

APA CALIFORNIA NEWS

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Complete Streets

Submissions due Dec. 11, see P3 for details

American Planning Association
California Chapter

Making Great Communities Happen

CALIFORNIA PLANNER

Planning News & Updates from APA California

Washington Street, San Francisco. Source: Flickr

MARC YEGER | VP-Public Information

Affordable Housing in California

With the ink barely dry on Governor Jerry Brown's signature on 15 housing bills in September, coming right on the heels of an extensive legislative session that introduced nearly 10 times as many bills, APA California is leveraging this opportunity to highlight one of the most difficult and contentious issues facing the planning profession. Arguably, planning for housing while navigating a multitude of political landmines in any California community is enough cause for any planner to retreat to the nearest cave.

To be clear, the housing shortage is largely one of affordability, and one ironically created by planning profession. That's right, the profession is a victim of its own success. Effective community planning over the past decades, especially in metropolitan areas, has inadvertently created a demand that is largely economically out of reach for many. This issue of the *CalPlanner* explores a few of the housing complexities and challenges at play.

Setting aside the aforementioned affordability issue, the housing supply in the North Bay of the San Francisco Metropolitan Area is now considerably strained as a result of the most destructive series wildfires in the history of California. Some estimates put the number of structures destroyed at nearly 9,000, with the majority of the losses being housing. As a result, we have included information on how you can contribute and assist in the recovery. This and much more can be found inside this issue.

As usual, we welcome your suggestions or comments about the *CalPlanner* or any other communications effort. Happy Reading. **MY**

FEATURE | Lisa Wise, AICP

Planning Considerations for Short-Term Rentals in California Jurisdictions

Short-term rental (STR) online services such as Airbnb, Homeaway, and VRBO enable individuals to rent out property as temporary lodging, a Digital-Age take on employing resources and fulfilling needs.

Components of the "sharing economy" which have burst on the scene in the last 10 years (Homeaway founded 2005, Airbnb founded 2008), STRs have pushed local governments to consider the costs and benefits, largely in response to neighborhood complaints.¹ Many local governments are exploring the best course of action, but quantitative data is limited and inconsistent since STRs are a relatively new.

The sharing economy is simultaneously a corporate and grassroots phenomenon. Internet startups, as well as individual "sellers" and "buyers" will contribute to an estimated increase in industry profits from \$15 billion in 2014 to \$335 billion in 2025.² In the past, renting apartments, automobiles, or even power tools was difficult given constraints in sharing information and high transaction costs.³ Online platforms (e.g., Airbnb), eliminated many of those hurdles, opening income opportunities for property owners. As of August 2017, Airbnb boasted 660,000 listings in the United States, and 4 million listings worldwide, more than the top five hotel brands combined.⁴ However, the access, amount, and frequency of activity in the sharing economy have raised

concerns and presented challenges to local governments, established industries, and neighborhood residents.

In 2016, Lisa Wise Consulting, Inc. (LWC) was tasked with analyzing the impacts of STRs in Marin County. With a population of approximately 260,000, Marin has one of the smallest Bay Area county populations, and is considered the most affluent with a median household income of \$93,257.⁵ Marin County is a scenic, tourist-oriented coastal area, which generates considerable STR activity. In 2014, LWC was engaged by the City of Ojai to conduct similar research. Ojai is also a scenic, rural community with a strong tourism industry and, while much smaller than Marin

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Bayglow Cottage, Point Reyes, Marin County. Source: airBnB



INSIDE...

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YES to Affordable Housing, But Not on My Block

Los Angeles County voters have spoken, but will they support housing when it is next door? Here's how we can maintain the narrative in support of affordable housing.

Recently voters in Los Angeles County voted in favor of affordable housing and ending homelessness, while voters in the Cities of Los Angeles and Santa Monica rejected measures which would have limited or restricted new development. But will voters continue to support housing when it is proposed in their neighborhood or on their block? Enterprise Community Partners in collaboration with the FrameWorks Institute has studied why affordable housing messages fail and offers 10 ways for maintaining the narrative and building local support.

Earlier this year, voters in the City of Los Angeles passed Measure HHH, a 1.2 billion bond measure for affordable housing, by more than 76 percent of the vote. At the same time throughout Los Angeles County, Measure H was approved, establishing a one-quarter percent (0.25%) increase in countywide sales tax expected to generate \$355 million a year for 10 years for enhanced homelessness services and encouraging innovative housing strategies aimed at reducing per unit development costs and construction time. Additionally, in the fall of last year, voters also passed Measure JJJ (also City of Los Angeles), a measure creating incentives for developers building near mass transit and approving an inclusionary affordable housing onsite

requirement with in-lieu fee option, by nearly 64 percent of the vote.

Voters recently also resoundingly rejected measures that would have limited or restricted new development. In Santa Monica, Measure LV, which would have required voter approval of projects exceeding 32 feet or 2-stories in height, was defeated by more than 56 percent of the vote. While in the City of Los Angeles, Measure S, which would have prohibited zone changes and general plan updates and required the city to update its community plans, a process already underway, was defeated by nearly 69 percent of the vote.

There is a serious need for affordable housing in Los Angeles County. A 2017 report¹ from the California Housing Partnership² estimates the county needs 551,807 more affordable rental homes to meet the current needs of its lowest-income renters. Further, cuts in federal and state funding, including the elimination of State Redevelopment, have reduced investment in affordable housing production by almost \$457 million annually since 2008. Median rent across the county, meanwhile, has increased 32 percent since 2000 and renter household income has decreased 3 percent when adjusted for inflation. Currently, renters need to earn four times the local minimum wage to afford the median asking rent

of \$2,499 in Los Angeles County. Further, the county's lowest-income renters have been found to spend 70 percent of income on rent, leaving little money for food, transportation, healthcare, childcare, and other essential needs.

Building more housing to alleviate these challenges, however, is easier said than done. In 2014, the

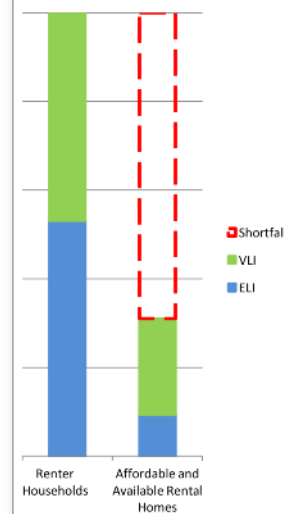
California's four housing agencies, the California Tax Credit Allocation Committee (TCAC), the California Debt Limit Allocation Committee (CDLAC), the Department of Housing and Community Development (HCD), and the California Housing Finance Agency (CalHFA) released a report³ on costs of building affordable housing in the state, identifying several factors affecting affordable housing construction costs and creating additional challenges. Factors include: land costs, community opposition, construction quality and durability, and economies of scale.

Throughout California, and especially in urban coastal areas, land costs are on the rise. In Los Angeles, the S&P/Case-Shiller home price index indicates home prices are at their highest point since the 2008 housing crisis. Higher land costs will present challenges to achieving an equitable mix of affordability throughout neighborhoods, and without a combination of local affordability requirements and development incentives jurisdictions will be challenged to attain local and statewide sustainability goals for increasing opportunities for low, moderate, and above moderate income wage earners to live near employment.

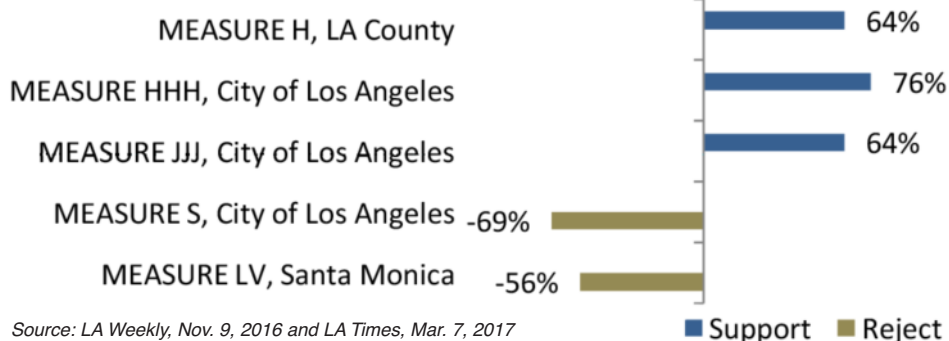
While the costs of land and construction will present obstacles to increasing the supply of affordable housing, especially in higher-value, more desirable neighborhoods, the greatest challenge to successfully increasing affordable housing development will be maintaining community support.

VOTING LOS ANGELES COUNTY NEEDS 551,807 MORE AFFORDABLE HOMES

Source: CHPC analysis of 2015 PUMS data using adapted NLIHC methodology



VOTING OUTCOMES FOR AFFORDABLE HOUSING, HOMELESS SERVICES- and ANTI-DEVELOPMENT MEASURES. LA COUNTY



Source: LA Weekly, Nov. 9, 2016 and LA Times, Mar. 7, 2017

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| Issue | Topic | Articles Due | Released |
|-------|-------------------|--------------|----------|
| 18 01 | Complete Streets | Dec 11 | Jan 10 |
| 18 02 | Planning Abroad | Feb 16 | Mar 12 |
| 18 03 | Cannabis Land Use | April 15 | May 15 |

The production schedule is subject to change. For article and photo specifications, please see guidelines at www.apacalifornia.org.

CalPlanner ARTICLE SPECS

18|01 THEME: Complete Streets

LENGTH: 700 (min) to 1,200 (max) words

DOC FORMAT: Working (or open) MSWORD file (.doc or .docx). No PDF's please.

IMAGES: Include captions and sources for all photos, renderings, drawings, maps, diagrams, etc. submitted.

IMAGE FORMAT: 3 X 5 min at 300 dpi (but no larger than 1MB file size) to be emailed as separate attachment(s). In other words, do not embed images in the WORD document.

REMARKS: Article can be written either as a Feature (analysis of the topic), Op-Ed (critique), or First-Person (personal experience with the topic).

[FOR QUESTIONS AND SUBMISSIONS,]
Please contact Marc Yeber at myplanning@live.com

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PLANNING SERVICES DIRECTORY

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PETE PARKINSON, AICP | President



As the saying goes, “this time it’s personal.”

About 12:30 a.m. on October 9, I awoke to the smell of smoke and an orange glow over the ridge to the northeast. Despite a “red flag warning,” the wind had been calm when we retired a couple hours earlier, but now it was howling near 50 mph. We did what 21st century people do; we checked the internet. Nothing. We called our local fire station and were told there’s a fire in Kenwood but they don’t expect it to get up our way. Within a few minutes we could see how much the fire had grown in extent and intensity. It was time to go, evacuation order or not. We loaded our son, one of two dogs (couldn’t catch the other one), two guitars, a laptop and a few mementos into the cars and joined many of our neighbors fleeing our once-peaceful neighborhood. Our destination was my wife’s mother’s house...in the Journey’s End mobile home park. We had no idea that a separate fire was bearing down on the northern outskirts of Santa Rosa, but we arrived in time to get my mother-in-law and one of her neighbors out before the flames reached the park. Within a couple hours 90 percent of the park was destroyed, killing at least two residents. But we were safe.

The next 72 hours can only be described as hellish. We learned that 100 of the 130 homes in our neighborhood were destroyed, including ours. Several neighbors told horrifying stories of driving through flames to escape, and we learned that one of our neighbors didn’t make it out. That would have been bad enough, of course, but over the next couple days we learned that over 5,000 homes were destroyed in Sonoma County, including nearly 3,000 in the City of Santa Rosa. An entire suburban tract neighborhood was wiped out. Hundreds of upscale homes in the city’s Fountaingrove neighborhood were gone. An estimated 100,000 people were evacuated at one time or another. The fire destroyed mobile homes owned by low-income seniors and luxury estates. More than one elder-care facility was destroyed and its residents

displaced. Two of the three major hospitals in Santa Rosa were closed and evacuated. Dozens lost their lives. And that’s only in Sonoma County; fires destroyed homes and took lives in Napa and Mendocino counties too. The scale and magnitude of destruction is difficult to comprehend, even for the expansive imagination of a planner.

But here is where the story begins to turn. Within a couple days, planning colleagues from the Bay Area and around the state had reached out and offered help, both personally and professionally. Planners who had been through major fires in Oakland and San Diego were on the phone talking about what worked well in their recovery efforts. Our own Northern Section of APA California stepped up to organize response and recovery resources that will help in the recovery and rebuilding process. The Center for Sustainable Communities at Sonoma State is stepping up to get students involved. Messages of support and offers of help have flowed in from across the country. The APA California staff at Stefan/George and my colleagues on the APA California board stepped up to handle issues while I was immersed here at home. The compassion and caring from our professional colleagues mirrors what’s happening on the ground here in Sonoma County. The level of generosity and support throughout our community and beyond has been so welcome and so inspiring. Our new slogan: “The love in the air is thicker than the smoke.”

The hard work of recovery has already begun and will last for years. If you’ve been through disaster recovery you know that residents have an overwhelming need and desire to restore their lives. How can you approach “replanning” a conventional suburban neighborhood in that scenario? Planners have the know-how to do that from the neighborhood up, not from the top down. We sure do live in interesting times, folks.

PWP

“The next 72 hours can only be described as hellish. We learned that 100 of the 130 homes in our neighborhood were destroyed, including ours.”

FEATURE | Seth Litchney

Housing in the San Diego Region: How Far Have We Come and What is Left to Do?

For several years, housing permitting and construction has been a topic of discussion among elected officials, community leaders, government and private agencies, and the general public. The lack of affordable housing throughout the region has led to concerns about the ability for low-income and young people to live in San Diego.

Average rents and housing costs are well above the standard 30 percent of household incomes, causing a strain on residents and their families. Per the *San Diego Regional Chamber of Commerce*, the cost of housing has affected San Diego's economy and ability to attract and retain talent. The need for more housing development is apparent, and planners are doing their part to address this problem.

The *San Diego Association of Governments (SANDAG)* creates and maintains a tremendous quantity of data about the San Diego region. As part of this effort, SANDAG collected the Annual Housing Progress Reports prepared by the 18 cities in the region and the County of San Diego. The annual reports identify the number of housing units permitted by the jurisdictions in a calendar year based on their level of affordability (very-low, low, moderate, and above-moderate). Using the information in the reports, SANDAG has prepared the *2017 Regional Housing Progress Report* outlining

each city and the County's housing units permitted during the RHNA Cycle.

So, how many units have been permitted and how close is the region to meeting its housing needs? Since 2010, a total of 50,714 units have been permitted in the region, including 6,614 housing units available for very-low and low income households. In the first seven years of the 11-year RHNA cycle, the region has permitted only 31.3 percent of the housing units needed to meet the growing population demand, with just 10.3 percent of

Share of New Housing Units in the San Diego Region by Income Category
January 1, 2010 - December 31, 2016 (7 years)

| Income Level | Very-Low | Low | Moderate | Above-Moderate | Total for all Categories |
|--|----------|--------|----------|----------------|--------------------------|
| Total Housing Units Permitted | 2,868 | 3,746 | 2,075 | 42,025 | 50,714 |
| RHNA Goal (5th Cycle, 11 years) | 36,450 | 27,700 | 30,610 | 67,220 | 161,980 |
| Percent of Goal Produced | 7.9% | 13.5% | 6.8% | 62.5% | 31.3% |
| Units Left to Permit | 33,582 | 23,954 | 28,535 | 25,195 | 111,266 |

Source: SANDAG Draft 2017 Regional Housing Progress Report

exactly how many housing units have been permitted by local jurisdictions and the region's progress on its *Regional Housing Needs Assessment Plan (RHNA Plan)*.

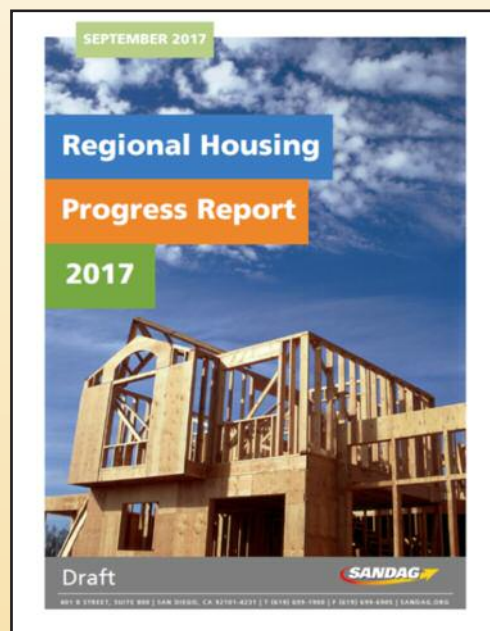
In 2011, after extensive collaboration with the California Department of Housing and Community Development, the region's local jurisdictions, and interested stakeholders, SANDAG adopted the *RHNA Plan*. To house the population increase expected to occur from 2010 to 2021 (also known as the RHNA cycle), the *RHNA Plan* determined 161,980 housing units would need to be constructed throughout the region during the 11-year RHNA cycle. Of those units, 64,150 would need to be affordable to very-low and low income households. The *RHNA Plan* assigned each city in the region and the County of San Diego a specific share of the units in each income category. The *2017 Regional Housing Progress Report* includes dashboards showing

the affordable housing permitted during that same time. In total, the region would need to permit 111,266 housing units, including 57,536 affordable units, over the next four years to fully meet the needs of the population. The region will not have a full accounting of the amounts reached in each category until the conclusion of the RHNA cycle in 2020.

Although the region has a long way to go to fully meet the *RHNA Plan* goals, several factors have slowed housing permitting. The economic recession caused the high level of construction seen in early 2000s to dramatically drop. According to the *California Housing Partnership Corporation*, funding for housing construction in San Diego County decreased by 69 percent over the past eight years. Additionally, difficult processes to obtain housing construction approvals have kept the region from reaching its goals.

The good news, though, is that progress has

▶ P7



“The economic recession caused the high level of construction seen in early 2000s to dramatically drop.”

AP | Short-Term Rentals in California Jurisdictions

County, faces similar opportunities and pressures associated with STRs.

As a part of these research efforts, LWC conducted a review of case studies, assessing economic and regulatory implications to better understand current practices. The goal was to provide our client-partners with foundational knowledge to inform their decision making on developing STR regulations.

Key Considerations

In Marin County, the potential negative impact of STRs on housing supply and affordability is an important consideration. Roughly 7.8 percent or 8,320 units⁶ were considered vacant housing units, among the highest percentage in any Bay Area county. However, only 1,089 were available for long-term rent, with 3,078 for seasonal, recreational, or occasional use.⁷ This vacancy rate has nearly doubled since 2000, potentially due to factors such as increased housing costs, a disproportional jobs/housing balance, an increase in second homes, and/or misalignment of the unit types available. However, LWC has found that property owners are increasingly opting to exit the long-term rental market and rent their units through an online hosting service. By creating a real or perceived lack of supply and a subsequent increase in rents, STRs can cause renters to compete with visitors willing to pay higher premiums. Alternatively, STRs remain a source of supplemental income for homeowners, and may make homeownership more feasible.

Other important factors include a sense of community, personal safety, parking, and noise. These common neighborhood issues can be addressed by local regulation; however, the key is effective enforcement.

Unlike other Municipal Code provisions, zoning compliance is generally not monitored by patrolling officers. Because STRs are temporary, and their owners and locations are often anonymous, enforcement is difficult. Verification of accurate transient occupancy tax (TOT) remittance and auditing is also challenging due to limited transaction data from online hosting services.

Case Studies

Case studies focused on South Lake Tahoe, Mammoth Lakes, San Francisco, Sonoma County, Santa Cruz County, and San Luis Obispo County. San Francisco and Santa Cruz County illustrate differing but informative STR approaches.

San Francisco has a STR policy that includes a primary residency requirement of 275 nights/year, a limit of one STR unit per resident, and no more than 90 nights of un-hosted (not-owner occupied) rentals per year. Additional requirements include a registration fee (\$250) every two years, property liability insurance, and occupancy limits. As the City's only "Qualified Website Company," Airbnb is authorized to collect TOT on behalf of San Francisco property owners.

Santa Cruz County implemented STR regulations in 2011 in which vacation rentals are defined as un-hosted and the rental period is no more than 30 consecutive days. STRs are allowed in all zones that allow residential uses and require a vacation rental permit. Zoning Administrator approval is required if the STR has four or more bedrooms. Also, adjoining owner authorization is required if common walls exist, as well as in-unit notice, exterior signage, payment of TOT, parking standards, and a dispute resolution process. Accessory dwelling units are not allowed to be STRs. The County updated their regulations in 2015 and 2016, a valuable example of how policy can be adjusted over time.

Key Takeaways

STR regulations must be calibrated to a community's unique challenges and needs. Key considerations include: current housing inventory, housing affordability, neighborhood and business community concerns, and economics. Location is also important; communities in the coastal zone face different considerations under the Coastal Commission.

Organizational resources, particularly enforcement, are critical. If a municipality does not have the capacity to monitor and enforce STR regulations, steps should be taken to increase resources or calibrate those regulations.

Community feedback is vital to successful regulation. As with any effective planning effort, early, consistent and substantive engagement of the community is critical. As part of the project, the City of Ojai held a public workshop to enable dialogue among local residents, property and business



Capitola Village, Santa Cruz County. Source: Coastal Living

owners, civic leaders, elected officials, and City Staff.

Common practices. Common practices for a STR policy include requiring a local 24-hour contact, in-unit notice of rules, the remittance of TOT, and including the TOT license number in all STR advertising.

Conclusion

STRs continue to be a controversial topic in Marin County and in other jurisdictions like Ojai. As stated in the Sustainable Economics Law Center guidebook, "sooner or later, nearly every city will need to address the rapid spread of short-term rentals". One key challenge with crafting STR regulations is the lack of consistent, timely data. Continuing research into the effects of STRs is necessary to create and improve policies that will embrace and leverage technology while benefiting residents and local economies.

Lisa Wise, AICP is the President of Lisa Wise Consulting, Inc. and has over 25 years of professional experience in planning, land use, and economics nationwide, and is considered a national expert in the field of zoning and housing.

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- ¹ Lara Williams, "When Airbnb rentals turn into nuisance neighbours", The Guardian, September 18, 2016, retrieved from <https://www.theguardian.com/technology/2016/sep/17/airbnb-nuisance-neighbours-tribunal-ruling>.
- ² "The Sharing Economy Doesn't Share the Wealth", Bloomberg Businessweek, April 6, 2016, <http://www.bloomberg.com/news/articles/2016-04-06/the-sharing-economy-doesn-t-share-the-wealth>.
- ³ "The Rise of the Sharing Economy", The Economist, March 9, 2013, <http://www.economist.com/news/leaders/21573104-internet-everything-hire-rise-sharing-economy>.
- ⁴ Hartmans, Avery, "Airbnb now has more listings worldwide than the top five hotel brands combined", August 10, 2017, retrieved from <http://www.businessinsider.com/airbnb-total-worldwide-listings-2017-8>.
- ⁵ Selected Economic Characteristics, 2011-2015 American Community Survey 5-Year Estimates.
- ⁶ Selected Housing Characteristics, 2011-2015 American Community Survey 5-Year Estimates.
- ⁷ Search Results American Community Survey (ACS) - U.S. Census Bureau 2011-2015 ACS data.

“One key challenge with crafting STR regulations is the lack of consistent, timely data. Continuing research into the effects of STRs is necessary to create and improve policies that will embrace and leverage technology while benefiting residents and local economies.”

➤ P2 Affordable Housing

HOUSING MESSAGE BACKFIRES

| | |
|--|---|
| <i>Mobility, Personal Responsibility and Self-Makingness</i> | <i>Buy the house you can afford, or move. Stop making poor decisions and asking me to pay for them.</i> |
| <i>Separate Fates and Zero-Sum Thinking</i> | <i>This issue has nothing to do with me. It's not my responsibility to solve other people's problems.</i> |
| <i>Thin understanding of cause and effect</i> | <i>What has changed? Why is this happening to so many people these days?</i> |
| <i>Crisis and fatalism</i> | <i>So, you're saying we have to address poverty and change the housing market? Good luck! How can we ever hope to change issues that big?</i> |
| <i>Not-in-my-backyard and natural segregation</i> | <i>Who wants to live next to poor people? I worked to get out of that ghetto.</i> |
| <i>Facts don't fit the frame</i> | <i>Most people I know are doing pretty OK. This data doesn't sound right to me.</i> |

Source: *You Don't Have to Live Here, Why Housing Messages Are Backfiring and 10 Things We Can Do About It*. Enterprise Community Partners, 2017

Strong community and local neighborhood support for new housing projects will be essential to getting new housing built at the rate and volume necessary to have a real impact on affordability, and meeting California's current and future need for housing. Planners are all too familiar with the challenges developers face when trying to building support for good projects with neighbors, neighborhood and community groups, stakeholders, and special interests.

In Los Angeles County, as well as all other parts of California, advocates for affordable housing will play an important role in providing the narrative of how affordable housing improves our neighborhoods, keeps communities strong, and supports families, young people, and seniors while helping areas meet local and state mandated goals for sustainability, land use, and transportation.

Oftentimes however, affordable housing messaging can backfire, and concerned stakeholders do not fully understand how affordability benefits them personally or their community. Tiffany Manuel, PhD, Vice President of Knowledge, Impact, and Strategy with Enterprise Community Partners, Inc. encourages advocates to stop explaining that there is a housing crisis. In a presentation given at the Grounded Solutions Network Annual Conference this past month in Oakland, she assured the audience everyone knows there is a housing crisis. However, not everyone agrees on the solution.

Enterprise Community Partners, an affordable housing lender and supporter, has studied how messaging around affordable housing fails. Using research conducted by the FrameWorks Institute, Enterprise has published evidence-based messaging recommendations to advance a strong affordable housing and community development agenda. The 2016 study⁴ defines

how advocates for housing can maintain a beneficial pro-affordable housing narrative to build and maintain local support.

The report recommendations encourage talking about housing and affordability in ways your audience can relate by using stories about "us," rather than stories about "them." Never directly contest public assumptions about mobility, consumer choice and personal responsibility, but engage your audience in the role opportunity or lack of opportunity has played in their lives using real life examples. For instance, how receiving a grant or

scholarship made it possible to graduate from college. Focus on how new housing policies have worked, using local projects that have had a beneficial impact. Do not over-rely on the terms "housing" and "affordable housing."

Broadening the public's view on who is responsible for taking action and resolving our affordability crisis will be key to continue engaging community members and maintaining support for affordable housing and ending homelessness.

Pete Noonan, AICP, is the Housing Manager for the City of West Hollywood and is a Board Member for the West Hollywood Community

Housing Corporation, a non-profit corporation with the mission of providing affordable housing for those most in need.

RECOMMENDATIONS ON MAINTAINING THE NARRATIVE AND BUILDING SUPPORT FOR AFFORDABLE HOUSING PROJECTS

Source: *You Don't Have to Live Here, Why Housing Messages Are Backfiring and 10 Things We Can Do About It*. Enterprise Community Partners, 2017

Recommendation #1: Tell stories that balance the people, places and systems perspectives.

Recommendation #2: Don't directly contest the public assumptions about mobility, consumer choice and personal responsibility. Instead explain the role of systems in shaping outcomes for people and the communities in which they live.

Recommendation #3: Tell a "Story of Us" rather than a "Story of Them."

Recommendation #4: Bring the connection between housing and other issues into sharper focus.

Recommendation #5: Help people connect the causes and effects of housing insecurity.

Recommendation #6: Make it clear that where you live affects you.

Recommendation #7: It's okay to raise challenges to the past, but focus on the kinds of change that lead to better outcomes.

Recommendation #8: Use robust examples that show how new housing policies worked.

Recommendation #9: Avoid leading with or over-relying on the terms "housing" or "affordable housing."

Recommendation #10: Widen the public's view of who is responsible for taking action and resolving outcomes.

References

- ¹ Los Angeles County Housing Need. The California Housing Partnership (2017) <https://p08d91kd0c03rlxhmtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2017/05/Los-Angel-es-County-2017.pdf>
- ² The California Housing Partnership is a private nonprofit organization created by the State in 1988 to help preserve the existing supply of affordable homes and provide leadership on affordable housing policy and resource issues.
- ³ Affordable Housing Cost Study: Analysis of the Factors that Influence the Cost of Building Multi-Family Affordable Housing in California. (2014) http://www.treasurer.ca.gov/ctcac/affordable_housing.pdf
- ⁴ You Don't Have to Live Here: Why Housing Messages Are Backfiring and 10 Things We Can Do About It. (2016) Tiffany Manuel, Enterprise Partners; Nat Kendall-Taylor; FrameWorks Institute. <https://www.enterprisecommunity.org/resources/you-dont-have-to-live-here>

► P4 Housing in the San Diego Region



been made to address each problem. As the economy improved, the number of housing unit permits have increased. From 2014 to 2016 units permitted in the region reached 25,617, nearly doubling the amount permitted between 2008 and 2010. Also, 2016 had the highest number of housing units permitted since 2005. The State of California and SANDAG are funding grant programs to construct housing and infrastructure improvements. Recent state legislation has looked for ways to increase and permanently fund affordable housing construction. Cities

are taking the lead to streamline permitting processes for secondary units and affordable housing near transit (for an example, see the *City of San Diego's "Housing SD" Plan*). In future updates to the 2017 *Regional Housing Progress Report*, SANDAG plans to compile a list of actions taken by local

jurisdictions to promote housing development.

In conclusion, the 2017 *Regional Housing Progress Report* shows the magnitude of the housing issues facing the San Diego region. In 2018, SANDAG will begin working on the next *RHNA Plan* and updating *San Diego Forward: The Regional Plan*. To increase housing in the

region while accomplishing other goals, SANDAG will work with numerous stakeholders to determine where housing should be located. The input of professional planners and members of the public will help SANDAG and local jurisdictions continue to make progress on housing the next generation of San Diegans.

Seth Litchney is Senior Regional Planner at San Diego Association of Governments (SANDAG).

Housing in Mission Valley, San Diego. Source: SANDAG



Recent state legislation has looked for ways to increase and permanently fund affordable housing construction.

MARCYEBER | VP-Public Information

On the Topic of Housing...

This past October, Californians listened, watched, or read with horror as 21 wildfires broke out across six counties in Northern California, burning approximately 245,000 acres. Alone the Tubbs Fire (Sonoma, Napa), Atlas Fire (Sonoma, Napa) and Nuns Fire (Sonoma, Napa) accounted for nearly 60% of the destruction and were declared collectively as one of the most destructive and deadliest fires in California history. The largest share of the losses was to residential property.

Already in a severe housing crunch prior

to the fires, the North Bay Area lost an additional 4,700 homes¹. The Tubbs fire alone accounted for the loss of 3,000 or 5% of homes in northeastern Santa Rosa² -- specifically in the Coffey Park, Fountaingrove and Larkfield-Wikiup neighborhoods. The process of rebuilding these homes (not to mention the neighborhood infrastructure needed) will be a long and complex task in an

area already plagued by high construction costs, labor shortages, a difficult permitting process and potential delays in insurance payouts.

As planners, we recognize the critical nature of continued economic activity during a time of community rebuilding. Regardless of where you live, you can do your part by shopping for products from the region (i.e., wine at your local grocer), plan a trip to the area (the



Fire destruction in Coffey Park, Santa Rosa. Source: J Sullivan, Getty Images

majority of the region was not directly affected by the fires), donate to a relief organization (some listed below) and encourage others to do the same. **MY**

Relief Organizations

<https://www.northbayfiredonations.com/>
<http://www.sonomacf.org/sonoma-county-resilience-fund/>
<https://www.rebuildwinecountry.org/>
<https://www.redwoodcu.org/northbayfirerelief>
<http://sonomafamilymeal.org/>

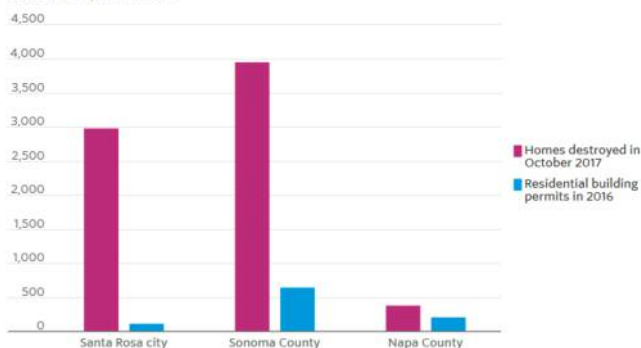
References

¹ WSJ, Nov 26, 2017

² LATimes, Oct 24, 2017

Construction Crisis

The number of homes destroyed in Northern California's wildfires in October is far more than the annual pace of construction in parts of the area.



Sources: Trulia (permits); State and local government estimates (homes destroyed)

THE WALL STREET JOURNAL

PERSPECTIVE | Dr. Chris Williamson, AICP

More Housing on the Horizon? Try a Lumpy Pancake to a Gridded Waffle

After at least 45 years of community vision planning since 1970, jump-started by the HUD Section 701 planning grants back in the early 1970's (most of you are too young to remember when the Feds once paid for local planning), it seems that the planning profession was admonished by the Legislature for not providing enough housing to keep rents and values relatively affordable. Fair enough, but let's not forget the amount of growth that has been accommodated.

In 1970, the State's population was about 20 million, and 46 years later it is 39 million, almost double! That's a lot of housing that did get built for which cities and counties, and their respective planners and developers deserve a lot of credit. Although we will do some things differently with perfect hindsight, local governments and their planners, the utilities, and special districts deserve credit for clean water, treated wastewater, reliable energy, schools, parks, and a host of services and great places for an added population equal to about one-fourth of Germany. That has been no small feat.

Now, we need to carefully and cautiously change course. Single-family zoning focused on a neighborhood school boxed in by low-density commercial arterials is a model that gave us the pancake city: mostly flat with occasional lumps of density that are our regional downtowns. In my personal opinion, it's not the people's vision that was or is wrong, it's that there is diminishing room for it. There is nothing wrong with wanting a single

family home with a decent private yard in a town setting. But, in many California areas, "sprawl hit the wall" years ago as first cleverly coined in the 2001 study by USC's Southern California Studies Center and the Brookings Center on Urban and Metropolitan Policy. Add to that, sea level rise along the coast, increasing fire danger in and near the mountains, and the desire to preserve agriculture and the only choice in some areas is to carefully gradually and appropriately increase density (with public support) within the portions of our existing urban footprint.

The Waffle Model

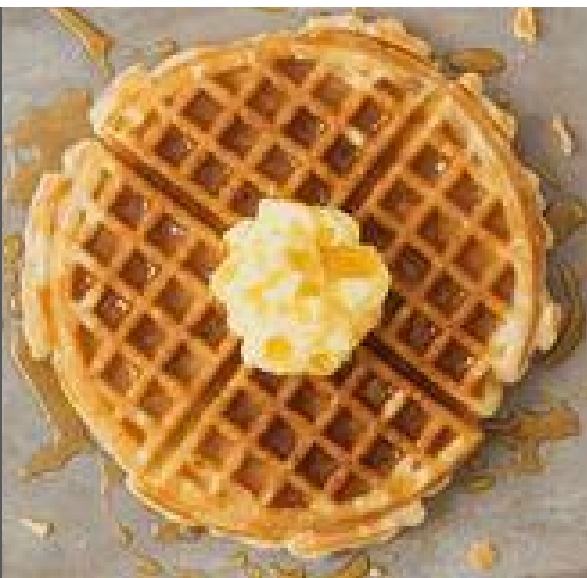
The economy is good in most places, rents are rising, and banks are lending on multi-family projects. It seems like there are apartment buildings circling overhead waiting for a place to land. Our new challenge is to land them in the most suitable locations, and along arterials seems to be one good option. As the arterials "rise in the zoning oven" the waffle model emerges, and some of our cities will gradually and artfully change from lumpy pancakes to waffles. The higher density arterial ridges are ideal for transit and the single family neighborhoods remain intact inside the waffle square. Waffles are good, especially where the butter and syrup pile up.

Know Growth to Good Growth

In this new planning direction, planners need to know growth options. Some locations are better for multifamily projects than others. We can use the Regional Housing Needs Assessment and Housing

Element process to steer development to the most appropriate sections of arterials in cooperation with transit, schools and utilities. With that challenge in mind, I am opti-caution-mistic about this new planning paradigm. I hope you are, too.

Dr. Chris Williamson, AICP, Adjunct Lecturer of Demography, CSU Channel Islands. Statements are solely the opinion of the author.



HING WONG, AICP | Past President

Your APA California Election Results

In January, four members assume a new role on the APA California Board of Directors to continue the chapters mission in advancing the planning profession. So please join APA California in congratulating the newly elected members of the California Chapter Executive Board.



President Elect
Julia Lave Johnston



VP for Administration
Sung Kwon, AICP



VP for Marketing and
Membership
Mary Wright, AICP



VP for Public Information
Marc Yeber

APA California also congratulates two re-elected Board Members to the California Planning Foundation (CPF), our affiliate organization in promoting planning education throughout the state.



Juan Borrelli, AICP
CPF



Hilary Nixon
CPF

Please join me in thanking all of our very qualified candidates who participated in the 2017 APA California elections. Our volunteer spirit is what makes APA California what it is!

...A BIG Thanks to our Outgoing Board Members

We extend our gratitude for the devotion and countless hours the following members contributed to the APA California Board. We are a stronger Chapter because of your efforts.



President
Hing Wong, AICP



VP for Administration
Kristen Asp, AICP



VP for Marketing and
Membership
Greg Konar



Opening Reception. Source: B. Brown

David Kwong, Bob Lagomarsino, Jeannie Lee, Conference Co-Chairs

City of Tree-mendous! Sacramento Hosted an Outstanding Conference

More than 1,400 planners from around the state came to Sacramento for the 2017 APA California Annual Conference from Saturday, September 23 through Tuesday, September 26. Sessions, mobile workshops, speakers, and other events spoke to the cultural, economic, geographic, racial and ethnic, and social diversity of the Sacramento Valley and California as a whole. We thank you for coming to Sacramento, experiencing what makes the Sacramento region a wonderful place, and ensuring that the 2017 conference was a great success!

Sacramento Convention Center and Sheraton Grand Sacramento Hotel

The Sacramento Convention Center and Sheraton Grand Sacramento Hotel were perfect hosts for most of the conference activities:

- **Conference sessions** focused on diversity, equity, health, rural communities, the history of planning, and how the profession should face the future. The programs committee was excited to highlight the history of the state's capital and emerging and exciting development projects and policies.
- The **Diversity Summit** presented an award-winning film on Sacramento's mid-20th century redevelopment projects, discussed the impact of federal, state, and local policies on the city's neighborhoods, and offered anthropology as a tool to better understand planning practice.
- **Keynote speakers**, including Supervisor Phil Serna, Mayor Darrell

Steinberg, and Carolyn Coleman, emphasized the role of both state and local governments in addressing California's key planning issues.

- The **State Awards Ceremony** celebrated the best planning policies, projects, and practitioners throughout California.
- This year for the first time, the conference program included the **Soapbox Sessions**, which allowed students and younger planners to give short presentations, as well as providing an opportunity for conference participants to discuss issues they find important.
- The **Joint Workshop of the Governor's Office of Planning and Research and Strategic Growth Council** updated conference attendees on a variety of state planning efforts, including CEQA Guidelines, Climate Initiatives, and General Plan Guidelines.

- During the **Consultants' Reception** and **2017 Virginia Viado & Ted Holzem California Planning Foundation Reception and Auction**, attendees explored exhibitor booths, socialized with old friends and new colleagues, and raised money for student planning scholarships.

Northern Side of State Capitol Building:

Everyone had a great time at the Opening Reception on the steps of the State Capitol Building. We featured local food, beer, and wine that showcased Sacramento as the "Farm-to-Fork" capital. The band "IdeaTeam" provided a great soundtrack for the evening!

R Street Near 15th Street: Student Day kicked off on Saturday morning with a walking tour of R Street.

LowBrau, 1050 20th Street: Student Day ended Saturday night with over 100 students and young planners attending a mixer at LowBrau in Sacramento's lively Midtown.

Old Sacramento: Students and young planners participated in a Riverfront walking tour as part of a charrette on revitalization efforts.

Torch Club, 904 15th Street: Planners took over the Torch Club to watch Plan It Rock, the APA All Star Band on Monday night.

de Vere's, 1521 L Street: de Vere's hosted the Planners of Color and LGBTQIA Community Mixer on Saturday night.

Mobile Workshop. Source: A. Joe



2017 APA CALIFORNIA CONFERENCE HIGHLIGHTS

- 1419 attendees
- 200+ students and young planners
- 102 sessions, 18 mobile workshops
- 56 sponsors and exhibitors
- 350 participants of the **Mobile Workshops** traveled to diverse parts of the Sacramento region including 3 adjoining counties
- The Conference's **Night on the Town** gave Sacramento planners the opportunity to host conference attendees at their favorite local venues
- Nearly a dozen **Consultant Receptions** were held at various night spots throughout Downtown and Midtown Sacramento

A Big THANK YOU to all our Sponsors and Volunteers who made the Sacramento Conference a major success and for your continued support to APA California

OLD TOWN SACRAMENTO
California State Railroad Museum

DOWNTOWN SACRAMENTO
Cesar Chavez Park and Plaza
Cathedral of the Blessed Sacrament
California State Capitol
Leland Stanford Mansion State Historical Park
California Museum
Roosevelt Park

MIDTOWN SACRAMENTO
Sacramento Memorial Auditorium
Sacramento Convention Center
International World Peace Rose Garden
Fremont Park
Truitt Bark Park

Photo Source: M. Yeber

2017 APA CA Conference Student Poster Contest Results

The 2017 APA CA Conference Students & Young Planners Committee would like to recognize our three finalists who were selected to participate in this years' Student Poster Competition:

1. **Winner: Bill Chapin**, San Jose State University, Master of Urban Planning
2. **Jaclyn Garcia**, Cal Poly Pomona, Mater of Urban & Regional Planning, Transportation
3. **Emily Huang**, Cal Poly San Luis Obispo, Bachelor of Science, City & Regional Planning

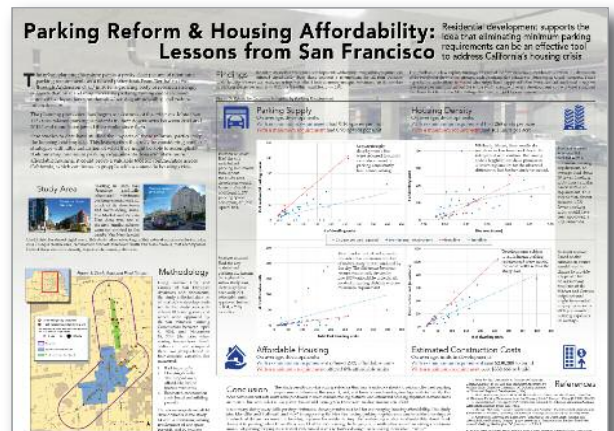
Bill Chapin came in at first place with his poster titled "Parking Reform & Housing Affordability: Lessons from San Francisco". Bill's poster was based on his thesis research planning report titled "Parking Spaces to Living Spaces: Reform and Housing Affordability in Central San Francisco" and can be found [here](#).



Bill Chapin completed a Master of Urban Planning degree from San Jose State University in December 2016, with a certificate in Applications of Technology in Planning. During his time in the program, the Urban and Regional Planning Department awarded him the 2016 Bert Muhly Scholarship and 2017 Don and Ann Rothblatt Scholarship, and his final research report received the department's honors designation. Bill's project focused on the relationship between parking, zoning, and housing costs, comparing actual residential developments in San Francisco to see if the city's gradual repeal of minimum parking requirements had succeeded in making housing more affordable. He is currently working as a planner at Michael Baker International's Oakland office, primarily in the field of hazard

mitigation. Prior to his career in urban planning, Mr. Chapin received a bachelor's degree from Northwestern University's Medill School of Journalism and worked for more than 12 years as a newspaper reporter and website editor.

A huge thank you to everyone who participated!



JUAN BORELLI, AICP | CPF President

Over \$34,000 Raised at the 2017 CPF Auction in Sacramento!

California planners were extremely generous during the California Planning Foundation (CPF) annual auction and fundraiser held during the 2017 APA California Annual Conference in Sacramento. As a direct result of this incredible generosity, we raised over \$34,500 for CPF's Student Scholarship Program!

We raised \$28,200 during the exciting live auction, including proceeds from bids and direct donations from our many "Friends of CPF." Cash donations received during the live auction from our many "Friends of CPF" totaled just over 50 percent of the auction proceeds raised. We raised \$2,200 during the silent, and in just two days, we sold almost \$4,100 in drawing tickets!

Many thanks to our seasoned planner/auctioneers Jennifer Lilley, AICP and Steve Preston, FAICP and our guest auctioneer Mike Boswell, AICP. They each brought enthusiastic support and fun to the auction, and for that they each deserve a BIG 'thank you' for their efforts.

The live and silent auctions supported our ongoing fundraising for three special endowed scholarships in honor of former CPF Board members Ted Holzem, Virginia Viado, and Frank Wein. We are so pleased to be at our endowment goal for the Ted Holzem scholarship and very close to our goal for the Virginia Viado scholarship endowment. We also had a great fundraising launch for our new Frank Wein scholarship endowment.

We are so pleased to announce a new endowed

scholarship in honor of past APA and CPF President Frank Wein, FAICP. The annual scholarship will be endowed by APA CA and CPF. For most of career as a planner, Frank Wein volunteered his time in service to APA, AICP, and CPF. In addition to serving on the California Chapter Board from 1980 - 1989, including four years as president, Frank was president of CPF for eight years. He raised money for scholarships, served as an AICP tutor and exam counselor, and served on the board of a low-income housing development corporation. In addition, he managed a consulting office and taught at the University of Southern California and California State Polytechnic University, Pomona. His commitment to APA and AICP is a measuring stick for all who serve the organization. He was inducted into FAICP in 1999 and a member of the Planners Emeritus Network.

We launched our fundraising effort for the new Frank Wein Scholarship during this year's live auction and received \$6,650 from friends of CPF and the Planners Emeritus Network, making significant progress to our \$10,000 goal for 2017-18. If you'd like to support this scholarship, please donate online at <https://californiapanningfoundation.org/>

Of course, we could not have done any of this without all of YOU so on behalf of the CPF Board of Directors, we offer a BIG 'thank you' to all of our supporters, sponsors, and friends of CPF!



CPF Board President Juan Borrelli welcomes attendees to the 2017 CPF Virginia Viado and Ted Holzem Auction in Sacramento. Source: M. Aho

THANK YOU TO OUR 2017 CONFERENCE SPONSORS

LANYARDS Dudek ★

OPENING RECEPTION AND PENS CSG Consultants, Inc.

OPENING KEYNOTE LUNCHEON

Environmental Science Associates ★
EMC Planning Group ★
Helix Environmental Planning ★
KTGY Architecture + Planning
RRM Design Group ★

AWARDS EVENT

Kimley-Horn and Associates, Inc.
Rick Engineering
Sargent Town Planning
Willdan ★

CPF AUCTION

GPA Consulting ★
BAE Urban Economics, Inc.

MOBILE APPLICATION

Impact Sciences, Inc.

STUDENT AWARDS LUNCHEON

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Host Compliance
M-Group
SWCA
Wildlands

CONTINENTAL BREAKFAST

Green DOT
Transportation Solutions
Hamari by LTAS
Rincon Consultants, Inc.
Westervelt Ecological Services
Wood Rogers, Inc.

CLOSING PLENARY SESSION

Analytical Environmental Services
Benchmark Resources
Caltrans
Tyler Technologies

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Urban Planning Partners, Inc.

OPENING KEYNOTE LUNCHEON

ICF ★
Michael Baker International ★

AWARDS EVENT

enCodePlus
Gruen Associates

CPF AUCTION

Mintier Harnish
Opticos Design
WRT

STUDENT AWARDS LUNCHEON

ECORP Consulting, Inc.
Harris & Associates

CLOSING PLENARY

Civic Solutions

STUDENT/YOUNG PLANNERS GROUP MIXER

Midtown Association
SACOG

DIVERSITY SUMMIT

AECOM ★
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BREAKFAST ROUNDTABLE
Baldwin & Sons

MOBILE APP

Harris & Associates
ICF ★
USC Sol Price

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Pekar•McDaniel
UC Davis Extension

EXHIBIT TABLE

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UCLA
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★ 5+ year sponsors

STEPHEN MICHAEL HAASE, AICP | Board and Commission Representative

Reflections from the Sacramento Conference

What a great conference and wonderful day for all our commission and board representatives! A universal THANK YOU to all those who put an oar in the water to create a Sunday focus for our appointed officials. My tip of the hat to Hanson Hom and the conference committee for their genius in scheduling all the C&B sessions on Sunday. Their strategy was instrumental in increasing the participation for many colleagues who cannot commit to the full conference schedule. Russ Liebig and the local representatives showed up in force with a great morning breakfast to kick off the day. Last but not least, kudos to the team of moderators and panelists who unselfishly gave their time to their colleagues and our profession.



We started the morning with the C&B Roundtable breakfast and an informal discussion led by Russ and participants from the local Section. We were fortunate to have Christopher Cabaldon, the Mayor of West Sacramento, as our keynote speaker. Mayor Cabaldon was the first mayor to be directly elected by city voters in 2004 and has been re-elected every two years since. No term limits for this city! It was enlightening to hear the evolution of the planning process and the commitment of the Mayor to ensure greater diversity and representation on the City's Planning Commission.

I was your moderator for the 10:00 am session—"You Said WHAT!" We can all agree you hear the darnedest things at Public Hearings. Joining me were Ma'Ayn Johnson from the Southern California Association of Governments, Trudi Ryan from the City of Sunnyvale, and Gustav Larsson, Councilmember from Sunnyvale. Thanks to both Ma'Ayn and Gustave who also joined us in Pasadena as panelists; can we make it three in a row in San Diego next year? Trudi kicked

us off with some amazing malaprops followed by a video of awkward moments at a public hearing on growth facilitated by Ma'Ayn. Gustav provided the elected official's perspective in handling a variety of scenarios at a public hearing.

The afternoon kicked off with Brooke Peterson, past president of the California Chapter, leading the panel "Strategies to Influence Public Policy". Brooke started with the question "What is great planning?" which takes on many dimensions. While opportunities may be few for an appointed body such as a Planning Commission to contribute to the policy discussion, the panel stimulated ideas for opportunities to engage in policy formation. Christopher Williamson from the Central Coast Section shared the challenges of the dynamics of policy development and whether planning can be forward thinking enough to solve problems rather than create new ones. Landis Graden, immediate past chair of the Vallejo Planning Commission, was passionate in his commitment of the opportunity for planning to better serve all of our residents with an eye to communities that are facing social and economic injustice. Cornelius Burke, Public Policy Manager for the Bay Area Council, provided the insight of the legislative process from the Sacramento perspective.

I returned for the final session for our C&B members, "What Are They Thinking". We had a standing room only crowd as this session was well attended by public planners who are staff to their commissions and boards. If you missed Dan McMillin's "Life after death by Power Point" you must check it out on YouTube, it is hilarious! Chris gave us an academic look at communication styles and what might be effective in influencing and persuading the public and decision makers. How many of us recall logos, pathos and ethos from Aristotle's system of rhetoric as modes of persuasion? I don't remember seeing that on my AICP exam! Jeff Murphy, planning

director for the City of San Diego provided some nuts and bolts tips for building the better presentation. Rob Eastwood, planning manager for Santa Clara County capped the session with great advice on how to survive, be effective, and make difference in the public hearing arena. All-in-all an excellent finish to the day.

Sunday was a very rewarding experience for me to hear the stories, experiences, and ideas from planners throughout the state. I have a few takeaways—and action items—for my city and Commission:

- Don't wait for your organization and elected officials to provide permission to act. We can take the initiative to create opportunities to discuss planning issues. Workshops are one vehicle to have the discussion.
- Ask for resources! My Commission has no budget for technology, professional development, or conferences. My next workshop will be to create a budget request for the Commission to present to the City Council—if we don't ask, we don't get!
- Time is a precious resource and we all are busy. That said, planning is important and I need to make it a priority to reach out to my own planning director and to other Commissions in our Section.

My thanks to all the commissioners and board members who made time for the conference and added to the value of the day. We benefited from your attendance and participation in each session and the sharing of your knowledge and experience.

See you in San Diego next year! **SMH**

APA SAN DIEGO
OCT 7-10
California Conference **2018**

**Conference Session
Proposals Now Being
Accepted Online**

Submissions Close: January 31, 2018, 11:59 pm. Late submissions will not be accepted. For the 2018 APA California Conference, we're seeking sessions about how something you did changed the shape of a community.

[Click here for additional information.](#)

“If you missed Dan McMillin's “Life after death by Power Point” you must check it out on YouTube, it is hilarious! Chris gave us an academic look at communication styles and what might be effective in influencing and persuading the public and decision makers.”



JOHN TERELL, AICP | VP Policy & Legislation
 SANDE GEORGE | Lobbyist
 LAUREN DEVALENCIA Y SANCHEZ | Lobbyist

APA California Legislative Update October 2017

Lots of Legislative Action in 2017

The 2017 Legislative Session ended on September 15 after a very busy year! APA California tracked over 250 planning-related bills and lobbied on many important bills, including the 15 measures in the Governor's Housing Package and the "small cells" by right permitting bill. Many of these bills were reviewed in the Legislative Update session at the recent APA California Conference in Sacramento. It's important to note that many bills that APA California opposed earlier in the year became two-year bills but we expect them to move again next year.

Housing Package Implementation Webinar – Save the Date for November 9

APA California will be offering a webinar to assist members in implementing the bills included in the Governor's Housing Package. All the housing package bills were signed by the Governor—see housing package bills in red below for more information on these measures. The webinar has been scheduled from 10 am to noon on Thursday, November 9. Speakers will include: John Terell, VP of Policy and Legislation for APA California; Barb Kautz, Goldfarb and Lipman LLP; Eric Phillips, Goldfarb and Lipman LLP; and Sande George, APA California Executive Director and Lobbyist. Stay tuned for an e-blast announcement for more details.

How You Can Get Involved

As bills are making their way through

hearings and floor votes, APA California has been sending letters to the authors and other members in support of our opposition to their measures. As always, we would appreciate letters from members or their employers that are consistent with those positions. To review the letters, and for an alert on APA's position on all of the major planning-related bills, please go to the legislative tab on APA's website at www.apacalifornia.com. All position letters will be posted on the APA California website "Legislation" page, which can be found here: <https://www.apacalifornia.org/legislation/legislative-review-teams/position-letters/>. Position letters will continue to be posted here as they are written and updated—APA encourages you to use these as templates for your own jurisdiction/company letters.

UPDATES ON MAJOR HOT BILLS Note: The 15 bills in the Housing Package are highlighted in red.

AB 72 – Housing Law Enforcement and Finding of Noncompliance by HCD

Position: Support if Amended – Part of the Housing Package

Location: Signed by the Governor

This bill provides the Attorney General with the authority to enforce housing statutes, and allows HCD to find a jurisdiction in non-compliance with Housing Element Law after initially finding the housing element in compliance. APA supports increased enforcement of housing element laws and other targeted housing statutes, and many of

APA's amendments were inserted into the bill. But, the bill still needs amendments to allow more time to cure and to apply due process and curing requirements to AG enforcement actions similar to those added for HCD at APA's request.

AB 686 – CA Affirmatively Further Fair Housing Law

Position: Support if Amended to Mirror Federal Regs – Two-Year Bill

Location: Senate Transportation & Housing Committee

This bill would have required a public agency, including cities, counties and regional agencies, to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and to not take any action that is inconsistent with this obligation. Unfortunately, the requirements in the bill went way beyond federal regulations though that was the goal of the bill in case federal law in this area is eliminated. APA submitted amendments to pare back the bill to include only the federal regulations in California law. The bill is now a two-year bill, and will move again in January.

AB 678/SB 167 – New Housing Accountability Act Enforcement Provisions

Position: Neutral on HAA portions of bills/Oppose amendments inserted as part of the Governor's Housing Package

Location: Signed by the Governor

These bills make a number of changes to the Housing Accountability Act (HAA). Originally, both bills (which are identical) included requirements that local governments would not have been able to meet and would have imposed automatic fines for HAA violations without the ability to cure those violations. As signed into law, the bill is in better shape. Due to all of the amendments taken by the authors, APA was ready to remove its opposition to the HAA portion of these bills. Unfortunately, as part of the Governor's Housing Package, new amendments were inserted that APA opposes and need amendment to clarify a new definition of "lower density," and to remove new authority given to the judge to increase fines if a city or county fails to make "progress in meeting its target RHNA" since that is not a legal requirement.

AB 879 – New Housing Element Mandates Position: Oppose Unless Amended – Part of the Governor's Housing Package

Location: Signed by the Governor

Late amendments to AB 879 moved APA's position from support to oppose. The amendments: require mitigation fees to be substantially reduced through a new HCD review without providing other funding for

➤ P13 APA California Legislative Update

services and infrastructure to serve new development; add substantial analysis to the housing element by requiring the analysis of governmental constraints in the housing element to include any ordinances that directly impact the cost and supply of residential development; and impose an unfunded mandate to be paid by fees imposed on new housing projects.

AB 1397 – Restrictions on Adequate Sites in Housing Element

Position: Oppose Unless Amended – Part of the Governor's Housing Package

Location: Signed by the Governor

This bill places restrictions on the ability of cities and counties to designate non-vacant sites as suitable for housing development and would require all designated sites to have water, sewer, and utilities available and accessible to support housing development during the planning period. Many of the most onerous requirements for these sites in the original versions of the bill were removed. However, many remain and would make finding adequate sites extremely difficult in future planning periods particularly for built-out cities. Late amendments also require cities and counties to demonstrate local efforts to remove “non-governmental constraints” over which they have no control, including the cost of land or rental rates.

AB 1505 – Restoration of Inclusionary Housing Authority for Rental Units

Position: Support – Part of the Governor's Housing Package

Location: Signed by the Governor

These bills clarify the Legislature's intent to supersede the holding in the *Palmer/Sixth Street Properties L.P. v. City of Los Angeles* decision, to the extent that the decision conflicts with a local jurisdiction's authority to impose inclusionary housing ordinances on rental projects. As inclusionary requirements are one of the few options cities and counties have to increase affordable rental housing, this is an important clarification. The Governor also added provisions specifying that the Department of Housing and Community Development (HCD) has the authority to review an ordinance adopted or amended by a city or county after September 15, 2017, that requires as a condition of the development of residential rental units that more than 15 percent of the total number of units rented in a development be affordable to, and occupied by, households at 80 percent or less of the area median income if either of the following apply: a) The city or county has failed to meet at least 75 percent of its share of the regional housing need, as applicable for the above-moderate income category, prorated based on the length of time within the planning period pursuant to

existing law, over at least a five-year period. This determination shall be made based on the annual housing element report submitted to HCD, as specified; or, b) HCD finds that the jurisdiction has not submitted the annual housing report for at least two consecutive years.

AB 1515 – Deemed Consistent Standard for General Plan and Zoning Determinations in HAA

Position: Oppose – Part of the Governor's Housing Package

Location: Signed by the Governor

This bill specifies that a housing development project or emergency shelter is “deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision” if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity, pursuant to the HAA. APA has no problem with the “reasonable person” portion of this new standard. However, the “deemed consistent” automatic approval should have been deleted—it goes too far and upends the accountability for local land use decision-making. AB 1515 will allow the applicant, rather than the local agency or a judge, to determine consistency of a development with the General Plan and zoning by allowing the applicant to provide contrary reasons why the project is consistent. As a result, the issue will be whether a “reasonable person” could conclude that the project is consistent—not whether the city or county had substantial evidence to back up its conclusion.

SB 2 – Permanent Source of Affordable Housing Funding and Funding for Planning through Document Fee on Non-Housing Real Estate

Position: Support – Part of the Funding Portion of the Governor's Housing Package

Location: Signed by the Governor

This bill provides a permanent source of funding of about \$250 million per year for affordable housing, a portion of which will be available to use for local planning to accelerate housing production.

SB 3 – Housing Bond for Affordable Housing

Position: Support – Part of the Funding Portion of the Governor's Housing Package

Location: Signed by the Governor

This measure authorizes a \$4 billion general obligation bond for housing, which would go to voters for approval in 2018.

SB 35 – Developer Option for Ministerial Streamlining of Some Housing Projects

Position: Support if Amended – Part of the Governor's Housing Package

Location: Signed by Governor

This bill requires cities and counties to offer to developers of some housing projects a new ministerial approval process if the projects meet a long list of conditions, including meeting “objective” planning standards. It applies if a local agency does not “meet” its RHNA by income level. It is triggered based on building permits issued, not entitled projects. It does allow the developer to choose any locally-adopted ministerial process, instead of the SB 35 process and requirements. To be eligible for streamlined approval, the project must be in an urban area; be zoned or have a general plan designation for residential use; not have contained housing occupied by tenants within 10 years; meet a long list of other physical specifications; provide specified levels of affordable housing and commit to paying prevailing wages or use a “skilled and trained workforce.” SB 35 also speeds up design review and other approval determination timelines for streamlined projects under the bill. Late amendments added to the bill before it was signed, that will need clean up next year, appear to override local zoning.

SB 166 – Expansion of No-Net Loss to Loss of Affordability

Position: Support if Amended – Part of the Governor's Housing Package

Location: Signed by the Governor

This bill would mandate that cities and counties implement a rolling adequate sites and rezoning requirement by income level, rather than total units, by changing the existing “no net loss” provisions in state law. “No net loss” currently does not allow cities or counties to downzone sites or approve projects at less DENSITY than shown in the housing element unless enough sites remain to meet the regional housing need. SB 166 requires similar findings be made if sites are not developed for the INCOME category shown in the housing element. If there are not enough sites, the bill requires new sites to be rezoned within 180 days. It also extends the mandate to charter cities. Although APA agrees that no jurisdiction should be left with only a few or no sites that can accommodate affordable housing by the end of the housing element planning period, the remedy of numerous rezonings is an extremely onerous requirement for cities and counties—there aren't enough subsidies to build on 100 percent of sites designated for affordable housing and the HAA prevents jurisdictions from denying a market-rate housing project proposed on a site that is designated for

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affordable housing—a Catch 22. Additionally, the bill does not allow adequate time should a rezoning require CEQA.

SB 649 – By Right Small Cell Wireless Infrastructure Permitting and Mandatory Leasing

Position: Oppose

Location: Vetoed by the Governor

This bill would have eliminated public input and full local environmental and design review of small cells, mandated the leasing of publicly owned property for small cell infrastructure, and eliminated the ability for local governments to negotiate leases or any public benefits for the installation of small cell equipment on taxpayer funded property. Specifics of the vetoed bill are as follows:

- Discretionary approval of small cell permits would have only been allowed in the coastal zone and in historic districts. All other areas would have had to process these permits through either a building or encroachment permit.
- The bill would have provided extremely limited authority to apply design standards for property in the right of way, and those provisions in the bill were conflicting and difficult to interpret.
- Small cell dimensions were defined in the bill but the definitions would have allowed very large cell infrastructure, and didn't include all associated equipment needed to support the small cells.
- Cities and counties would have been mandated to lease public property at prescribed fees to private small cell companies. Fees for leasing of public property would have been set by using a formula for attachments to PUC poles, plus an additional \$250 for the time to set up the fee structure. After applying the formula, those fees would likely have barely covered maintenance costs.

APA California also believes SB 649 would have set a dangerous precedent for other private industries to seek similar treatment. APA California, along with the League of California Cities, the California Association of Counties, the Rural County Representatives of California, the Urban Counties of California, as well as many individual cities/counties and associations strongly opposed this measure and worked very hard to ensure the Governor vetoed the bill. The Department of Finance also took an oppose position and the bill was heavily covered by the press, with nearly every major editorial board coming out in opposition to the bill.

The Governor's veto message can be found here: https://www.gov.ca.gov/docs/Sb_649_Veto_Message_2017.pdf

Though the bill was vetoed, there is a strong chance the industry will try again. Similar bills have been signed or introduced in many other states throughout the country and this issue is also being considered at the Federal level. And while the Governor's veto message doesn't shut the door on a chance to bring back more "balanced" legislation, based on their actions this year it is unlikely that a "balanced" approach would achieve industry's goals. It is possible the wireless companies may wait to introduce a bill similar to SB 649 until after Governor Brown's term ends next year. As a result, APA California would advise jurisdictions to either adopt or update ordinances on permitting for wireless technology beyond macro towers and be prepared for these types of small cell permit applications. Given the industry's claim that the newer small cells require denser and closer proximity to their customers, cities and counties can expect to see a major change in how communities will permit this new infrastructure. It will be important to be prepared for this change if or when similar one-sided legislation returns.

But for now, APA California views the veto as a major victory for local government!

Other Important Hot Bills:

AB 73 – New Housing Sustainability Districts
Position: Support - Part of the Governor's Housing Package

Location: Signed by the Governor

AB 352 – Efficiency unit requirements

Position: Support

Location: Signed by the Governor

AB 494 – Accessory dwelling unit clean up

Position: Watching for substantive amendments

Location: Signed by the Governor

AB 565 – Alternative building standards for artists

Position: Watch

Location: Two-Year Bill

AB 571 – Tax Credits for Farmworker Housing

Position: Support - Part of the Governor's Housing Package

Location: Signed by Governor

AB 865 – Amnesty for non-compliant live/work buildings

Position: Oppose

Location: Two-Year Bill

AB 1250 – County Personal Services Contracts Restrictions

Position: Oppose

Location: Two-Year Bill

AB 1404 – CEQA infill exemption

Position: Support

Location: Two-Year Bill

AB 1414 – Solar energy system permitting

Position: Oppose

Location: Signed by the Governor

AB 1521 – Notice of Loss of Assisted Housing Developments

Position: Support - Part of the Governor's Housing Package

Location: Signed by the Governor

AB 1568 – New sales tax option and streamlining for Enhanced Infrastructure Financing Districts

Position: Support

Location: Signed by the Governor

SB 80 – CEQA Notices

Position: Watch

Location: Vetoed by the Governor

SB 229 – Accessory dwelling unit clean up

Position: Watching for substantive amendments

Location: Signed by the Governor

SB 431 – Accessory dwelling code compliance for permitting

Position: Concerns

Location: Two-Year Bill

SB 540 – Workforce Housing Opportunity Zones

Position: Support - Part of the Governor's Housing Package

Location: Signed by the Governor

SB 697 – Development impact fee reporting and restrictions

Position: Opposed

Location: Two-Year Bill

All Hot Bills

To view the full list of hot planning bills, copies of the measures, up-to-the minute status and APA California letters and positions, please continue to visit the legislative page on APA California's website at www.apacalifornia.org

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Now that the new editorial format for the *CalPlanner* has been established, we are seeking suggestions from APA California's partners and sponsors on ways to better reach the Chapter membership. This means rethinking the traditional calling card ads for example, as well as all ad placement and associated links. So we need to hear from you on innovative ideas that would complement the new design and format while offering a more effective way to generate awareness for your business or service. We hope you will continue to support the *CalPlanner* and encourage your comments and ideas by contacting Marc at myplanning@live.com

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SAVE THE DATE FOR SAN DIEGO!

Shaping Our Future: Planning Places for All



Are you ready to spend some time with your APA colleagues in San Diego? Then 2018 is the year and October 7-10 are the days! In 2018 APA California will be 70 years old: our Platinum Anniversary and there's much to celebrate! The Association and the planning profession have changed in significant ways over the years: organizationally, the definition and expanse of "planning", and who we plan for.

The Chapter conference is returning to San Diego's downtown waterfront at the Sheraton San Diego Hotel & Marina on beautiful Harbor Island facing San Diego Bay. The location has easy access to the airport, downtown

San Diego and many vibrant urban neighborhoods.

In recognition of our region's military history and continued importance, we are excited to be holding our Opening Reception Sunday evening October 7 aboard our prized gem, the storied USS Midway aircraft carrier anchored downtown.

Our theme is exciting and forward-looking: "Shaping Our Future: Planning Places for All!" Planners are involved in creating plans that shape our communities and the future. Looking forward, we see new constituencies and new technologies as well as incorporation of formerly separate specialties areas into planning. Through the 2018 Conference tracks we will explore what will shape planning, and what planning will need to shape in the next 25 years, while also tracing where we've been and celebrating our past successes. Look for the Call for Presentations to be issued in November.

Through our mobile workshops, we will be featuring recent investments and the diversity of communities and environments that the San Diego region has to offer from its coastal communities, to the mesa neighborhoods, out to the mountains and deserts, and from Camp Pendleton Marine Base on the north to Tijuana and the Mexican border on the south.

Whether you're a new sponsor or a returning one, we would love to see you in San Diego!

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