What is Equity?

**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?

DEVELOPMENT

COMMUNITY NEEDS

Housing Options

Amenities

Retail

Infrastructure

Just and Equitable Development

Sidewalks

Engagement

Beautification

Parking
Environmental Justice Through Planning
Environmental Justice and Planning
As we look to the 21st 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

Development

Amenities

Vehicle Storage

Retail

Infrastructure

Traffic

WHERE AND HOW MUCH?

Just and Equitable Development

Sidewalks

Community Needs

Engagement

Beautification

Parking

Power Generation

Waste Collection

[Diagram with various topics and intersections highlighting the benefits of development aligning with community needs]
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
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
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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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.

You should not act upon any such information without first seeking qualified professional counsel on your specific matter. The hiring of an attorney is an important decision that should not be based solely upon an educational presentation.
Grandeur – at what price?
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.
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

The Tracking Toolbox, page 18
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)
• Union Transfer, West Poplar Neighborhood Advisory Committee and Callowhill Neighborhood Association

• 60TH Street Corridor, LP, Masjid Mujahideen and Progressive Communities CDC

• Lower Merion Township, One Ardmore Associates LP and Cricket Lot Businesses
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?

<table>
<thead>
<tr>
<th>DEMOGRAPHICS</th>
<th>POVERTY</th>
<th>JOBS</th>
<th>HOUSING</th>
</tr>
</thead>
<tbody>
<tr>
<td>150,000 residents</td>
<td>29% of households in poverty (up to 40% in some Census tracts)</td>
<td>60,000 jobs, but mostly employing the region</td>
<td>85% of cost burdened renters earn less than $35K per household</td>
</tr>
<tr>
<td>71% Black</td>
<td>23,000 residents are cost-burdened</td>
<td>Median income varies widely, even in adjacent neighborhoods</td>
<td>$16M monthly rent gap</td>
</tr>
<tr>
<td>19% White</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6% Asian</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>4% Hispanic</td>
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</tbody>
</table>
Some Accomplishments:

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
Full Panel Q&A