Neighborhoods: What Exactly Are We Defending?

Representation, Race, and Land-use Politics in Santa Cruz

CMMU 107 Capstone by John Jezek

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Introduction

> *"Loud voices that talk for ten hours at planning commission do not represent the community" -Iman Novin (Field Notes, 10/28/2021).*

During my time working for the Planning and Community Development Department at the City of Santa Cruz (PCDD), I noticed that small community groups have significant leverage over land-use decisions. Often, they successfully organize to combat multi-family housing proposals like apartment complexes. This phenomena prompted me to consider the research question for this essay:

> *How have unrepresentative groups of Santa Cruz residents gained leverage in land-use politics and how do they use this institutional power to oppose residential (re)development proposals?*

What I have found is that 20th century land-use policies have restricted the location and density of which housing can get built within Santa Cruz city limits, setting the stage for high density development proposals being placed adjacent to single family neighborhoods. This policy outcome strongly motivates residents of single family neighborhoods to show up at public meetings in opposition to new, dense development. Drawing from Einstein et al's eponymous theory, I classify this unrepresentative community as Neighborhood Defenders and demonstrate that this local phenomena is a reflection of nationwide trends in which small groups attempt to modify, delay, or deny multi-family housing proposals via public processes like City Council meetings. Also, Santa Cruz Neighborhood Defenders fit within national demographic trends; they are likely to be older, whiter, wealthy, and homeowners. Working with this categorization, I then outline how the structure of public meetings pose systemic barriers to equal representation such as biased meeting times, unreliable meeting agendas, technocratic language, and intimidation. I demonstrate how these factors simultaneously privilege Neighborhood Defenders and marginalize low-income and non-homeowner communities. To end the essay, I explore the ways in which Neighborhood Defenders use this institutional power to combat new multi-family housing with two development proposal case studies: 831 Water Street and 1930 Ocean Street Extension. Specifically, I draw from Leif Christian Jensen's concept of discourse co-optation and illustrate how Neighborhood Defenders rework the logics of systemic racism and environmentalism to block dense housing near their neighborhoods.

Overall, navigating land-use politics in Santa Cruz is a herculean task. This essay demonstrates that those with the time, entitlement, and privilege to participate in public meetings usually uphold institutional viewpoints and defend their wealthy, white, single family neighborhoods.

Field Study Location

I had my field study with the Planning and Community Development Department of the City of Santa Cruz (PCDD). They are responsible for creating long-range plans which dictate future development patterns within the city, navigating the legal procedures of development, and gathering community input about land-use decisions. I primarily worked with the Advance Planning Division which amends zoning regulations to conform with the (often contradictory) values held by state law, social organizations, and city residents.

Methods

While the bulk of my essay revolves around Neighborhood Defenders, I only briefly engaged with them during public meetings or in email correspondence. My findings about this group are mostly derived from staff interviews, academic journals, and news articles.

At its core, this is an ethnographic essay where I illustrate the power that small community groups have over land-use decisions in Santa Cruz. These insights were gleaned from four staff members of the PCDD: Sarah Neuse, Matthew VanHua, Eric Marlatt, and Lee Butler. After they consented to being recorded, I conducted hour-long

interviews with each participant. I asked each staff member the same questions in the same order. Afterwards, I wrote down each transcript verbatim; this was the raw material for a majority of the qualitative data throughout the paper.

Afterwards, I found academic articles that are in conversation with topics discussed during the interviews. I supplemented these with meeting minutes and news articles which describe the political trajectory of two current multi-family development proposals: 831 Water Street and 1930 Ocean Street Extension. These case studies serve to ground theoretical ideas about land-use decisions in concrete, local examples.

Race and Space: Redlining in Santa Cruz

In this section, I will outline an expired federal land-use policy called redlining and show how it racially segregated Santa Cruz in the 20th century. I will then argue that this form of housing segregation still exists within the City today; white families predominantly live in single family neighborhoods while families of color tend to live in multi-family housing.

Starting in 1934, The Federal Housing Administration (FHA) created policies like the self-amortizing mortgage and the 'FHA Underwriting Manual' which incentivized the creation of single family home neighborhoods in the periphery of urban centers. After 25 years of operation, these programs helped 5 million families own a home and raised the percentage of American families who have owner-occupied homes from 45 to 62 percent (Jackson, 1980, p. 428). The FHA made great strides in providing middle class families the opportunity to create generational wealth and financial security through homeownership.

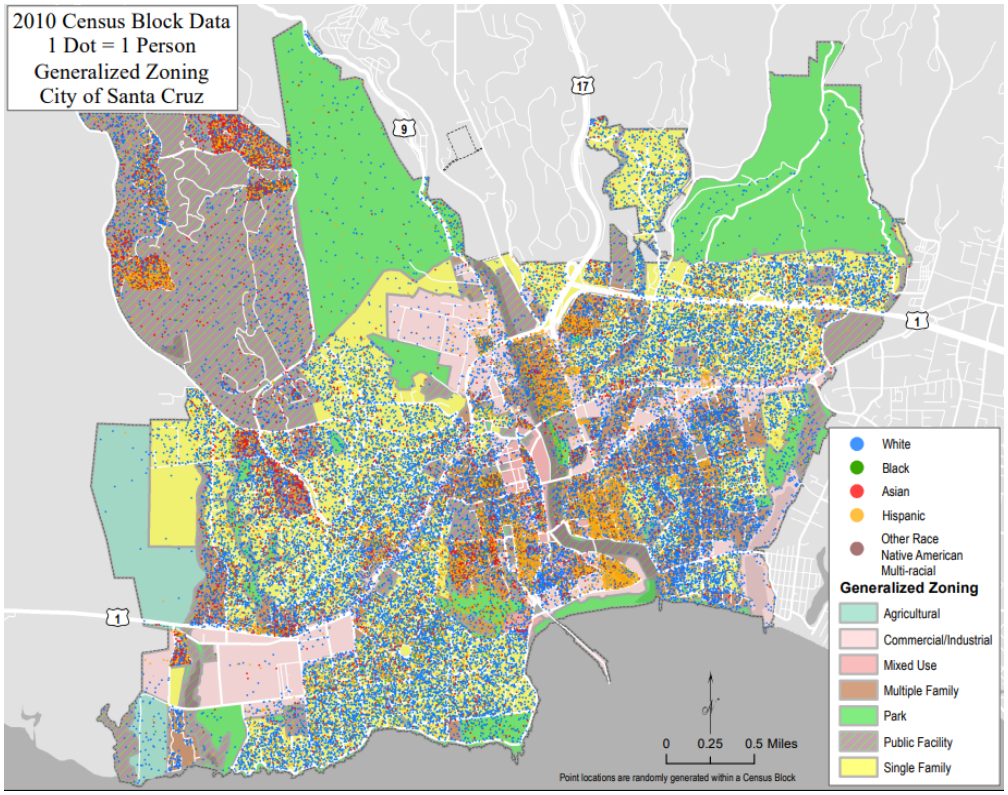
However, this opportunity was not equally accessible. Families could only secure federally backed self-amortizing mortgages if their neighborhoods ranked highly according to eight FHA categories. Two categories, ‘economic stability’ and ‘protection from adverse influences’, “were interpreted in ways that were prejudicial against heterogeneous and urbane environments” (Jackson, 1980, p. 430). In effect, this means that all neighborhoods with a mixed racial composition were perceived to have low investment value. To reflect this, the FHA created maps which zoned individual neighborhoods by marking their investment potential and economic stability. White neighborhoods often received the highest safety score for investment while jewish, black, and heterogeneous neighborhoods received lower scores. This practice spurred the term ‘redlining’ which is the process of segregating demographics by assigning discriminatory land use and land value designations.

The FHA’s practice of redlining primarily gave white families the opportunity to secure a self-amortizing mortgage and move away from urban areas to the suburbs. Families of color were often denied from receiving the same mortgage and, as a result, stayed in urban areas. The FHA predicted (and financially enabled) this “white flight” in a 1939 statement about Washington D.C.:

> *“It should be noted in this connection that the "filtering-up" process, and the tendency of Negroes to congregate in the District, taken together, logically point to a situation where eventually the District will be populated by Negroes and the suburban areas in Maryland and Virginia by while families” (Federal Housing Administration, 1939, pg. 49)*

This practice continued until 1968 when the Fair Housing Act passed. However, 34 years of legal mortgage discrimination still exists within America's built environment today. 'Safe' suburban neighborhoods composed of single family homes, which were originally intended as an escape from the racially heterogeneous and 'congested' urban centers, are still the status quo in many cities and towns across America.

In fact, these patterns of segregation still exist within Santa Cruz today. City staff used Geographic Information Systems (GIS) software to produce a map which plots race and population density on top of federally recognized tracts of land called Census Blocks (Meyburg-Guzman, 2021a; Westfall, n.d.):



This map shows that the FHA's process of 'filtering-up' white families into single family neighborhoods while leaving families of color in dense, urban areas still holds

true 42 years after the policy was officially ended by the Fair Housing Act of 1968. Discriminatory federal policies enacted decades ago still impact the social, spatial, and political environment of Santa Cruz today.

Santa Cruz's Greenbelt

20th century local policies also impact the social, spatial, and political environment of Santa Cruz today. In March 1979, The City of Santa Cruz passed Measure O. This law implemented new policies regarding urban sprawl and population growth (Planning and Community Development Department, 1979). Among other things, it made "development in more than 1,500 acres of "green" open space untenable by preventing the city from extending urban services such as sewer pipes, water lines, and roads into specified undeveloped open space such as the Pogonip, DeLaveaga Park, Arana Gulch, and the now renamed Moore Creek Preserve" (York, 2019). Further, Measure O prevents sewage lines from entering into county controlled neighborhoods like Pasatiempo and East Glen Canyon, precluding the development of dense housing like condos and apartment complexes in those areas. As a result, this Urban Growth Boundary (UGB) barred the City of Santa Cruz's ability to sprawl into adjacent open space or county controlled single-family neighborhoods. Measure O forces new Santa Cruz housing developments to go 'up' instead of 'out', concentrating a lot of housing density on what little land is available for redevelopment already within the city.

An Unlikely Outcome: Combining Redlining and Measure O

The combined processes of Redlining and Measure O have ironically empowered Santa Cruz homeowners and their preservation of low density, single-family neighborhoods. Candace Brown, a Santa Cruz homeowner stated this in a local newspaper:

> "The reason why so many people are against the corridors [*housing density*] also is that you're taking urban threads, very dense urban threads, and putting it within 10 to 20 feet of single-family homes. You don't see that downtown. You see service streets, you see parking lots, and then you see it kind of slowly enter into the neighborhood areas" (Meyburg-Guzman, 2021a).

Since there is no more greenspace to develop multi-family housing, these denser, taller forms of housing must be planned along arterial streets like Mission, Soquel, and Water which directly border existing single family neighborhoods. Contrary to Candace Brown's solution, it is difficult to taper density and height into single family neighborhoods because they are already built out to the arterial streets and changing their zoning would involve a long political process that doesn't guarantee redevelopment.

This change in development pattern towards higher density housing challenges the existing community character of these single family neighborhoods; the low-density communities in which their families have lived, perhaps for multiple generations, are perpetually the brink of change due to the chronic undersupply of housing in California

and their refusal to meaningfully address it at the local level. I argue that these neighborhoods, empowered by the lingering effects of 20th century policy and angered by the potential change in their community's character, become politically activated by nearby multi-family housing proposals. Further, they have the disposition, institutional backing, and leverage to show up to public meetings and effectively oppose multi-family housing proposals in Santa Cruz, even amidst a California housing crisis which has reached its boiling point.

Neighborhood Defenders

Redlining and Measure O set the stage for multi-family housing proposals being placed next to white, wealthy neighborhoods in the City of Santa Cruz. Today, it is public meetings where these neighborhoods and their histories of segregation are preserved. Public meetings enable privileged residents to politically posture at length and evaporate time for other viewpoints. Einstein, Glick and Palmer define this portion of the community as Neighborhood Defenders; they are "motivated residents who show up at meetings to oppose new housing and zoning changes… (and) use their privileged status as current members of a community to prevent new housing, and thus close its doors to prospective new members" (2018, pg. 4). Throughout America, they often are older, whiter, wealthier, and more likely to own property (Einstein, Glick and Palmer, 2019, pg. 164). These national participation trends are easily corroborated within the Santa Cruz community. During my field study, I conducted four interviews with city planning staff and asked them:

> “Do you believe a representative portion of Santa Cruz residents show up to city council, planning commission, or community meetings regarding land-use politics? If not, what disproportionate demographic shows up?”

All four staff members indicated that there is a small, unrepresentative community of Santa Cruz residents who continually show up at public meetings and voice opposition towards residential development projects. Three of them indicated that participation skews towards older and retired demographics. Two staff members stated the categories white, home-owning, english speaking, and wealthy were overrepresented in local land-use politics. Whereas the city planning staff called these residents ‘frequent flyers’, I will use the term ‘Neighborhood Defenders’ in order to demonstrate that this Santa Cruz phenomena is part of a national movement which seeks to modify, delay, and deny housing proposals within their respective cities.

Throughout the rest of this essay, I will detail how Neighborhood Defenders are systemically overrepresented by the structure of public meetings and how they use that leverage to combat housing proposals within Santa Cruz.

Barriers to Representation at Public Meetings

In this section, I will outline four systemic barriers to equitable representation at local public meetings: biased meeting times, unreliable meeting agendas, professionalized language, and intimidation. These factors create a process which simultaneously privileges the voices of Neighborhood Defenders and discourages participation from low-income or non-homeowner communities.

First, participating in community meetings or public hearings at any time in the day comes with the opportunity cost of missing work, time with children, and leisure. Here's an outline of when public meetings are held:

- Regular Santa Cruz City Council (CC) meetings start at 9am every other Tuesday
- Special City Council meetings start no later than 5pm on weekdays
- Planning Commission (PC) meetings are held at 7pm every other Thursday
- Community meetings are held after 6pm on weekdays or before evening on Saturday

Residents of Santa Cruz may want to participate in land-use politics but have work schedules or commutes which physically preclude most opportunities to attend these meetings.

Additionally, public hearings have agendas, which are set items to be discussed chronologically throughout a meeting. No two public hearings are topically the same and the items which are agendized play a crucial role in determining the length of both singular items and public hearings in general; controversial topics will lengthen item times with detailed staff presentations, hearing body deliberation, failed motions, and extensive public discussion. For example, at the October 21st, 2021 Planning Commission meeting, there were two items on the agenda:

1. A recommendation of action for a five-story residential project at 130 Center which will contain 233 Single Room Occupancy units
2. A proposal to update the Small Housing Units code in the Zoning Ordinance.

The residential project was first on the agenda and took three hours of public comment, real estate developer negotiation, commission deliberation, and motioning to reach the final decision of recommendation of approval to City Council. That means a member of the community would have to arrive at the Planning Commission meeting at 7pm and wait until 10pm before even getting a chance to discuss questions, concerns, or comments about the proposed changes to the Small Housing Units code. Further, although the item was agendized, the Planning Commission voted to continue the second item to an unspecified date without public comment due to the length of the first item and the desire to hear information regarding other development projects in the City. Waiting three hours to speak about an agendized item and then being barred from doing so directly discourages residents who do not have an abundance of time from participating in public forums for land-use politics.

To add more barriers, the PCDD Director, Lee Butler, said in an interview that an increase in income level is correlated with the ability for residents to have a standard 9am-5pm work schedule, more flexible hours, and the ability to pay for after-school childcare (Field Notes, 11/9/2021). Thus, having a higher income presents more opportunities for motivated residents to show up, wait, and voice their opinions to hearing bodies and public forums. On the flip side, lower income residents are discouraged from participating in the public process for those same reasons; most meetings happen at a time when low-income residents cannot usually attend and, in the event that they do attend, there's a chance that their item will be delayed by protracted items or will be continued altogether. As a result of this systemic practice, feedback generated by the community in public forums is skewed towards specific demographics

which scholars and multiple staff of the PCDD describe as older, whiter, homeowners, and wealthy (Einstein, Glick and Palmer, 2019, pg. 164). Sullivan offers a similar perspective which focuses on communities left out:

> *"There is credence to the charge that existing public participation systems are too traditional and elitist— too dominated by older white persons, too oriented toward the existing arrangement of land uses, and too resistant to change— to accommodate the needs of everyone. While there may be little overt discrimination against those who are younger, are darker, or maintain less traditional lifestyles and orientations, the centripetal forces that dominate existing public participatory organizations make it difficult to accommodate change" (2020, pg. 9).*

Language is another factor that can discourage residents from participating in public processes. Arthur Lupia and Anne Norton famously state "When communication and language are in the room, so are inequality and coercion." (2017, pg. 66). They argue that existing political discourse is informed and strengthened by the use of sophisticated language which, in turn, shapes the focus of a public meeting. Referencing laws like the Housing Accountability Act, the California Environmental Quality Act, Density Bonus, the 2030 General Plan, and the Zoning Ordinance are necessary to guide useful discussions about Santa Cruz land use politics; however, these legal documents require a professional, historical, and context driven vocabulary to accurately and quickly convey concepts in public meetings. I would argue that most

residents of Santa Cruz do not have the requisite skill set and vocabulary to feel confident stating their valid opinions about land use decisions in their city. From an epistemology standpoint, public meetings generate and uphold institutional viewpoints predicated on the inaccessibility and professionalization of acceptable language; those with the time and resources to learn the vernacular of city planning will have their voices overrepresented.

Separately, in an interview with the Assistant Director of the PCDD, I asked how language can be used as a tool of intimidation to limit the ideas and opinions represented in hearing body meetings. He said:

> *"There's an intimidation factor in showing up to public hearings. You get people who can be out of line (when) they don't agree with the speaker. They hiss and boo despite any effort by the chair (to stop it). That in itself limits the range of voices and opinions that get expressed during public hearings. If you're a supporter of a (residential) project and you want more affordable housing and more density… and you've got passionate neighbors who will boo and hiss at you… why would you show up at a meeting?" (Field Notes, 11/2/2021)*

The majority of residents who attend public hearings about land-use "enthusiastically oppose" new residential development projects (Einstein, Glick and Palmer, 2019, pg. 95). As a result, there is an element of social pressure which discourages residents from voicing approval of new development projects in their neighborhoods. Unless a community member has resolute 'pro-housing' convictions or

an organizational backing, it is unlikely they will attend and speak in favor of local residential projects.

Inequitable Systems bring Inequitable Outcomes

Overall, the nature of public meetings in Santa Cruz encourages local staff and politicians to consistently hear from a narrow and unrepresentative segment of the population based upon the intersection of their race, class, age, and homeownership status. Why is this important to recognize? For one, it's the decision maker's job at the City Council level to respond to their constituents. Bruce Cain goes one step further acknowledging that "being responsive to the crowd that shows up exacerbates a tendency in representative government to be more attentive to those defending concentrated benefits and costs than the more dispersed interests of the general public" (2014, p. 61). Therefore, the sheer volume of anti-housing sentiments that local leaders and staff hear from an unrepresentative portion of their community likely affects their decision making process in ways that concentrate benefits to members of the community who are already privileged in Santa Cruz, i.e. demographics which are older, whiter, homeowners, and highly educated (Fulton & Shigley, 2018, pg. 13). This concentration of benefit in the City of Santa Cruz is evidenced by:

- Measure O which, in addition to creating the UGB, legally throttled residential development to no more than 1.4% per year from 1979 to 1990 (Planning and Community Development Department, 1979).
- General Plan Amendments which downzoned the density of many residential areas to the benefit of single family homeowners (Jezek, 2021, p. 1-4).

- Necessary multi-family development proposals being delayed in the courts, modified to reduce the amount of residential units, or denied altogether (See next three sections).

Secondly, it's important to recognize that local public meetings systemically favor unrepresentative groups because an unclear understanding of a problem can create solutions which create more inequality and harm. For example, efforts to increase community turnout for local public hearings via 'Get Out The Vote' (GOTV) strategies actually "increased participatory inequalities by turning out individuals who are already over-represented in politics" (Einstein, Glick, and Palmer, 2019, p. 160; Enos, Fowler, Vavreck, 2014). GOTV and similar campaigns which aim to increase participation in local politics do not change the systemic conditions of public hearings themselves which are timed inconveniently for low-income workers, contain protracted agendas, use technocratic language, and allow social pressure through intimidation; instead, these strategies serve to enable privileged community members to further overrepresent their slice of the community. These blanket campaigns fail to recognize that awareness of local politics isn't the limiting factor in representative participation; rather, its systemic barriers which economically and socially preclude such participation in the first place. Therefore, an accurate identification of local participatory problems is necessary to both propose changes which meaningfully address systemic conditions of the City of Santa Cruz land-use politics and to prevent future harm from well-intentioned missions.

Inconvenient meeting times, protracted agenda items, professionalized language, and intimidation are systemic barriers to representation at Santa Cruz public meetings

which discourage low-income or prospective residents from stating their opinions about land-use politics while simultaneously enabling Neighborhood Defenders to protect their concentrated benefits, like single family neighborhoods. In the final sections of this paper, I will detail how Neighborhood Defenders use this leverage to successfully combat multi-family housing proposals.

Discourse Co-optation

Within Santa Cruz public meetings, I argue that Neighborhood Defenders use discourse co-optation in order to modify, delay, or deny housing proposals in Santa Cruz. Leif Christian Jensen defines this process as “how one discourse ‘burrows into the heart’ of a counter-discourse, turns its logic upside down, and it is put to work to re-establish hegemony and re-gain political support” (Jenson, 2012, p. 29). Essentially, discourse co-optation acts to rework the logic of contemporary belief systems in order to achieve an end which both benefits the co-optor and undermines the original movement’s goals. In the next two sections, I’ll give examples of how Santa Cruz Neighborhood Defenders propagate anti-housing sentiments through the lenses of systemic racism and environmentalism.

Co-optation of Systemic Racism

In this section, I will describe what systemic racism is and then show how it has been co-opted by Neighborhood Defenders in public meetings in an attempt to preserve low density, single family neighborhoods. I’d also like to acknowledge that this is a

nuanced and delicate topic; I will navigate this section with recognition and respect other viewpoints.

Bravemen et al. defines systemic racism as “a form of racism that… (is) pervasively and deeply embedded in and throughout systems, laws, written or unwritten policies, entrenched practices, and established beliefs and attitudes that produce, condone, and perpetuate widespread unfair treatment of people of color”. Further systemic racism “reflects both ongoing and historical injustices” (Bravemen et al., 2022, 171-172). This form of racism occurs at the institutional and cultural levels in ways that harm people of color through implicit, discriminatory processes. In Santa Cruz today, an effect of systemic racism is the segregated single family neighborhoods across the city. The combined policies of Redlining and Measure O have created historical injustices of racial spatiality which persist into the present. I argue that Neighborhood Defenders co-opt systemic racism and ignore Santa Cruz’s segregated history in an attempt to ironically perpetuate historic racial injustices throughout the city. I’ll support my claim with an analysis of a controversial housing proposal.

831 Water Street is a proposed residential multi-family development which directly borders an eastside neighborhood in Santa Cruz. This apartment complex, proposed by Novin Development, intends to build over a hundred units of housing across two buildings. The first building will likely be five stories tall and contain only market rate units. Market rate units are not rent restricted; their prices are determined by the property owner. The second building will likely be four stories and contain roughly 70 affordable units. This number can slightly fluctuate depending on how much federal and state money the developer can secure to subsidize the affordable units. These units

will be rent restricted and only given to residents who make less than eighty percent of the Santa Cruz area median income. Although the market rate and affordable buildings are partially separated, they are still connected by above ground walkways and an underground parking lot. Additionally, all common areas, like the rooftop lounges, will be open to residents of both buildings.

Usually, the City of Santa Cruz enforces that affordable and market rate units must be mixed equally within all buildings of a development. However, the developer applied under California Senate Bill 35 (SB 35) which supersedes this zoning requirement if:

- Federal tax credits, which mandate a separation of market rate and affordable buildings, are needed to subsidize the production of affordable units; and
- The city hasn't met their Regional Housing Needs Allocation (RHNA) numbers, i.e. the city hasn't produced enough affordable housing over an eight year span.

Lastly, a feature of the SB 35 application is that multifamily housing developments must be approved if they meet predetermined objective standards outlined in the city's zoning code. A decision to approve or deny a project cannot be made based on the City Council's subjective discretion from community input.

831 Water Street was brought to the City Council on October 12th, 2021 and planning staff produced a report which showed that the project was consistent with Santa Cruz's objective standards and SB 35. Yet, the application was denied on a six to one vote. Council cited a main reason for their denial was that "city law states that affordable units must be distributed throughout the project. The proposal called for all 71

affordable units in one building and the market-rate units in the other" (Meyberg-Guzman, 2021b). I argue that Neighborhood Defenders pressured the City Council so much that they broke state law in order to appease a vocal, unrepresentative community constituency.

These Neighborhood Defenders successfully rallied to oppose the project under the argument that separating the market rate and affordable buildings is an act of racial discrimination and redlining. Putting all of the affordable units in one building creates de facto segregation; the affordable building will have mostly people of color while the market rate building will have mostly white people. This argument, while reductive, holds weight. Families of color are more likely to be dependent on affordable housing than white families across the nation (NLIHC, 2012, pg. 3). Further, the majority of people of color in Santa Cruz are concentrated within multi-family developments.

I can empathize with this argument as it does correctly point out that separating the building uses will create a degree of racial exclusion. From my positionality as a white man who grew up in a racially homogenous suburb, I am unable to comprehend the emotional and historical trauma that people of color face when they live in an affordable housing development directly adjacent to a market rate one. While this isn't the scope of my essay, I acknowledge that development spurs not only a change in the physical environment, but also in mental and social environments.

Even though 831 Water Street does have a strong possibility to racially stratify housing, I argue that Neighborhood Defenders oversold this point to the City Council in order to block *all* multi-family housing from developing adjacent to their low density, single family community. For the remainder of this section, I will explain how their

ideation of systemic racism acts as a tool of neighborhood preservation rather than an acknowledgement of historical and ongoing injustices present in Santa Cruz today.

Refusing to build new affordable multi-family housing in an area which is historically exclusionary is the most discriminatory land-use option; it preserves the status quo by perpetuating the damage of 20th century low density suburbanization and its lengthy history of racial exclusion. How can Neighborhood Defenders talk about segregation when their single family neighborhoods already stand to exclude low income families, who on average are of color? (Wilson, 2020). Therefore, when Neighborhood Defenders suggest that the separated affordable and market rate buildings are an act of segregation in Santa Cruz, I argue the opposite. Affordable units are being injected into a historically exclusionary neighborhood. This project creates truly affordable housing for approximately 70 low-income residents; denying it creates zero. The more equitable option is to create space for disadvantaged communities, not to bar them from entry.

So, 831 Water Street is a step in the right direction while we petition for the government to amend federal housing policy in order to allow affordable units to mix within market rate buildings while still being able to qualify for critical funding such as federal tax credits. But we can't wait for perfect policy in order to start undoing the historic racial injustices in housing in Santa Cruz. Nor should we believe the Neighborhood Defenders when they claim that multi-family housing creates *more* segregation within a single family neighborhood.

In the end, the 831 Water Street project is not a perfect proposal but it is a large increase of guaranteed affordable housing in the neighborhood. For this reason, I argue

that Neighborhood Defenders do not actually care about increasing equity and addressing systemic racism in their neighborhood, otherwise they would have likely voiced approval of the project. Instead, they have co-opted systemic racism as a tool to ironically block multi-family developments in their community, bolstering the pre-existing racial disparities of housing in Santa Cruz.

On the bright side, I am happy to state that the City Council realized their mistake, after the looming threat of lawsuits, and reconvened twice after their initial denial of 831 Water Street. With split votes, Councilmembers decided to reconsider and then approve the project.

Co-optation of Environmentalism

Neighborhood Defenders consistently use the California Environmental Quality Act (CEQA) to oppose multi-family developments. In this section, I will define CEQA, outline its criticisms, and apply them to an ongoing CEQA lawsuit in Santa Cruz.

The California Environmental Quality Act (CEQA) is a piece of legislation passed in 1970 which created statewide environmental protection procedures. It “requires that state and local agencies disclose and evaluate the significant environmental impacts of proposed projects and adopt all feasible measures to mitigate those impacts” (Harris, 2011). In order of increasing costs, developers must choose one of these four options to have a development project considered for approval:

- Identify a categorical or statutory exemption.
- Prepare an initial study and make a negative declaration of significant environmental impacts.

- Prepare an initial study and make a mitigated negative declaration which reduces environmental impacts inherent to the development of the project.
- Prepare an Environmental Impact Report (EIR) which is a lengthy document that outlines all significant environmental impacts, provides mitigation measures to the current project, and provides feasible alternative projects which "avoid or substantially lessen" the stated impacts of the current development proposal (*California Environmental Quality Act, 2022*). For example, the UC Santa Cruz Long Range Development Plan's EIR is 780 pages long and identifies 18 significant impacts (Mundhenk, 2021, p. i).

The intention of these policies is to provide the community with ample information about the significant environmental impacts of a development proposal as well as to provide a clear pathway for citizens to litigate development proposals which ignore them. Therefore, CEQA provides a legal process for communities to stand up against real estate developers which have historically trampled communities and ecosystems in favor of profit (Fulton & Shigley, 2018, pg. 171). With these tools, citizens have closed the political gap against developers; citizen enforcement of CEQA procedures is one of the best methods to successfully litigate development proposals for community ends (Fulton & Shigley, 2018, p. 100; Hernandez, 2018, p. 21).

This aspect of citizen enforcement also makes CEQA a "golden cow" for delaying housing developments in California. Jennifer Hernandez argues that "lawsuits under the California Environmental Quality Act (CEQA) seeking to block or delay development are commonplace and potentially significant contributors to the state's housing crisis"

(Hernandez, 2018, p. 71-72). Beyond that, Hernandez found that the enforcement of CEQA procedures is often not used to assess the true environmental impacts of a project but rather to reinforce secondary agendas like NIMBYism (Not In My Backyard) to combat development projects which "would diversify communities by serving members of other races and economic classes" (Hernandez, 2018, pg. 22). Matthew VanHua, a principal planner at the City of Santa Cruz, bolsters this claim during an interview I conducted with him:

> *"There's people now who use environmentalism to be against housing. That's especially common in white and progressive communities… because it looks better. Instead of just saying no to housing you're saying yes to the environment." (Field Notes, 11/15/2021)*

Essentially, Neighborhood Defenders have co-opted CEQA in order to politically legitimize exclusionary housing practices. I'll walk through a recent multi-family housing proposal in a Santa Cruz single family neighborhood to support my claim.

1930 Ocean Street Extension is a large plot of land located next to the Santa Cruz Cemetery and within an existing neighborhood. A Soquel-based business called 'Rowell and Moe' bought this plot in 2007 with intentions to develop it into a 40 unit apartment complex. Given that this is a sizable change in land-use, the developers produced an Environmental Impact Report. During this process, the business collected over 100 comments about potential environmental impacts from neighbors. Rowell and Moe spent up to 9 years responding to the EIR and these comments through various

mitigation efforts like arborist reports and geologic studies. In 2018, the apartment complex was proposed in front of the Santa Cruz City Council; it was approved but only after further mitigation efforts such as reducing the total unit count from 40 to 32. Within a month, the Ocean Street Extension Neighborhood Association (OSENA) sued the City of Santa Cruz arguing that CEQA was violated because the EIR failed to "adequately analyze the cumulative impacts of the proposed development and failed to respond to many of the comments from neighbors in the report drafting process" (Green, 2018). As of February 2022, 1930 Ocean Street Extension is still in litigation from OSENA, 15 years after the initial purchase of the property; the project has won initial victories in the courts but the land remains untouched.

This apartment complex is infill development. According to the California Governer's Office of Planning and Research (OPR), this means that it's a development "within unused and underutilized lands within existing development patterns, typically but not exclusively in urban areas" (OPR, 2022). The OPR states that this type of development is beneficial because it often centralizes development within pre-existing urban centers which:

1. Reduces greenhouse gas emissions and improves regional air quality by reducing the distance people need to travel.
2. Reduces conversion of agricultural land sensitive habitat and open space for new development.
3. Reduces costs to build and maintain expensive infrastructure. (OPR, 2022)

Infill development has become a standard practice for environmentally conscious development across the nation (McConnell & Wiley, 2010, pg. 2-3). Additionally, Rowell and Moe have included multiple environmental impact mitigation efforts into the 1930 Ocean Street Extension project including reducing the overall density of the project by twenty percent. Therefore, I argue that OSENA and its lawyers are not using CEQA on behalf of the environment but rather to combat multi-family housing in their neighborhood. Santa Cruz Neighborhood Defenders use this piece of environmental legislation as a discursive tool to co-opt environmentalism for the ulterior purposes of maintaining the status quo of low density, single family neighborhoods at the expense of future residents and the interests of diversifying communities to serve “members of other races and economic classes” (Hernandez, 2018, p. 22).

Looking at the broader picture, OSENA aligns with the statewide use of CEQA citizen enforcement: 4 out of 5 CEQA lawsuits target “infill projects in existing communities” (Hernandez, 2018, pg. 28). Therefore, Santa Cruz Neighborhood Defenders have not created a unique form of discourse co-optation to combat development projects; instead, they are participating in a broader statewide political movement which uses CEQA for ulterior ends which almost certainly contributes to the California housing crisis.

Conclusion

In this essay, I’ve shown that historic redlining practices have created a racial divide in Santa Cruz where the white community lives mostly in single family homes whereas people of color live mostly in multi-family developments in the urban areas of

town. As of 2010 demographic data, this trend holds true 42 years after redlining was made illegal by the Fair Housing Act. I also explained that the City of Santa Cruz's Measure O limits the areas of which dense multi-family housing can be developed via an Urban Growth Boundary, forcing this type of development to go 'up' instead of 'out'. The combination of these policies forces developers to propose dense multi-family housing adjacent to single family neighborhoods in Santa Cruz.

Such an abrupt shift to the character of these single family neighborhoods causes the community to politically activate. These activated residents, whom I call Neighborhood Defenders, use their status as members of a privileged community to modify, delay, or deny multi-family housing proposals near their single family neighborhoods. Nationally, Neighborhood Defenders lean towards older, whiter, wealthier, and home-owning demographics. Santa Cruz planning staff generally agreed with these categorizations during interviews I conducted with them.

Whereas redlining set a legal precedent for the segregation of races historically, I claim that public meetings currently have the mechanisms which preserve single family neighorhoods and perpetuate their discriminatory racial spatiality. The standard procedures and culture of Santa Cruz public meetings like biased meeting times, unreliable meeting agendas, professionalized language, and intimidation simultaneously privilege the voices of Neighborhood Defenders and discourage participation from low-income and non-homeowner communities. With this uneven distribution of power, Neighborhood Defenders use discourse co-optation at public meetings in order to dually undermine the tenets of systemic racism and environmentalism and rework their logics to oppose equitable multi-family housing development proposals.

So, what are the consequences of Neighborhood Defense actions? I argue that, regardless of their intentions, blocking the development of multi-family housing near single family neighborhoods preserves the racial stratification which redlining imposed upon the physical environment of Santa Cruz. These Neighborhood Defenders, whether they acknowledge it or not, are maintaining the systems of white hegemony that have continually barred people of color from entering their communities.

Any political group which wishes to alleviate the racial and economic injustices embedded in American housing policy must recognize that local public meetings are a force which maintains a concentration of benefits for single family neighborhoods and their privileged residents. Looking forward, it is worthwhile to explore modifying the structure of public meetings and their outreach policies in order to create a place for transformative change, equal representation, and justice.

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