

# Ethics for Planners

Black Lives Matter – What  
Does it Mean for Planning  
Ethics?



WEBINAR

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# Panelists:

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# Purpose of Session

- Explore AICP Code of Ethics issues in light of the ongoing protest movement against racial inequality



**Will Progressives End Racist Zoning?**  
beyondchron.org



**Opinion: In fight for justice, zoning laws that exclude low-income people must be changed**  
courier-journal.com



**Why Does So Much High-End Redevelopment Occur in Once-Devastated Neighborhoods?**  
strongtowns.org

## A Just Code of Ethics for Planners *A Priority for Planners Network*

Peter Marcuse

### Editor's Note

In 2013 the Planners Network Steering Committee decided to focus on the serious lack of enforcement of planning ethics, particularly when it comes to issues of social justice. The editors of *Progressive Planning* invited Peter Marcuse and Harley Etienne to start a discussion and debate about planning ethics. Their contributions follow. We invite responses from readers and other contributors so that we may keep the issue alive and help inform future action by Planners Network.

PLANNERS NETWORK is in a unique position to press for a much needed change in the A.I.C.P. Code of Ethics. The current code fails to clearly formulate a critical social justice principle. It makes a spurious distinction between principles that planners should aspire to and those they should be held accountable to by the code of conduct. This makes it extremely difficult to hold anyone accountable to fundamental principles of social justice.

### The Context: Currents in Urban Planning

There have always been conflicting currents in the theory and practice of planning:

- A *technocratic* current, deferential to the existing structures of power. This sees planning simply as a tool to achieve goals that are given it, in as efficient manner as possible;
- A *liberal reformist* current, moving generally within existing

relationships of power, using planners' influence to move plans towards their more liberal and justice-respecting ends;

- A *transformative* critical current, more radical and closer to utopian, holding that planning, as an activity dedicated to the application of reason to physical and social relations necessarily implies a set of its own values, that might well leads it into a critical stance favoring social justice.
- A *utopian* approach, not practical in the present but with radical implications for an alternative vision it creates.

Planners Network was founded in opposition to the technocratic current. It has recognized that, following a deferential technocratic (if not reactionary) logic, too many planners have been instrumental in the creation, solidification, and perpetuation of segregation and exclusion in U.S. cities and suburbs, with the attendant oppression of minority groups, prominently African Americans. Technocratic planners have put forward zoning plans and principles that ignore their racial impacts; incorporated racist considerations



Peter Marcuse is Professor Emeritus at Columbia University in New York City.

# Our New Reality?

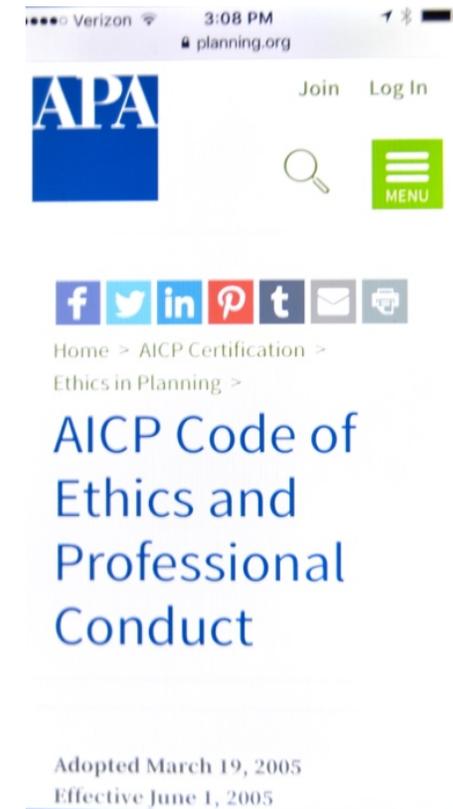
“It's been a rough couple weeks all across the country. Like all of us here, I've been thinking a lot about how racism is baked into so many aspects of society. Not just in policing and the criminal justice system in general. But also in how school attendance boundaries are drawn and how our public education system is funded and how we spend more tax dollars on deductions and exemptions for relatively wealthy homeowners than on support for low-income renters. It's in the zoning ordinances in just about every local government in the country, too, with rules that favor homeowners over renters and the most expensive types of housing over even modest multifamily homes like duplexes. But I'm really grateful that we all have an opportunity over the next year to do our part to extract racial and economic inequities from our county's zoning code wherever we can. This will take some listening and some learning and some empathy, but I'm confident we can do this”.... *(cont'd on next slide)*

# Our New Reality?

“The events of the last couple weeks and the growing support for dismantling injustice wherever it lurks demands that we try. Our current zoning ordinance is from 1997. That's 23 years of massive change in our country and our county. Let's not get to 2040 or so when the next big revision is done and look back at this moment as a wasted opportunity to set a better path for development in our community that is more inclusive of all our neighbors regardless of race or wealth. In doing so, not only will we make ----- County more equitable, but we'll also take a step towards slowing the incessant housing price and rent growth that harms many in our community while also pushing back against sprawl so that we can keep our rural areas rural and reduce transportation costs and emissions. Zoning ordinances are one of the many big structural policies that impact so many aspects of life and I hope we can make some positive changes in our ordinance between now and next summer.”

# Ethical Principles & Rules

- **“Principles to Which We Aspire”**  
(Section A, *AICP Code of Ethics and Professional Conduct*)
- **“Our Rules of Conduct”**  
(Section B, *AICP Code of Ethics and Professional Conduct*)
- **“Ethical Principles of Planning”**  
(Ethics web site—for non-professional planners)



# Aspirational Principle A. 1) f.

“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.”

# Related Aspirational Principles

- b) We shall have special concern for the long-range consequences of present actions.
- c) We shall pay special attention to the interrelatedness of decisions.
- d) We shall provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers.
- e) We shall give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them. Participation should be broad enough to include those who lack formal organization or influence.

# APA National Response



← → ↻ planning.org



FEATURED: EQUITY DIVERSITY INCLUSION

## Voices of Equity in Planning

Equity is a necessary guiding principle for planners and all who participate in the process of planning as advisors, advocates, and decision makers. The first video in APA's new multi-part series, Voices of Equity in Planning, includes interviews with public- and private-sector planners across the country, whose work has centered on equity for years.

[Learn More](#)



## Racial Equity in Planning Organizations

To create equitable communities, planners must also create equitable planning departments. In the latest issue of the *Journal of the American Planning Association*, this viewpoint explores the history and present of racial inequality in planning and offers a framework for guiding racial equity goals.

[Learn More](#)

## Featured APA Learn Courses



### HOUSING POLICY | LAW

## Housing for Diversity: Ending Segregation Through Zoning

Join Live | July 30, 12 p.m. CT - Limiting zoning districts to homes occupied by the historical definition of "family" contained in zoning codes has encouraged residential segregation and housing unaffordability. This course examines existing laws and offers suggestions for how zoning might be tweaked to respond to many of the changing norms of the American family.

# APA Ohio Response

Formed a *Diversity, Equity and Inclusion Task Force* to look at all the possible ways APA Ohio can impact change.

Black/African Americans make up less than 5% of APA Ohio's membership.

Early discussions include:

- ♦ DEI in professional practice
- ♦ Increasing diversity in Chapter membership
- ♦ Increasing diversity in Chapter boards and committees
- ♦ Strategically promoting the profession to BIPOC students
- ♦ Collaborating with planning programs to increase diversity in incoming students
- ♦ Increase DEI in our education offerings



[www.ohioplanning.org/equity](http://www.ohioplanning.org/equity)

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# Social Justice Values

- **Access** - greater equality of access
- **Equity** - overcoming unfairness caused by unequal access to economic resources and power
- **Inclusion** - including or being included within a group or structure
- **Rights** – upholding legal, social and political rights
- **Participation and Engagement** - opportunities for real participation in decision-making

# Social Justice Values for Planners

- Access – Promote greater equality of access to minority business development and support land use and zoning that increases goods and services in resource poor neighborhoods.
- Equity – Provide technical assistance and outreach efforts to that increase equal access to land use resources and economic development tools.
- Inclusion – Engage in outreach that targets minorities and under-represented groups in community meetings, land use and planning boards, in hiring decisions.
- Rights – Conduct all work/interactions in accordance with legal, social and political rights of the communities served.
- Participation and Engagement - Expand opportunities for participation in decision-making by minority and under-represented groups by using innovative methods.

# Scenario 1: Housing Choices in a Suburban Setting

You are a planning director in a suburban community that recently updated its comprehensive plan, completing it before the emerging movement to re-examine what equality means in America. As part of that process you raised the need to provide more diverse housing options. The response that you heard from citizens and elected officials included some acceptance of the idea, but only under certain circumstances: “Only if it is high quality”; “Condos are OK, but not rental units”; “Only if it is consistent with our community character”; and “Focus on housing for aging residents who want to age in the community”. The result was the inclusion of modest policies for housing choices with very little acceptance of anything other than single family residential land uses.

You are now leading the effort to update the zoning code. What is your ethical obligation to advocate for stronger social justice efforts?

# Options (pick your top 3 answers)

1. Recommend that the comprehensive plan policies be reconsidered and strengthened to establish a policy basis for social justice.
2. Conduct an audit of your zoning regulations to identify barriers to affordable housing
3. Promote a public education process to build better community awareness.
4. Work with your elected officials to build political support.
5. Raise the issue with your city manager and take your lead from her.

# Scenario 2: Affordable Housing in an Urban Setting

You are the Planning Director in a large Midwestern city (population over 400k) that is struggling with an availability of affordable housing. Your new Mayor directs you to study your zoning code with the goal of eliminating single-family zoning as a way to promote density and increase affordable housing units.

How do you approach this task?

# Options (pick your top 3 answers)

1. Decide to retire rather than deal with this directive.
2. Form a task force of neighborhood leaders and housing advocates to reach consensus before moving forward.
3. Complete the study and prepare all the necessary reports/maps/ordinances to begin the public hearing process without engaging the public in advance.
4. Assemble a team of housing industry leaders to push this process through as quick as possible although it will likely lead to widespread gentrification.
5. Convene several stakeholder groups for a year-long study to gain widespread support although you don't expect to be able to reach consensus.

# Scenario 3: Housing Policy & Business Influence

You are a senior planner working in a first ring suburban community that has managed to maintain a solid base of housing serving low- to moderate-income families, due to a robust employment base in the City. The City is home to the largest African-American community in the County and has a mix of housing stock that ranges from market rate to affordable and subsidized housing. Because the City has landed a new company that serves a growing business sector, housing in the area is becoming a hot commodity. The City Council has directed the planning department to prepare an anti-displacement and gentrification policy. In meetings with local business executives they suggest that you “hold off” on presenting the alternatives until they negotiate the purchase a large tract of land that is currently a large affordable housing site. They want to redevelop the site as a mixed-use market rate development “without a big public input session.”

# Options (pick your top 3 answers)

1. Alert your director and let her handle it.
2. Work quietly behind the scenes with the company executives so that they can negotiate their purchase.
3. Insist that they work with the community and the City to develop a community benefits agreement to protect current residents of the area.
4. Inform the company executives that public engagement with members of the community can help rather than hurt the process.
5. Go public (to the community and to the media) about the possibility of gentrification backed by the business community.

# Polling Question

Should APA revise the Code of Ethics to move Section A. 1) f. to be a rule of conduct rather than something we just aspire to do?

## Choices:

1. Strongly Agree
2. Somewhat Agree
3. No position
4. Somewhat Disagree
5. Strongly Disagree

# Polling Question

Should accredited schools of planning be required to modify their curriculums to include more courses on equity and cultural competency?

## Choices:

1. Strongly Agree
2. Somewhat Agree
3. No position
4. Somewhat Disagree
5. Strongly Disagree

# Polling Question

Are we at a watershed moment in our country's history where communities are ready to radically adjust land use rules to be more equitable and just?

## Choices:

1. Strongly Agree
2. Somewhat Agree
3. No position
4. Somewhat Disagree
5. Strongly Disagree

# Polling Question

Is the Black Lives Matter movement just a blip on the radar and things will go back to “normal/business as usual” in a few months?

## Choices:

1. Strongly Agree
2. Somewhat Agree
3. No position
4. Somewhat Disagree
5. Strongly Disagree

# Polling Question

(pick your top 3 answers)

How might you expand housing choice and opportunity for disadvantaged groups and individuals in your city or county?

1. Partner with city and/or county social services agencies and non-profits to determine affordable housing needs.
2. Form a group of experts (planners, developers and non-profits) to assist with developing alternatives
3. Seek out a developer who will set aside a handful of affordable housing units in a new TOD development project?
4. Propose an amendment to the zoning code to address affordable housing in mixed-use districts?

# Polling Question

For public sector planners, how likely do you think your community would welcome a conversation about racial and economic integration?

On a scale of 1 to 10 with 1 being very likely and 10 being very unlikely.

# Polling Question

For private sector planners, thinking about the community you have most recently assisted, how likely do you think they would welcome a conversation about racial and economic integration?

On a scale of 1 to 10 with 1 being very likely and 10 being very unlikely.

# Questions & Comments

# Aspirational Principle A. 1) f.

“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.”