Claire Byers

Executive Summary

The purpose of this Capstone project is to develop a toolkit document that can be used internally by the client, Jefferson County Planning and Zoning staff, to ensure that Area Plan updates do not contain bias or inequitable outcomes. This Capstone project will employ the toolkit to analyze the Jefferson County South Plains Area Plan for possible bias and inequitable outcomes. Achieving a better understanding of implicit and explicit bias using the toolkit for the South Plains Area Plan update will result in tangible changes to planning policy within Jefferson County. While this is just a first step, the toolkit will create a foundation to address bias and inequity in all future regulations, plans, and procedures.

Bias can be thought of as explicit or implicit. While bias may be inherently unconscious, *explicit bias* is a conscious preference or attitude towards a particular group. Vocal and behavioral explicit bias has been greatly reduced through legal policy and is viewed as unacceptable in normal social behavior. In contrast, *implicit bias* is the subconscious and automatic perception, preference or attitude towards a group of people because of previous experiences. An individual may not be aware that they hold an implicit bias and act on it unintentionally. Both types of bias are harmful as they can lead to discrimination and other negative behavior towards others when they affect our actions and decisions.

To better understand how bias may affect planning and zoning documents, the history of bias within land use planning must be understood. Racial segregation within land use planning was not a byproduct of other decisions; rather, it was the intention. Policy prevented groups of people from owning or buying property based on race. This created major segregation within an area, pushing minorities into small, specific neighborhoods where they were allowed to live. Primarily white neighborhoods were given access to the best public resources, such as parks, schools, transportation, employment, and health care because of increased funding and priority land use. This has created a legacy of continued residential racial and economic segregation and a lack of access today based on historic neighborhood locations.
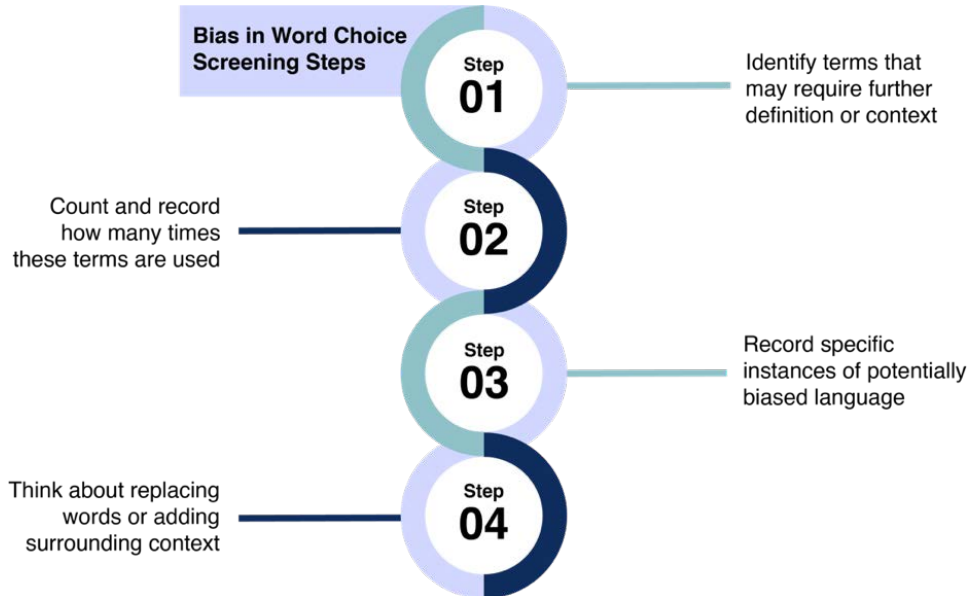
While explicitly biased and racialized zoning was made illegal in 1917, exclusionary zoning and policy still exist, perpetuating residential racial and economic segregation. Urban planners need to continue to acknowledge the history of discrimination within the field and create inclusive and actively anti-racist urban spaces by removing biased housing and land use policies. Even if the policies that historically created the exclusion no longer exist, the systemic racism these policies reinforced remain and the outcomes are still with us.

This toolkit draws from research into other jurisdictions' efforts to address bias and inequities in planning documents and engagement processes, including Portland, Minneapolis, and Seattle.

This project addresses two major forms of bias: word choice (how it is being said) and content (what the area plan is saying).

The first manifestation of bias examined here, biased language, can occur in any document but can be fixed with careful word choice and vocabulary to ensure a neutral point of view. Changing language to be more inclusive and people-first helps establish credibility and prevents offending others based on gender, age, race, ethnicity, ability, sexual orientation, etc. Implicit bias in word choice is linked to subjectivity, sentiment, and stance. For example, verbs like 'say' and 'state' are considered neutral, while 'claim' and 'point out' cast doubt on the certainty of a phrase. Active verbs suggest responsibility to take action, but when they are not defined or given context, can become open to interpretation and thus implicit bias. For example, when a document uses the word "encourage," does it mean that the City will provide incentives, flexibility, a density bonus, expedited review, an award, or something else?

This toolkit proposes the following steps to screen for bias in word choice. Words or phrases flagged as potentially biased are not necessarily biased in every case and require careful consideration of the surrounding context and audience.
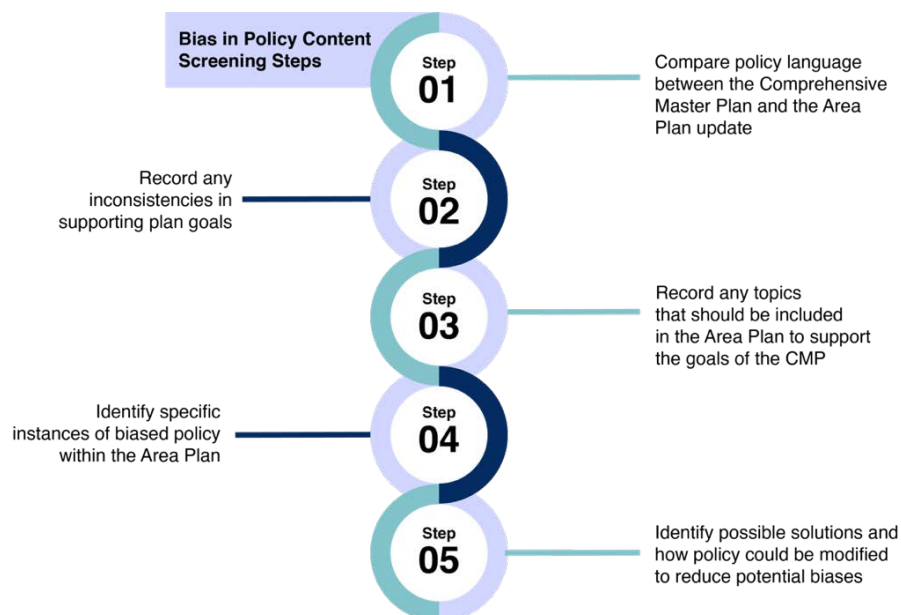
Bias in Word Choice Screening Steps

Step 01 — Identify terms that may require further definition or context

Step 02 — Count and record how many times these terms are used

Step 03 — Record specific instances of potentially biased language

Step 04 — Think about replacing words or adding surrounding context

The steps were applied to the South Plains Area Plan, with example results below. The comprehensive screening can be found in the full report.

Sample of Potentially Biased Words	Number of Occurrences
Adequate	3 times
Appropriate	19 times
Character	16 times
Compatible	19 times
Consider	28 times
Encourage	8 times
Suitable	3 times

Page	Flagged Language	Comment
Page 5	In the absence of a specific recommendation for a property, the **compatibility** of proposed land uses should be evaluated for each specific case.	Provide a definition or context for compatibility. What makes something compatible?
Page 7	Redevelopment of under-utilized and/or under-valued property **should be encouraged** to emphasize primary jobs, such as professional and medical office.	Provide a definition or context for encouraged. How is it being encouraged?
Page 15	Rezoning to multi-family or non-residential uses could be supported when such uses can be sited in **suitable** or appropriate locations. **Suitability should be evaluated in terms of overall project density, degree of visibility, potential for screening and buffering, and degree of scarring or disturbance.**	While this example contains a flagged word, it provides specific ways in which suitability is evaluated and should be used as a model example

The second presentation of bias examined in this project, biases within policy content, can be hard to identify at face value and can require an evaluation of the outcomes they produce to understand how they are connected. For the sake of brevity, Jefferson County has removed any goals or policies in County Area Plans that duplicate information from the Comprehensive Master Plan (CMP), with the intention that Area Plans only contain what is specific to the subject area. Area Plans should support the goals of the CMP and take precedence over the CMP. There are potential biases related to the removal or absence of policies in Area Plans as they are not explicitly supported. The public audience should be able to read an Area Plan without needing to cross reference the CMP, especially on issues of equity. In order to have impactful outcomes, implementing equitable strategies cannot be done in isolation and instead must be woven throughout all documents. On topics that are likely to have equity implications, such as affordable housing, Area Plans should have strong language to support the overall goals of the CMP and currently, that language is absent in some cases. The stronger and more defined a policy is, the more likely it is to actually occur. This toolkit proposes the following steps to screen for biases in policy content.

Bias in Policy Content Screening Steps

Step 01 — Compare policy language between the Comprehensive Master Plan and the Area Plan update

Step 02 — Record any inconsistencies in supporting plan goals

Step 03 — Record any topics that should be included in the Area Plan to support the goals of the CMP

Step 04 — Identify specific instances of biased policy within the Area Plan

Step 05 — Identify possible solutions and how policy could be modified to reduce potential biases

The steps were applied to the South Plains Area Plan, with example results below. The comprehensive screening can be found in the full report.

Policy Topic	Number of Occurrences in South Plains Area Plan	Comments	Number of Occurrences in Comprehensive Master Plan	Comments
Equity/ Equitable	0 times	Explicitly equitable policy should be woven throughout the document	2 times	Only used to define sustainability and support floodplain policy, should be woven throughout
Sustainable/ Sustainability	0 times	Sustainability has a strong link to equity and should be present	15 times	This topic has a dedicated section with clear ideals and is also part of a supporting vision for the entire document
Affordable Housing	1 time	Affordable housing is only actively encouraged in the Southwest Plaza Activity Center	18 times	Affordable housing policy in the CMP is well defined and encouraged

Page	Flagged Policy in South Plains Area Plan	Comment/Question/Solution
6	There should be locations for commercial goods and services within a reasonable distance of a supporting residential land use, while at the same time …**transitioning to uses** that are needed or **more desirable in the future**	Could this wording lead to gentrification? What classifies something desirable or undesirable? Think about the connections between word choice and policy content
7	**Emphasis should be on employment uses that pay, on average, higher than the median salary** such as general and medical offices, hospital, financial institutions, retail and wholesale facilities, light manufacturing, research and development, some multifamily residential, and flex space.	This language is biased against employment opportunities that are not higher than the median salary and may reduce the diversity of local resident employment and demographics.
14	In the future, growth should be accommodated by promoting well planned and well executed residential neighborhoods, while **ensuring the character of existing residential areas is protected.**	How is character protected and how is this protection ensured? Is this always equitable or can it be used to keep people out?

While bias can be present within word choice and policy content, it can also occur before the document has even been drafted. Biased decision-making is often caused by biased data generated by the community engagement process. A comprehensive plan or area plan should reflect the needs and wants of the community, but if there are barriers to accessing engagement opportunities, the "community" responses may be limited, and biased towards the people able to attend and the input they provide. This in turn may result in policies being implicitly biased against the residents who were unable to participate. The South Plains Area Plan has also been screened for biases in the community engagement process based on case study research. Recommendations are included in the full report.

Overcoming a history of biased barriers to participation and inclusion in policy takes recognition and acceptance that this can implicitly persist today in our decisions and actions. Implementing equitable strategies cannot be done in isolation and instead must be woven throughout all documents and processes within a department. Interactive and ongoing staff training can allow participants to better understand their own implicit biases and how to overcome them both professionally and personally. Another

opportunity is to stop the cycle of making implicitly biased decisions by questioning the processes and being more thoughtful about what is being said and why.

This toolkit was applied to the South Plains Area Plan as an example of conducting an analysis for possible bias in word choice, policy content, and the community engagement process. This can be used internally by Jefferson County staff to ensure that future Area Plan updates do not contain biases or inequities and will lead to tangible change in local planning policy. After analyzing best practices, the Identifying Opportunities to Advance Equity and Reduce Bias Worksheet was created to be used in partnership with the toolkit. The worksheet is intended to be used either before or in the early stages of the drafting and decision-making process to make sure unbiased and equitable outcomes are achieved. It is best completed by a group to ensure a range of perspectives.

Final Recommendations

Reducing Bias in Word Choice
1. Create an internal list of terms, starting with those in Table 6, to be clearly defined or given more context within policy documents to reduce potentially biased interpretation
    a. Prioritize using the words consistently and accurately based on the definitions to improve accountability
    b. Provide accountability for how the idea conveyed by the term would be achieved
        i. While this is an advisory document, providing context to terms can appropriately reduce bias
2. Incorporate a glossary at the end of every document or where to find a glossary of terms to provide definitions for a public audience
    a. A detailed glossary of hard to define and technical terms will help readers better understand what something means and reduce confusion
    b. Readers may not understand the connection between the Comprehensive Master Plan and an Area Plan and that the glossary is located only within the CMP

Reducing Bias in Policy Content
1. Incorporate an equity lens into every internal and external document moving forward, even if it appears duplicative
    a. Address the commitment to equity within a dedicated section in each plan
    b. Restate and reinforce the importance of equity throughout policies within each document
2. Include more purposeful, defined language when writing policy on topics such as affordable housing, as there is a greater likelihood of implementation and more equitable outcomes
    a. Write policy to be actively equitable and anti-racist, not neutral
    b. Area Plan language should explicitly support the goals of the Comprehensive Master Plan policies
3. Develop benchmarks to assess policy outcomes over time
    a. It is not enough to just add unbiased language, but make sure it is leading to equitable results in the community
    b. Conduct Equity Impact Assessments and utilize tools to ensure outcomes support all members of the community
        i. Utilize the Identifying Opportunities to Advance Equity and Reduce Bias Worksheet to audit future Area Plan updates
        ii. Utilize the Area Plan Toolkit to audit future Area Plan updates
4. Host internal workshops for staff to better understand the prevalence of implicit bias and how it can affect individuals personally and professionally
    a. Partner with community groups to build community capacity and hear from different perspectives about important local issues