

6% Asian

4% Hispanic

## POVERTY

29% of households in poverty (up to 40% in some Census tracts)

23,000 residents are cost-burdened

## JOBS

60,000 jobs, but mostly employing the region

Median income varies widely, even in adjacent neighborhoods

## HOUSING

85% of cost burdened renters earn less than \$35K per household

\$16M monthly rent gap

## Some Accomplishments:



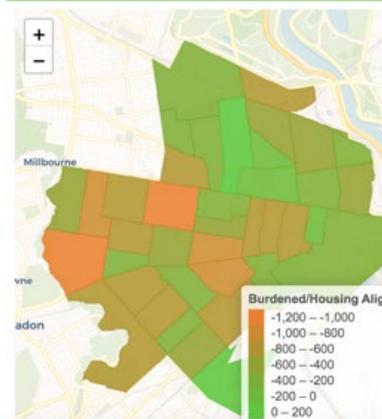
Affordable housing strategic planning tool

### Select Map Layer

- Forecasted rent burden
- Burdened/Housing Alignment
- Number of fixed sub. housing units

### Instructions

Where are affordable housing shortages in West Philadelphia most pronounced? How might gentrification make affordable housing even more scarce?



## POLICY

- FY 2021 budget fight
- Emergency Housing Protection Act

## SUPPORTING COMMUNITY

- At Meetings, Protests, Rallies
- At the Zoning Board
- Community Benefits Agreements

## RESEARCH/ANALYSIS

- Affordable housing gap study
- Zoning with an equity lens
- Prioritizing land for affordability, community assets



**Reflections  
and  
Next Steps**

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# Full Panel Q&A