

# *The Promises and Perils of Racial Equity Planning*

***The Future of New York City:***

***Charting an Equitable Recovery for All***

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# Outline



Definition



Background and  
Justification



Examples



Perils & Promise



Conclusion

# Definition

- Racial equity analysis or planning is the use of planning studies that explicitly consider whether there are disparate impacts by race/ethnicity resulting from planning actions.
- The logic behind racial equity analyses is analogous to that which underlies regulations requiring Environmental Impact Statements (EIS).

# Justification

## Reparative

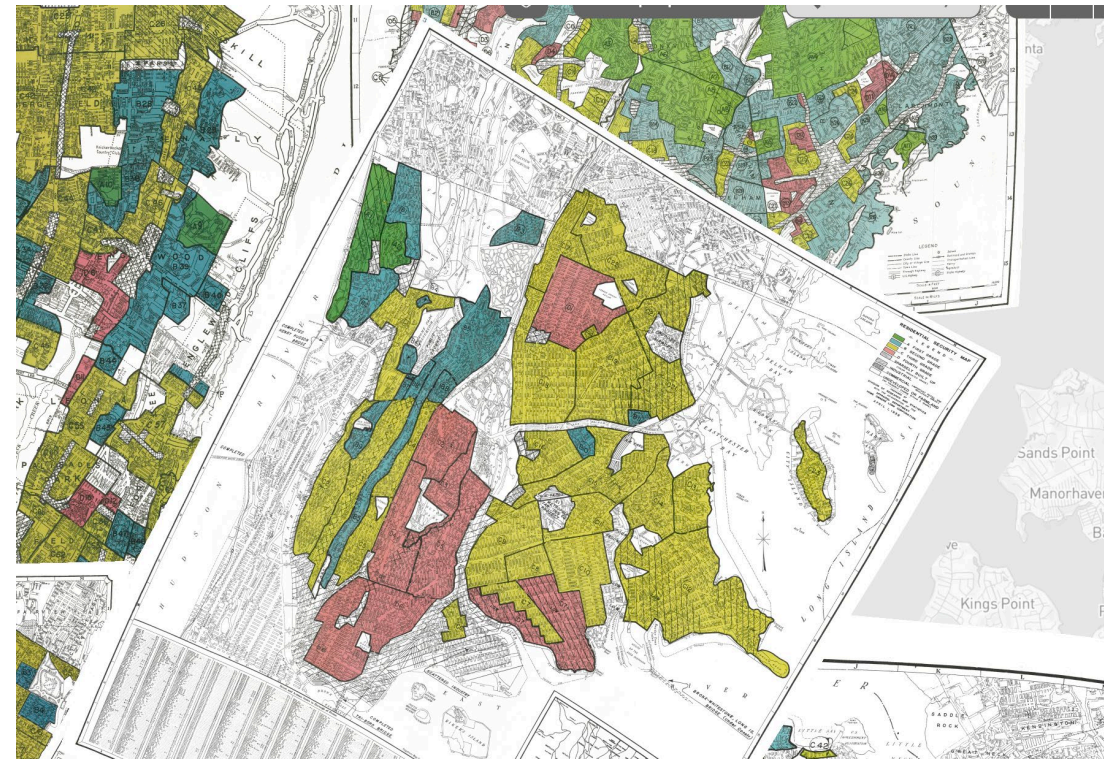
- Making amends for past injustices due to planning

## Equity

- Racial inequality is persistent in many cities

# Reparative Justifications

- From the 1910s to the 1960s, several public policies and planning practices were adopted to create and reinforce patterns of residential segregation and disadvantage in communities of color.



# Reparative Justifications

Racial Zoning

Enforcement of Restrictive Covenants

Redlining

Segregated Public Housing

Construction of Interstate Highway System

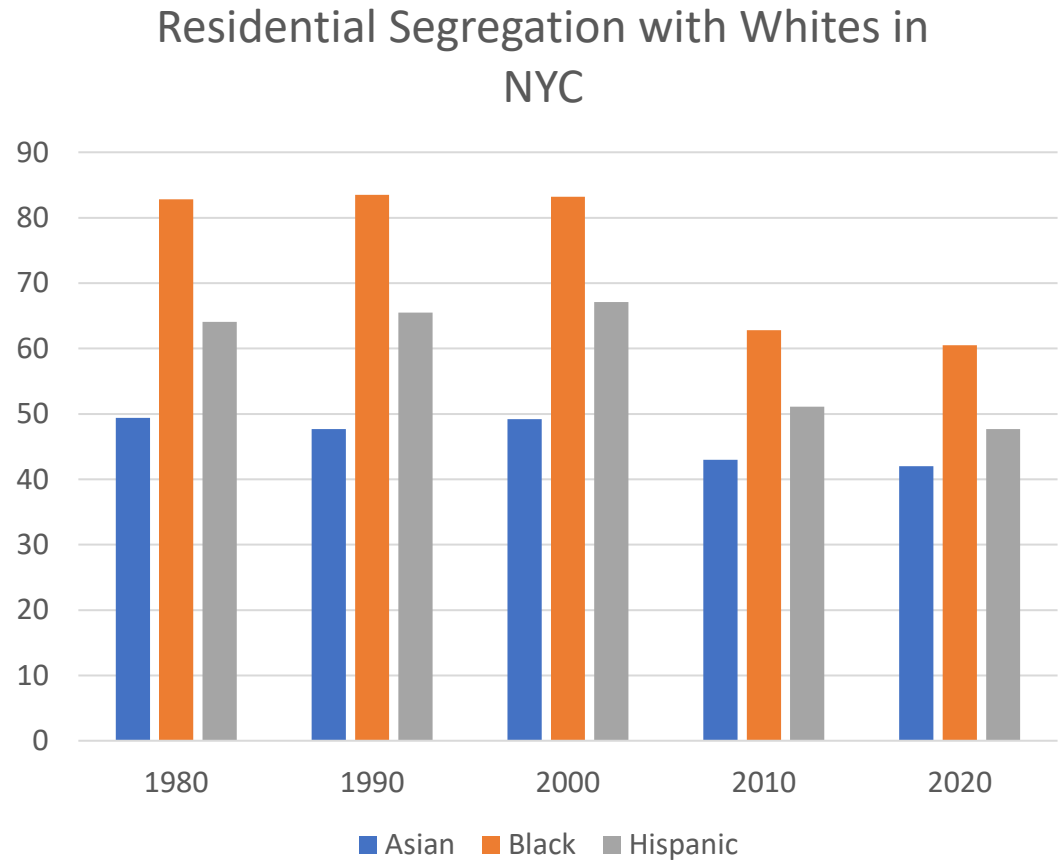
Implementation of Urban Renewal

Disproportionate siting of environmental hazards in communities of color

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# Persistent Racial Inequities

- Residential segregation although declining remains high
- Persons of color disproportionately impacted by concentrated poverty





# “Race Neutral” policies have Racial Impact

- Large lot requirements, restrictions on multi-family housing and other types of exclusionary land use regulations disproportionately exclude people of color
- In New York City early 21<sup>st</sup> century upzoning occurred disproportionately in low-income neighborhoods which are disproportionately communities of color





# Persistent Racial Inequality Translate into New Inequities

- Fallout from Financial Crisis of 2008
- Hurricane Sandy
- Covid Pandemic

## ***New York Renters in Covid Hot Spots Are Four Times More Likely to Face Eviction***

An analysis of court data shows that the areas hit hardest by the virus, largely Black and Latino neighborhoods, have the most eviction cases.

# Planning & Racial Equity

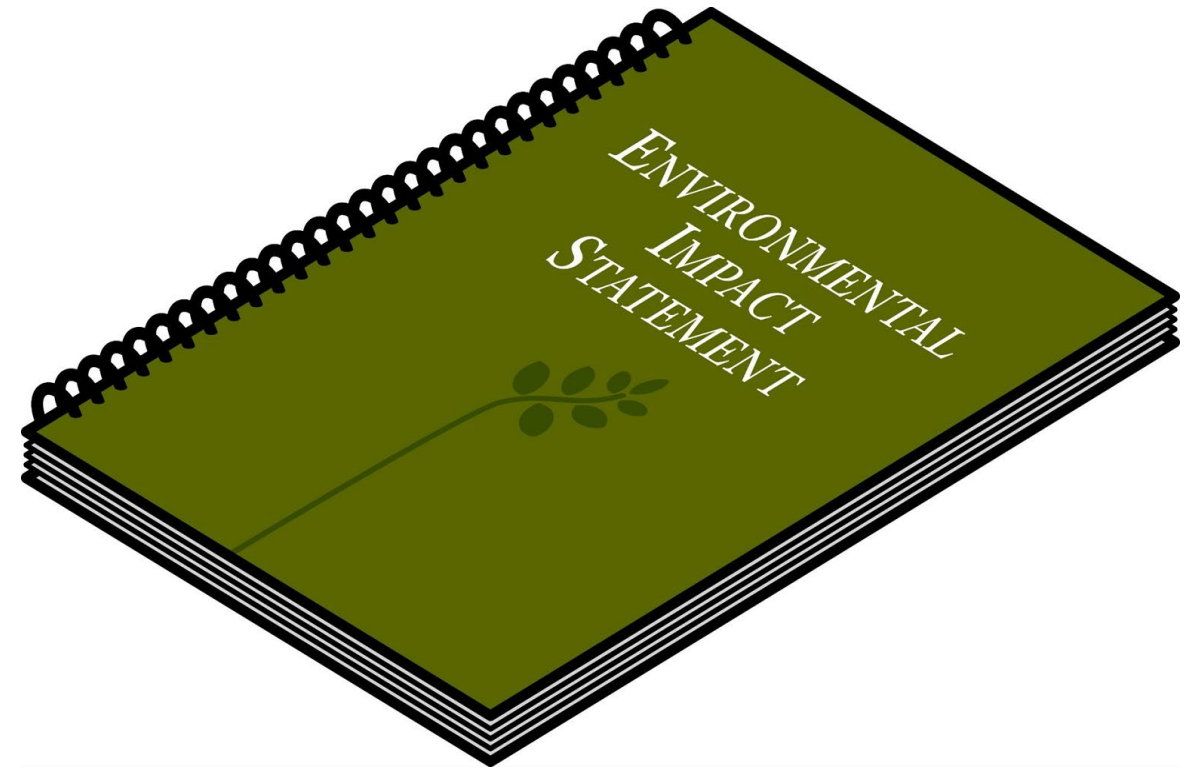
- The Fair Housing Act and Civil Rights Legislation outlawed discrimination
- Will a "race neutral" approach achieve racial equity?



**EQUAL HOUSING  
OPPORTUNITY**

# Logic of Environmental Impact Statement

- Unbridled development since the late 19th century left America with polluted waterways, unclean air, and spoiled landscapes.
- A *laissez-faire* approach to development would not protect the environment.
- Environmental Impact Statements are one tool to ensure that new developments consider impacts on the environment.



Environmental Impact Statements were an outgrowth of the environmental movement

# New York City Racial Equity Law: 2021

In June 2021, New York City adopted a law requiring racial equity reports for rezonings that substantially alter allowable floor areas, historic district designations, or zoning variances.

These reports are mandated to consider the area's

- demographic conditions
- quality of life
- housing security
- displacement risk

The law also directs the Department of City Planning to collect and make available data to facilitate such analyses

## New Law Requires Racial Equity Reports in Connection to Certain Land Use Applications

City Council • Land Use Applications • Citywide

08/19/2021 • [Leave a Comment](#)



Image credit: New York City Council.

**A new equitable development tool would provide data on six categories and would lead to racial equity reports to be required for future land use applications and projects.** On July 18, 2021, Local Law 78 was enacted into law, which will require certain land use applicants to produce a racial equity report to determine the project's impact on equity. The bill was first introduced on May 29, 2019 as Intro 1572-A, by Public Advocate Jumaane Williams and passed by the City Council on June 17, 2021.

### LAW HISTORY

The bill comes as a result of the national movement for all types of government to better address racial equity and to assist elected officials in making informed decisions on land use to better protect communities of color from displacement and guarantee economic development. The purpose of the bill is not to impede development but to allow for better access to data and information for policy makers and elected officials.

# Case: Gowanus Neighborhood Plan

- Analyzed Existing Conditions
  - Local economy
  - Housing Patterns
- Simulation of impact of proposed development
  - Disaggregated impacts by race/ethnicity
  - Impacts on residential segregation
- Concluded that proposed project would reduce racial inequities large due to inclusionary housing component



## Gowanus Neighborhood Plan: Racial Equity Report on Housing and Opportunity

July 2021



# Racial Equity Examples

## Seattle



### Overview

The City of Seattle is updating its Comprehensive Plan to guide how the City will grow and what kind of city we want to be. The City has released a Draft Environmental Impact Statement (EIS) evaluating four growth alternatives.

### How can we grow while making sure everyone has what they need to succeed and thrive?

Throughout Seattle's history, some populations and neighborhoods have prospered at the expense of others as a result of racially discriminatory public policies. While social equity has been a core value of the Comprehensive Plan since its adoption in 1994, the City's Race and Social Justice Initiative (RSJI) did not exist until 2005.

We have prepared an Equity Analysis to identify how growth may benefit or burden marginalized populations. This analysis will inform potential strategies to lessen impacts and maximize opportunity for marginalized populations.

### How did we conduct the Equity Analysis?

The analysis evaluated existing conditions, analyzed potential impacts of each alternative, and identified solutions with an eye toward the following questions:

- Are different distributions of growth more or less likely to displace marginalized populations and/or affect their access to opportunity?
- What strategies and investments are necessary to address the impacts of growth and maximize opportunities for equitable development?

### Key Terms

**Marginalized populations:** Low-income people, people of color, and English language learners

**Access to opportunity:** The services, amenities, and other key determinants of social, economic, and physical well-being

**Displacement:** The involuntary relocation of marginalized populations from their current neighborhood

**Equitable development:** Public and private neighborhood investments, programs, and policies to meet the needs of marginalized populations and reduce disparities

**Race and Social Justice Initiative (RSJI):** Seattle's effort to overcome institutional racism and eliminate racial disparities

## Boston



### Housing

#### Overview

[Inclusionary Development Policy: Annual Reports](#)

[Inclusionary Development Policy Update](#)

[Affirmatively Furthering Fair Housing Article 80](#)

[Frequently Asked Questions](#)

[Income, Asset, and Price Limits](#)

[Finding Housing](#)

[Existing Tenants & Owners](#)

[Developers](#)

[Property Managers](#)

[Artist Live/Work Program](#)

### Affirmatively Furthering Fair Housing Article 80





# The Promise

## Primum non nocere

- Major land use decisions would now be cognizant of the potential impact on historically marginalized populations

The racial equity benefits of some contested land use proposals (e.g. Gowanus Neighborhood Plan) would be apparent, perhaps garnering political support

## The Promise

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Over time the expectation that major projects will undergo review for racial equity may influence the types of projects that are built

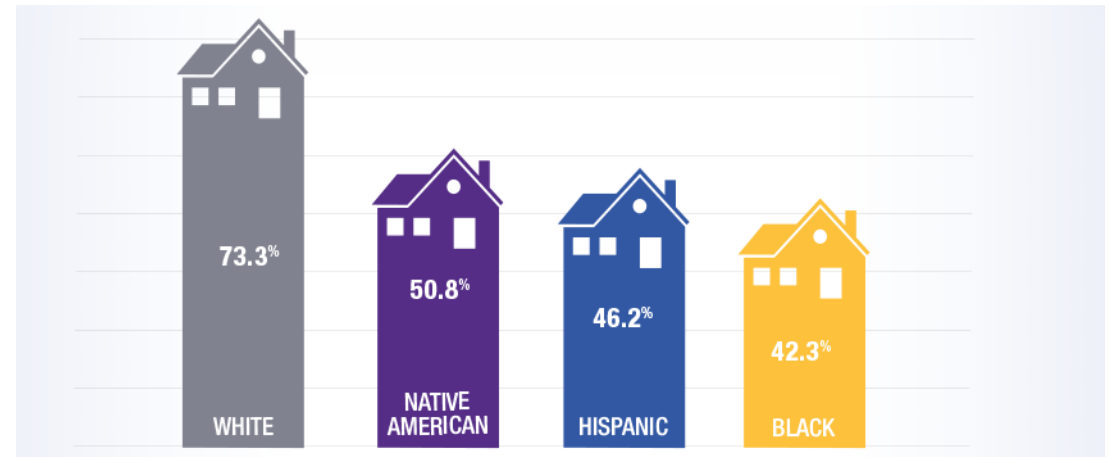
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Developers, planners and other shapers of the built environment can apply creativity to design and plan developments that advance the cause of racial equity

# Limits to Racial Equity Planning

- Will not address inequities that arise in other domains
  - Schools
  - Job market
- By itself, will not undo high levels of residential segregation
- Will not erase the racial wealth gap/homeownership gap

## Homeownership Rate



# The Perils

- Requiring racial equity analyses could add to regulatory burden
- Land use regulations have been linked to higher housing costs
- *Neighborhood Defenders* documents how review processes for land use decisions are used to stymie development in Massachusetts



# Too Much Regulation or Not enough Planning?

## Outdated inflexible code

- New development is proposed
- **Community Input is required**
  - Project is delayed
  - Project is stopped
  - Project not proposed at all

## Flexible Up to Date Plan

- **Community Input**
  - New development is proposed
  - New development is built

# Conclusion

- For reasons of reparative justice and persistent racial inequality racial equity planning is emerging as a tool
- The use of racial equity planning has the promise to go beyond race neutrality and move our cities toward racial equity