



Bill Anderson - APA President and California Planner

By Jeanette Dinwiddie-Moore, FAICP and Lance Schulte, AICP



You wouldn't know it with a common Anglo-Saxon name like Bill Anderson, but diversity is part of Bill's core make-up having been born to a rural Georgia man and a native Philippine woman, who met after World War II. Bill's Georgia ancestry dates back to the 1760's and it is said that his mother was one of the first women to graduate from the University of the Philippines. With keen insight into different cultures and a worldly perspective, Bill Anderson assumes leadership of APA as the first President of

Asian Heritage and second President from California since Dorothy Walker in the late 1970's.

Bill's interest in planning sparked during his time as a college exchange student in Copenhagen and an intern at Washington D.C. There he had his first exposure living in cities not predicated on the car – an eye-opening experience for a Southern Californian who drove a 1967 Impala. He then realized that there were different ways to organize and build our cities.

In that time, Bill also received a firsthand look at some abject poverty while taking the train across country – an experience that impressed upon him the importance of issues of social and economic justice. As Bill says "You see many of the backsides of cities on trains." Ready to make a change, Bill graduated from Harvard University with a graduate degree in City & Regional Planning. For the next 23 years he worked for Economics Research Associates doing planning from Boston, Los Angeles, San Diego, and over 20 other states and several foreign countries. While working in San Diego, he was tapped to become City of San Diego's Director of City Planning & Community Investment for 5 years. Today Bill is a Principal/Vice-President with AECOM, overseeing the Economics + Planning practice in the US West.

Bill has a very busy professional life but still has his passion for advocacy planning. He was President of C-3 early in his career, a planning and conservation citizen's group in San Diego, and served on San Diego's Planning Commission for 8 years, 2 as Chair during which time the City adopted the Multiple-Species Conservation Program, the Ballpark District Master Plan, the "City of Villages" framework strategy, and an inclusionary housing policy. Bill is the first to point out that others were responsible for these important planning initiatives (though Bill had a more direct role with the City of Villages and Inclusionary Housing policies). Bill is also on the board of a community development corporation in City Heights (a multi-ethnically rich, income poor community of San Diego), involved in several

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APA California elections are open through December 10 at 5:00pm. This year's ballot includes four positions on the Chapter Board as well as positions for the California Planning Foundation Board.

Cal Planner Production Schedule

Issue	Submit Articles	Issue E-mailed*
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APA Names Two Great Places in California

In October, APA announced the country's 10 Great Neighborhoods, 10 Great Streets, and 10 Great Public Spaces for 2013 through its national program, *Great Places in America*. Two of these great places are in California: San Francisco Chinatown and Los Angeles Grand Park.

Launched in 2007, *Great Places in America* recognizes unique and exemplary streets, neighborhoods, and public spaces – three essential components of all communities. These authentic places have been shaped by forward thinking planning that showcases diverse architectural styles, promotes community involvement and accessibility, and fosters economic opportunity.

"With our 2013 designations we reach our two hundredth *Great Place in America*," said APA Chief Executive Officer W. Paul Farmer, FAICP. "We're excited during National Community Planning Month to recognize these exemplary neighborhoods, streets and public spaces and the contributions planning and plan implementation make to these communities' success," he said.

APA *Great Places* offer better choices for where and how people work and live every day. They are defined by many characteristics including architectural features, accessibility, functionality, and community involvement. The 200 *Great Places* are located in all 50 states and the District of Columbia.

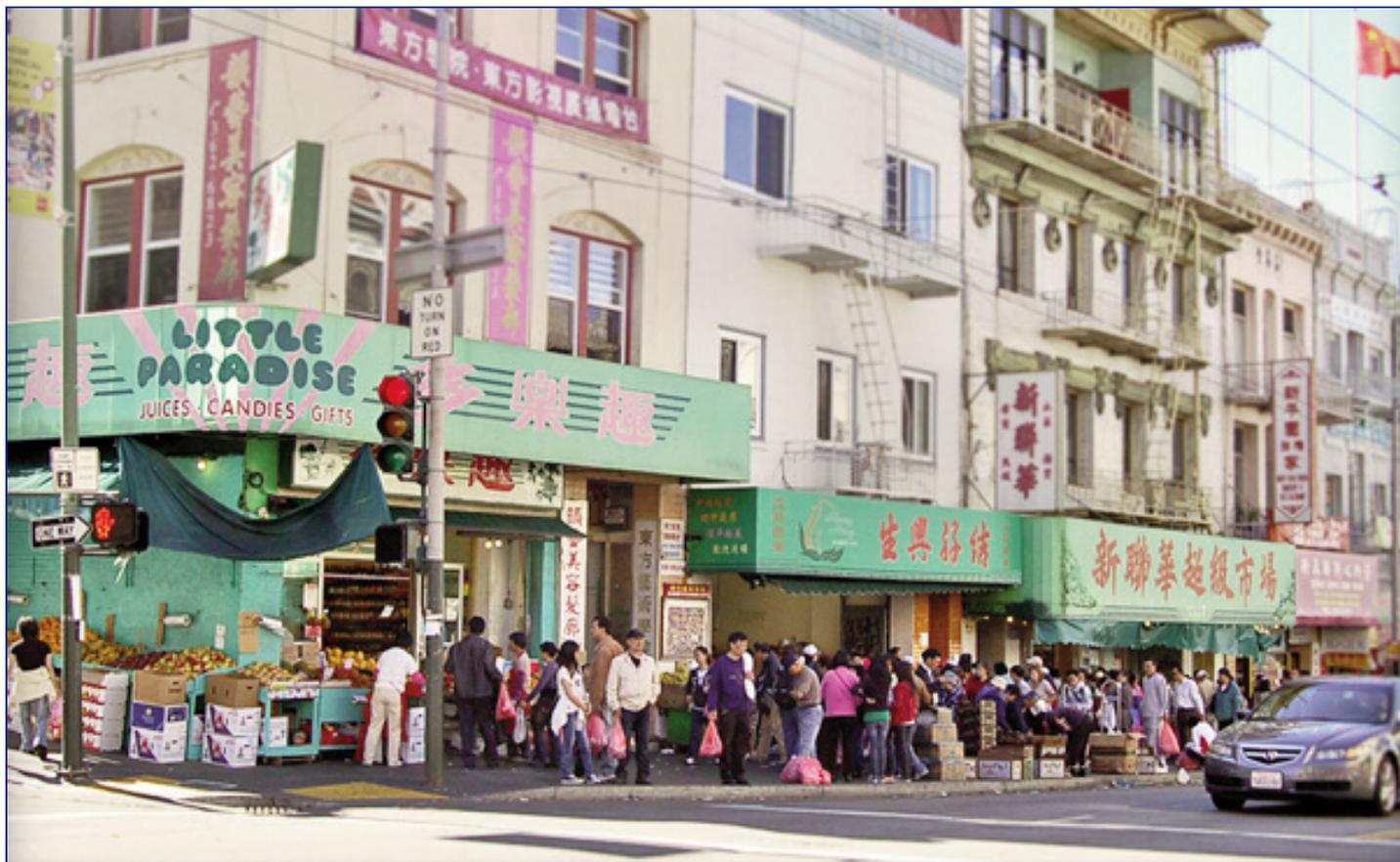
SF Chinatown (Photo courtesy Chinatown CDC)

San Francisco Chinatown

San Francisco's Chinatown has been designated as one of 10 Great Neighborhoods for 2013. APA singled out Chinatown for its historic role as a cultural capital, storied "Oriental" architecture, community activism, rebuilding after San Francisco's 1906 earthquake, and planning efforts protecting the neighborhood's character and identity.

"Our city's historic, culturally diverse and economically thriving neighborhoods like Chinatown make San Francisco a world-class destination to live, work and visit," said San Francisco Mayor Ed Lee. "And, through San Francisco's 'Invest In Neighborhoods Initiative,' we will continue to ensure this neighborhood and our commercial corridors citywide continue to succeed through dedicated and customized services for our city's residents and visitors alike," he said.

"Chinatown is an authentic, ethnic community that has successfully maintained its cultural heritage and tourist appeal despite natural disasters, prejudice, and incompatible development proposals," said APA Chief Executive Officer Paul Farmer, FAICP. "Residents' understanding and appreciation of how a neighborhood and its special qualities enhance community aesthetics and individual lifestyles has led Chinatown to evolve into a remarkable community that is unique not only in the U.S., but also the world," he added.



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The most populated neighborhood west of New York City and oldest Chinese community in the U.S., Chinatown is known for its bustling sidewalks, housing affordability, sustainable character, and colorful and ornate architecture. Residents strategically and quickly rebuilt in an oriental style after the 1906 earthquake and fire to draw tourists and thwart a proposal to move the leveled neighborhood elsewhere. Contributing to Chinatown's sustainability is its housing, 40 percent is single-room occupancy, and low percentage of households owning a car – less than 20 percent.

Los Angeles Grand Park

APA designated Grand Park in downtown Los Angeles as one of 10 Great Public Spaces for 2013. APA singled out Grand Park, formerly named the Civic Center Mall, for its collaborative redesign, accessibility, features, and downtown views. After 12 years of planning efforts involving residents, developers, planners, and city and county officials, the redeveloped park open last year with much fanfare.

“When the Joint Powers Authority, led by Los Angeles County Supervisor Gloria Molina, worked to develop Grand Park, they did so with a commitment to the many communities this park now serves,” said Grand Park Director Lucas Rivera. “Since its opening just last year, Grand Park has become the central gathering place that LA has longed for. It is an honor to be recognized by the APA as one of this country’s ‘Great Public Spaces’ and a grand tribute to the park as it approaches its first birthday.”

Framed by a stunning downtown skyline and gently sloping topography, the 12-acre park completed a \$56 million redevelopment last year that doubled the size of the 1966 Civic Center Mall. The four-blocks-long public space, which extends from The Music Center at the top of Grand Avenue to City Hall, features a community terrace; performance lawn; restored historic fountain with contemporary amenities; and 24 multi-cultural botanic gardens that contain 140 plant species representative of the world’s six Floristic Kingdoms.

LA Grand Park (Photo by Flickr user Matt Johnson)



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public policy groups related to planning, and is a member of the California Planning Roundtable. Bill is passionate about planning and he says “I’m really engaged in these issues and have a hard time not being an activist when I’m not working as a professional – It’s working to improve things that drive me – sometimes I get paid to work on them, sometimes I don’t.”

Bill’s family and personal time together is very important to him and who he is. He is married to Shawna Anderson, an AICP Environmental Planner for the San Dieguito River Park– a 55-mile greenbelt from the beaches of Del Mar to near Julian in the mountains in San Diego. They have two adopted children, Ryan (14) who is African American and Mila (11) who is Latina, and they are truly reflective of the diverse American family. Bill and his family enjoys gardening, travel, sports, and theater.

We asked Bill to share with us this thoughts about the future of planning, what he hopes to accomplish as APA President, the APA Development Plan focus for the during his term, the roles of planners related to sustainability planning, the elements of great planning and the interrelationship of planning and economics, his passions and his hobbies. We would like to share with you Bill’s insights and thoughts on these issues, based on his response to interview questions.

1. *With a background primarily in the private sector and in citizen based planning interest groups what are some features and practices from your experience that can help planners be more effective?*

It’s important to try to understand the different perspectives brought to the table and how they add value. The issues we deal with as professional planners involve many people who are not professional planners - elected and appointed officials, special interest activists, other professional disciplines, businesses, and community residents. In the end, we’re all citizens trying to make our places better. Professional planners and APA should be seen as the resource, advisors, and leaders to help citizens and our communities navigate through change, not as the establishment that’s part of the problem. During my tenure as APA President, I’d like to enhance the capacity for citizens who are interested in the issues to become directly engaged with APA and our members.

2. *As APA President you lead the APA Board’s update of the APA Development Plan that defines the broad objectives for APA activities and programs during your 2-year term as President. What is your vision and objectives for the Development Plan? How can APA members participate and engage in the Development Plan objectives?*

The Development Plan is the broad basis for the upcoming two-year budget. The Board adopted it at the 2013 national conference in Chicago, but it won’t take effect until October 2014. Until then, we continue to work under the guidance of the previous Development Plan that was adopted under Mitch Silver’s leadership. This over-lap is by design, and I think appropriate, to maintain continuity and consistency for the organization and not have abrupt changes with changes in the President and Board. I’m not one to make changes for the sake of making changes. When we began the Development Plan review process, which many members contributed to, it was clear that the Plan was still valid although the emphasis has evolved.

During my tenure as President, the updated Development Plan sets out the following priorities.

- Sustainability and Planning for a Changing Climate – This is probably the defining issue for several generations of planners because of its fundamental importance and breadth. It is an international as well as a local issue. More attention, however, needs to be given to the social equity component of Sustainability. California is a leader with mandated Sustainable Communities Strategies for all urban regions.
- Planning for Economic Development – Planning has a long-tradition in economic development, not just the social and economic planning since the 1930s, but also the urban design planning of the City Beautiful movement, such as Burnham’s Plan for Chicago which was sponsored by the Commercial Club of Chicago. We’ve somewhat lost that tradition and reputation and in some places are seen as primarily regulators who raise obstacles to economic development. This misperception has hurt planning and our members, especially during the recession and allocation of budget priorities. We know that planning for a better environment and better economy are not mutually exclusive – in fact, they’re mutually supportive. We need to reclaim this tradition and speak to it, not just among our members, but also to other groups who are involved in economic development, such as Chambers of Commerce.
- Healthy Communities – Planning has a history of addressing public health issues since ancient times. The Tenement Museum in New York reminds us of this connection in the 20th century. The air quality in Los Angeles is much better than when I was a kid,

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when we moved to Cerritos from San Diego in August and it took a month before I could see the distant mountains. However, in the start of the 21st century there is a new interest on how we design communities to induce healthier lifestyles for all. The strong link between urban form and public health has emerged as an important planning objective, as the public's awareness rises about the impacts of an aging population, and new research about obesity among the American population. The linkages of how can we live healthier lives by just living are directly related to having access to places by walking and biking, access to better food, access to recreation and open spaces, and access to education. Again, research in California has been a leader in raising this awareness. Healthy Communities create new opportunities for planners to partner with the public health and medical professions, AARP, and others. It also resonates in parts of the country that politically are skeptical about planning for climate change – Oklahoma City is a good example; it was the theme in the Alabama State conference last May. This will be a major topic at next year's national conference in Atlanta, with sessions developed with the Center for Disease Control.

- Changing Face of America, Aging & Diversity – Continuing our efforts here is important. I chaired APA's Diversity Task Force for a couple years. We have to address diversity on two fronts – how to engage and communicate with a more diverse public, and how to become more diverse internally within our profession. The aging of the population and our members is another important challenge. We intend to approach these issues through a number of initiatives.
- Engaging the Consumers of Planning – This gets at the point I raised earlier of how to better engage the public who have an interest in planning issues with APA and our profession. This may involve some new ideas regarding communications and use of social media, membership, leadership programs, and others that should be evaluated and considered.
- Partnerships – It's clear that we are more effective when we partner. We have several strong and important partnering relationships at the national and international levels. Some of these should occur at the chapter and section level as well; where

they don't already exist. In addition to our valuable relationships with design professions such as AIA and ASLA, as well as our collaborations with ULI, New Partners for Smart Growth, CNU, National Building Museum, international planning organizations, and others, we should build or improve our bridges with other organizations in engineering, economic development, environment, public health, academia and development.

- Membership Services – I do believe great strides have been made over the last several years, facilitated by technology that allows members, chapters, and divisions to benefit from the economies-of-scale, depth and breadth of a national organization, and enhanced internal communication. Membership services, however, can always be improved and our fundamental role is to provide value to our members.
3. *You co-wrote a book on sustainability planning. What are roles and skills planners should fill in making our world more sustainable? What are APA's sustainability initiatives?*

I co-chaired the "Sustaining Places" Task Force and PAS Report with David Godschalk from the University of North Carolina, which addressed the role of the Comprehensive Plan to create more sustainable outcomes. Bruce Knight initiated this effort while APA President. We had thoughtful contributing writers from around the country and Canada on various topics, from large regions and cities to rural communities and towns. We are continuing that effort, drilling down to more specific sub-topics, such as the use of "Smart Technology," resiliency and adaptation, social equity, healthy communities, population, etc. Some of this is being done in partnership with other organizations, including international organizations since sustainability planning is an international movement. We are very excited that a new APA Sustainability Division has been formed to help organize members who have a particular interest in getting involved. One thing, however, is to recognize that sustainability planning is not a special topic, particular initiative, or subset of planning. True sustainability integrates all components of planning and APA.

4. *You have worked around the world as a planner and currently work for a firm with a global practice. What are some of the worldwide best planning practices that you think APA members should know and make part of their practice?*

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While we have APA members who work internationally, and have had an APA International Division for many years, according to our member surveys international links are rising in importance and interest among our members, especially the younger professionals and current planning students. A significant proportion of students in many American planning schools are foreign students. We have about 1,000 members abroad in 85 countries, and many members in the U.S. who work abroad. I think the rising interest is due to concerns about global climate change and responses, and globalization and economic development, and is enabled by technology. We can and do learn from each other, whether it's the Dutch experience with adaptation and managing sea level impacts, Copenhagen's and Montreal's bike systems, Latin America's and Australia's Bus Rapid Transit networks, San Diego's habitat planning, Oregon's growth management and Portland's place-making, California's Sustainable Communities Strategies, Asia's rapid urbanization, the list goes on and on. At AECOM, I'm involved in meetings with colleagues from other countries each month, without leaving my desk. Community planners in small towns potentially have the same access to colleagues globally through interest groups communicating by the Internet. Frankly, this is a very exciting time.

5. *You have worked on a lot of economic and feasibility planning studies in your career. What advice can you provide planners regarding the interrelationship of planning and economics? How can planners be more effective in that relationship?*

One of my frustrations is when I see planners who think economics is a different field. In my opinion, planners who influence how communities and cities develop should have a basic understanding of the local economic base, real estate markets, capital and public financing, and economic and fiscal impacts if they are to be more effective in implementing their plans. Conversely, planners who specialize in economics should have some familiarity with urban design, environmental planning, and regulatory structures. It's not that people need to be experts at all things, but it's beneficial to understand the linkages and relationships, bring specialists to the table when necessary, and know how to incorporate their expertise to address an issue comprehensively – connect the dots for a better sustainable outcome.

6. *If you could lead any planning project effort what would that be, and why?*

First, my children's education - just because. Second, a planning strategy for the greater San Diego-Tijuana metro region – a true binational and unique economic, environmental, and cultural place. In the 1990s, I was doing a lot of work in the Philippines. I always thought that an urban revitalization strategy for historic Manila would be a great and interesting challenge.

7. *In your opinion what was the best example of great planning? What were the special features and outcomes?*

There are too many examples to cite. One of APA's more successful programs is the "Great Places in America" program. Each year several great places around the country are nominated, selected, and celebrated. It draws the national and local press and increases public awareness about the importance of planning – not by focusing on plans, but on great outcomes from great planning. It's an opportunity to deconstruct an existing Great Place and consider that it took people to build it, before that to finance it, before that to design and engineer it, before that to plan it, and before that to conceive of it. It communicates how planning can lead to the creation of great places.

8. *Thank you for sharing your vision, thoughts, and some personal insights. Do you have any closing thoughts or messages for APA members?*

As I travel around the country for my job or on behalf of APA, it's clear that California has one of the more developed and advanced, and sometimes complicated planning systems in the country. Things we take for granted in California sometimes are considered bold, even radical, in other places. However, there is a lot of excellent planning done around the country in different contexts and as planners we can all learn from those experiences. Just one example is how to induce urban and community revitalization without the extensive Redevelopment laws we use to have. Planning for healthy communities, bike system planning, designing for density, conserving historic resources, transit-related development, planning in contracting cities, eco-districts, and others quickly come to mind. As planners, we are innovators who learn from each other. Remember, APA is a resource to access innovations and interact with other planners nationally and worldwide.

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President's Message

By Brooke E Peterson, AICP, President, brooke.e.peterson@gmail.com



Fall is here, the holidays are upon us, and the New Year will be here before we know it! It's time to reflect on the year. Did you do everything that you had planned to do this year? Any regrets? Any goals for next year? Save your goal setting for the winter edition of Cal Planner with the new year, but Fall does remind us to be thankful for what we have. And that includes APA California.

At APA California, I'm thankful for all the amazing support and effort of our incredibly dedicated volunteers and members. It takes an inordinate amount of time and energy to pull off everything APA does each year so I'd like acknowledge and thank everyone that has devoted their time and talents to our organization this year. We want to keep improving and invite new members to get involved! Why should you get involved? Why not? Where do you want to get involved? What is your passion? Wherever your interest lies and in whichever Section you are located, we would love for you to join us and get involved. If time is short, why not try participating in the next APA event you happen to come across. Or email me at brooke.e.peterson@gmail.com and I'll share with you the next local APA section meeting near you, and you can check it out. APA is what you make out of it. We have a lot to offer and a lot to do! As the collective representation of the planning profession, we want to represent you, and reflect what you are interested in. We want to keep APA relevant, useful, and full of purpose.

Speaking of relevant, useful, and with purpose, I want to thank everyone who made it to the APA California State Conference this October in Visalia and especially those who helped with all the planning and preparation. It was an overwhelming success and a great showcase of the best in planning in our state. Hats off to our devoted Conference Host Committee and staff for putting in the volunteer hours to make the conference such a resounding success. You raised the bar. And then some!

Looking ahead, you have to "save the date" for next year's 2014 APA California Conference to be held at the Disneyland Hotel in Anaheim. The event kicks off September 13, 2014 with a full program of pre-conference workshops and concludes September 16, 2014. Besides new pre-conference sessions and concluding at the end of the day Tuesday, there are even more conference changes afoot to improve and expand the opportunities available to all who come. Whether you are a conference veteran or have never been, we hope you will come and experience everything the conference will offer!

Also looking ahead at the future of the organization, APA California is excited to announce the adoption of its **ninth edition Strategic Plan**. The new Strategic Plan, just released this fall represents a restructured approach to developing and applying strategies that advance APA California in keeping with our mission. The Strategic Plan, which outlines new initiatives and establishes leading priorities for APA California, is available now and we invite you to take a look and find out where our organization is headed over the next two-year period. If you have further ideas to help propel our organization's operation and value into the future, I want to hear about it. We want your input and ideas, email me at brooke.e.peterson@gmail.com. I hope you have a wonderful holiday season and I look forward to seeing many of you at a future APA event!

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Join the APA California Legislative Review Teams

The APA California Legislative Review Teams are once again gearing up to review the new planning-related legislation to be introduced in 2014. To get more information on the teams, please visit the APA California website, www.apacalifornia.com. If you would like to become a member of the Review Teams, please e-mail Sande George at sgeorge@stefangeorge.com.



Visalia Shines Under the Sun at the APA California 2013 Conference

By Fred Brusuelas, AICP, 2013 Conference Co-Chair and Ben Kimball, 2013 Conference Co-Chair

Located in California's Great Central Valley, the 2013 APA California Chapter Conference in Visalia was a great success. The official theme of this year's conference was *Planning Under the Sun*, and more than 700 attendees enjoyed a diverse and extensive program of events and sessions.

The conference comprised of two and one-half days of concurrent sessions and keynote speakers addressing a wide range of planning topics. Networking and socializing with colleagues, clients and friends was abundant. The Visalia downtown setting was a departure from previous resort destination venues. This location included a downtown urban setting that was convenient and walking distance to restaurants, entertainment and shopping.

Sunday morning ushered in a new conference attraction. The Pre-Conference Workshop was designed to satisfy the need for inquisitive minds and continuing education credits. This first effort was a success and there will be more to come at future conferences.

Numerous mobile workshops to surrounding areas of interest in the region were offered and enjoyed by many planners. However, those hoping to visit one of the region's treasures were disappointed because of the federal government shutdown resulting in the closure of Sequoia National Park and the cancellation of two mobile workshops to this unique and beautiful part of California.

The Sunday Student Awards Luncheon resulted in the recognition of 28 recipients and the distribution of scholarships that totaled over \$50,000. The California Planning Foundation (CPF) Board continues to do great work in assisting planning students.

Sunday evening kicked off the social activities with the APA Oktoberfest Opening Reception at the Marriott-Visalia Convention Center Plaza. The weather was fabulous, the food was great, the planners energized, and the APA All Star Band was in the groove.

The Opening Keynote Speaker, Ken Alex, presented an insight into the State of California's planning efforts affecting CEQA, General Plan Guidelines, and implementation of SB 375. He made his viewpoints known for his support of California High Speed Rail and other big picture issues affecting California's future.

The Awards Luncheon highlighted the 22 awards for excellence and merit to planners, projects and planning efforts. These annual conference recognitions remain an important part of showcasing the great work being performed by California planners.

The CPF Reception and Silent/Live Auction resulted in substantial contributions to sustain the funding for the CPF's Student Scholarship program. The planners' good will and spirit made this a fun and successful event that was enjoyed by all while raising substantial amount of funds.

The Tuesday luncheon keynote speaker, Paul Rodriguez, presented a passionate call for solutions to California's water issues. He did not hold back on his call for collaboration among competing interests in the water debate to find sustainable alternatives that can satisfy all concerned and meet California's future water demands.



Visalia Shines Under the Sun at the APA California 2013 Conference

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On the last evening of the conference following the Consultant's Wine-and-Cheese Reception, the APA All Star Band took to the stage at Crawdaddy's restaurant and entertainment venue for a late night blast that had planners partying with gusto.

During the day, many sessions were scheduled that included serious planning topics, thought provoking issues and insight into contemporary planning trends. All those who participated in the sessions departed the conference with an increased depth of knowledge. This conference learning and experience will transition to improve our communities and advance the profession.

The Central Section and the Conference Host Committee, working with the APA California Board and conference sponsors, produced an outstanding conference. We thank everyone for the opportunity to host our fellow California planners, and proudly pass the torch to Orange Section for the 2014 Conference in Anaheim.

A very special thanks go out to the APA California 2013 Conference volunteers!

There is no conference that can succeed without the contributions of skilled and dedicated persons. On behalf of the APA California Host Conference Committee, we want to express our gratitude to all the volunteers who provided behind the scenes support to ensure that everyone at the conference had an enjoyable experience. We want to make sure the APA California membership is aware of the dedicated APA volunteers and others that made the conference possible. We would especially like to thank our committee chairs Josh McDonnell, Mary Beatie, Karl Schottler, Jason Garcia-LoBue, Bruce O'Neal, Barbara Steck, David Duda, David Bryant and Brandon Smith. We could not have had a successful conference without their support!

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Diversity Summit

By Anna M. Vidal, Membership Inclusion Director for Southern California and Miroo Desai, AICP, Membership Inclusion Director for Northern California

The eighth annual Diversity Summit was held in the late afternoon on first day of the conference, October 6, 2013 with over 125 people in attendance. This year's theme was food systems, specifically the issue of food justice and how it affects communities of color in both urban and rural areas. Miroo Desai, Membership Inclusion Director for Northern California, and I agreed that Visalia would be a fitting place to discuss food systems and so we embarked on getting speakers and organizing the event. Our first thoughts were what speakers would be able to speak on the lack of access to healthy food. Miroo knew of Gail Wadsworth, who studies farm laborers and their working conditions, and Saru Jayaraman, an advocate for restaurant workers both in Northern California and nationwide. Additionally, we thought of David Sloane, Ph.D and his research and work studies in urban deserts in the South Los Angeles area. After a few phone calls we had our Diversity Summit ready for the State conference in Visalia.

We began the Diversity Summit with a brief overview of what the Membership Inclusion had done in the year. Currently, we have Section Membership Directors in every Section in the State except Central and Los Angeles (if you are interested in filling the vacant positions, please contact us for more information.)

Dr. Sloane, who teaches at the Price School of Public Policy at the University of Southern California, was the first to speak. He presented the alarming increase in the obesity rate from 1997 to 2010 and how diabetes has quickly climbed between 1958 and 2009. His most telling slide was the health inequality in Los Angeles, specifically how much higher the morbidity and mortality rates are in South Los Angeles in comparison with the rest of the City of Los Angeles. He went on to discuss how food insecurity is not an urban issue, and displayed a map of the state showing how the entire State is affected. Dr. Sloane presented the disparity between grocery stores in South Los Angeles and the rest of the city. He ended his presentation with this challenge to planners: it is not our job to force people to make healthy choice, but it is our job to give more options for a healthy lifestyle in both how we plan our communities and the options we provide such as supermarkets, farmers markets, community gardens, and allowing gardens in the parkway.

Our second speaker was Sophia Cheng from Restaurant Opportunities Centers (ROC) Los Angeles. She presented a short two-and-a-half minute video, Behind the Kitchen Door, which shows the life situations of each restaurant worker as they serve an expensive meal to a couple in a restaurant. She then gave a brief history of ROC, which started in New York City after September 11, 2001. ROC United is an organization that brings attention to and assists restaurant workers by educating them on their rights and ways to obtain better wages and benefits. Sophia stated that most restaurant workers are immigrants who consider work in the restaurant industry as their career. While a number of workers have over 15 years of experience in the field, with the wages they earn, they are barely able to put food on the table for their families and either do not have access or cannot afford healthcare. ROC Los Angeles runs workplace justice campaigns, conducts policy research on wage theft, healthcare access and other benefits, and promotes restaurants that provide fair wages and healthcare for their employees. She had a ROC Los Angeles diners guide available for those at the session and mentioned the availability of National Diners Guide online. For more

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Diversity Summit

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information on Restaurant Opportunities Center United see their website: <http://rocunited.org/>

Our final speaker was Gail Wadsworth, the Executive Director of the California Institute for Rural Studies (CIRS). She presented her studies on farm workers in California. Farm workers face a similar fate that urban dwellers of color face; they have limited access to healthy food options, affordable housing and healthcare, and public transit. Gail focused on three questions: Where do farm workers live and work? How do we balance farmland preservation with access to affordable housing? And how do we create affordable public transit for farm workers? She presented statistics on food insecurity of farm workers. The one statistic that was most telling was that an average family spends \$151 a week on food and if a farm worker family were to spend that same amount, it would be 58% of their yearly income. Farm workers annual income is on average \$13,800 a year. Farm workers are traditionally paid low wages and work seasonally. The current law does not require agriculture to pay for overtime, workman compensation, unemployment, follow child labor laws, and only until recently was exempt from paying the minimum wage. She presented her case studies that highlight various issues farm workers face. Her final thought and takeaway for planners was suggesting the idea of Smart Growth for rural communities. She stated that we could begin to incorporate smart growth principles such as affordable housing for farm workers and reliable availability of public transit that lead from the farm worker housing to local farms.

The Summit ended with a discussion emerging from the questions asked by the audience. We will post a complete report on the Diversity Summit later on the APA CA website. We hope that the Diversity Summit brings to the surface issues that face communities of color in the realm of food production, distribution and access and begin the process of having a solution in the future to bring better equity to all people. All the presentations and the video will be posted on the APA CA website along with our contact information for more information.

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Calling all women (and men) of APA California! Please consider joining the **APA Planning & Women Division** <http://www.planning.org/divisions/planningandwomen/>. We are a dedicated group of volunteers working to promote women's planning issues and the professional growth of women planners. Need another reason? According to APA's 2012 Salary Survey, all else being equal, a full-time female planner in the 50th percentile earns \$9,000 less than her male counterpart. We need you to make a difference!

Don't miss this opportunity to strengthen your career and community and to network with other talented planning professionals who share your passions.

Please enjoy this complimentary issue of *Forward* where you will find articles from your past and present California APA Board members <http://www.planning.org/divisions/planningandwomen/newsletter/2013/pdf/fall.pdf> and join us today!

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Please take the time to review this time-saving new feature.

The Proper Baselines for Analyzing Traffic and Related Impacts Under CEQA

By Antero Rivasplata, Ron Bass, JD, Rich Walter, Jonathan Riker, JD, and Donna McCormick

In May 2011, ICF issued a Guidance Document entitled “The Proper Baseline for Analyzing Traffic and Related Impacts under CEQA: Guidance in Response to the Sunnyvale Case.” This article updates that guidance in view of the California Supreme Court’s August 2013 decision in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (___ Cal.4th ___).

The California Environmental Quality Act (CEQA) Guidelines provide that existing conditions at the time a Notice of Preparation is released or when environmental review begins “normally” constitute the baseline for environmental analysis. (Guidelines Section 15125) In 2010, the California Supreme Court issued an opinion holding that while lead agencies have some flexibility in determining what constitutes the baseline, relying on “hypothetical allowable conditions” when those conditions are not a realistic description of the conditions without the project, would be an illusory basis for a finding of no significant impact from the project and, therefore, a violation of CEQA. (*Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310)

On August 5, 2013, the California Supreme Court handed down its second baseline decision when it decided *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (___ Cal.4th ___). This latest decision has clarified that, under certain circumstances, a baseline may reflect future, rather than existing, conditions. This advisory offers background on this case and the decisions leading up to it, as well as some suggestions for practitioners on how to proceed when determining an analytical baseline for analysis of traffic and related impacts.¹

In the Beginning, There was Sunnyvale West

The Sixth District Court of Appeal’s decision in *Sunnyvale West Neighborhood Assn. v. City of Sunnyvale City Council* (2010) 190 Cal.App.4th 1351 (“Sunnyvale”), rocked the world of transportation analysis under CEQA.

Until that time, the analysis of the traffic and transportation impacts of a project commonly relied upon some future date as the baseline for analysis, because this was the norm in the world of transportation planning. This meant that, in contrast to most CEQA analyses, the traffic changes resulting from the project were based on a comparison of “future-with-project” and “future-without-project” scenarios.

Transportation-minded CEQA practitioners asserted that traffic is

different than most environmental considerations because existing conditions do not represent the level of traffic that will exist at the time the project becomes operational and ignores both expected road improvements that may reduce traffic congestion and expected new development that may increase it. In other words, using existing conditions as a baseline would be an artificial estimate of project impacts because the physical conditions existing at the time of the NOP are certain to change over the time between when the project is approved and when it becomes operational.

In examining the effect of the extension of Mary Avenue on the nearby residential neighborhood, the City of Sunnyvale used future year 2020 build-out under its General Plan as the baseline for its traffic impact analysis (and related air quality and noise analyses). Rather than existing conditions, the baseline was conditions that were expected to exist many years in the future (the draft EIR was released in 2007).



¹ For the remainder of this paper, we will refer to traffic impacts, but the analysis also applies to noise and air quality impacts that are related to traffic.

The Proper Baselines for Analyzing Traffic and Related Impacts Under CEQA

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The Appellate Court would have none of that. It concluded:

...the EIR fails to identify and consider the incremental effects of the MAE [Mary Avenue Extension] Project, individually, on the existing traffic, noise, and air quality conditions. The EIR instead evaluates any incremental change in those conditions due to the project against the already worse traffic environment of the future. Evaluation of the MAE project under those projected worse traffic conditions of the future obscures the existence and severity of adverse impacts that would be attributable solely to the project under the existing conditions without the other assumed roadway improvements.

The *Sunnyvale West* decision held that while comparisons to future traffic scenarios may be important for transportation planning purposes (and appropriate in determining the cumulative impacts of the proposed action), without substantial evidence to the contrary, CEQA mandates that only the physical conditions existing at the beginning of the environmental review process should be used as the baseline for determining the direct and indirect impacts of a proposed project. The Court did provide that the date of project approval, as opposed to the date of issuance of the NOP, might be an appropriate baseline, rather than strictly adhering to the date of the NOP, especially when several years might pass between the NOP and project approval.

The *Sunnyvale West* ruling questioned the long-established practice of using a future without-project baseline for traffic analysis. Rather than being able to rely

upon a comparison of future-without-project and future-with-project conditions, both of which could be modeled using available software, the analysis now seemed to be reduced to comparing existing conditions (as often defined by traffic counts) to a future with-project scenario. The *Sunnyvale West* holding was reaffirmed by the Fifth District Court of Appeal in *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48. That decision invalidated a specific plan in part because the court could not find clear evidence that the County had actually used existing traffic as the baseline for determining the significance of the plan's traffic impacts.

Then Came Pfeiffer

In *Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552, another panel of Sixth District Appellate Court justices took a more tolerant approach to the use of a future baseline. Apparently having learned from its prior loss in the *Sunnyvale West* case, the City of Sunnyvale prepared an EIR for a medical center expansion that relied not on a future baseline alone for its traffic and air quality analyses, but rather on four baselines: existing conditions, background conditions, project conditions, and cumulative conditions. Background conditions included not only existing traffic conditions, but also the road improvements programmed to be built by the time the project opened and additional traffic generated by approved projects in the area that were expected to be built before the project. Unlike the situation in the *Sunnyvale West* case, this EIR clearly used existing conditions as one of its baselines and made a significance determination on that basis. The Court of

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The Proper Baselines for Analyzing Traffic and Related Impacts Under CEQA

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Appeals held that this approach adequately informed decision-makers and the public of the project's potential impacts and also found that examining other baselines as well did not make the EIR inadequate.

In contrast to *Sunnyvale West*, the *Pfeiffer* decision supports a more flexible approach to traffic analysis. The background conditions scenario offered the City a realistic view a few years into the future of what traffic conditions would likely be when the project opened for business and how that would differ from conditions once the project was in operation.

And Now the Neighbors

The Second District Court of Appeal upset the proverbial apple cart with its 2012 decision validating the Exposition Metro Line Construction Authority's EIR for an extension of a Metro Line wherein projected conditions in the year 2030 were used as the baseline for traffic and traffic-related noise and air quality impacts. This decision created a clear split in the appellate courts' interpretation of the flexibility afforded to lead agencies in determining the baseline conditions from which to analyze the significance of a project's impact. On appeal, the Supreme Court agreed to consider the decision in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* and settle this split.

In its review of and decision in *Neighbors for Smart Rail* the California Supreme Court has taken a step beyond its statement in *Communities for a Better Environment v. South Coast Air Quality Management District* that "[n]either CEQA nor the CEQA Guidelines mandates a uniform, inflexible rule for determination of the existing conditions baseline. Rather, an agency has the discretion to decide, in the first instance, exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence." The Court has now effectively created a set of rules under which an agency may use a future baseline in place of existing conditions. Here they are:

- Existing conditions at the time of the Notice of Preparation or at the commencement of the CEQA process is normally the baseline for impact analysis.
- However, factual circumstances can justify an agency departing from that norm in the following circumstances, when such reasons are supported by substantial evidence:
 - When necessary to prevent misinforming or misleading the public and decision makers; and
 - When their use in place of existing conditions is justified by unusual aspects of the project or surrounding conditions.
- The Sunnyvale West approach was too restrictive and the Court of Appeal's reasoning in the case is disapproved insofar as it holds that an agency may never employ predicted future conditions as the sole baseline for analysis of a project's environmental impacts.
- An agency may, where appropriate, adopt a baseline that accounts for a major

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The Proper Baselines for Analyzing Traffic and Related Impacts Under CEQA

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change in environmental conditions that is expected to occur before project implementation. Nothing in CEQA or the CEQA Guidelines precludes an agency from using as a baseline the conditions that are expected to exist at the time the proposed project would go into operation provided that agency explains how the above conditions are satisfied.

- An agency has the discretion to completely omit an analysis of impacts on existing conditions in favor of a future conditions baseline when an existing conditions analysis “would detract from an EIR’s effectiveness as an informational document, either because an analysis based on existing conditions would be uninformative or because it would be misleading to decision makers and the public.” However, the fact that the future conditions analysis would be more informative is insufficient grounds by itself to omit an existing conditions baseline.
- The fact that a project could improve conditions in the long term does not relieve an EIR of its responsibility to inform decision makers and the public of the short- and medium-term environmental impacts of achieving that desirable improvement. These impacts include not only construction impacts, but also impacts incurred during the project’s initial years of operation. The choice to use a future baseline must be justified, even if the project is designed to alleviate adverse environmental conditions over the long term.

Conclusions

The Supreme Court has set out a more reasonable approach to traffic impact analysis, with the caveat that there must be specific reasons to justify using a future baseline and that those reasons must be explained in the EIR and supported by substantial evidence. This decision should make jurisdictions more comfortable in using projections of conditions on opening day or the commencement of operations as a baseline in place of existing conditions.

It also allows agencies to examine potential impacts on the basis of both existing conditions and future projection baselines, if they so desire. There may be situations where doing so improves the decision maker’s and public’s understanding of the project’s significant impacts. This decision clearly allows an agency to use the *Pfeiffer* approach of including existing conditions and background conditions baselines.

What the courts mean when they refer to an “existing conditions analysis” is actually an analysis of the difference between existing conditions and existing conditions *plus the project*. This is what had raised such concern among transportation analysts over the *Sunnyvale West* decision. When a project will not begin operations until several years after the environmental process is done, an existing plus project conditions analysis does not accurately reflect the conditions that exist at the time the project’s impacts actually occur. Thus, an existing plus project conditions analysis can be misleading to the public and decision makers. The Supreme Court has clarified that existing conditions do not have to be the baseline in such situations.

The Supreme Court has recognized that there is a difference between

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The Proper Baselines for Analyzing Traffic and Related Impacts Under CEQA

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baseline, no-project alternative, and cumulative impact analyses. An EIR must include an analysis of the impacts in each of these cases. These three analyses can be characterized as follows:

- **Baseline:** Existing and/or, when justified, future conditions. This provides the public and decision makers an understanding of the current character of conditions. The EIR must analyze the changes from baseline that would occur should the project be approved. ICF recommends that an EIR should disclose existing conditions even when the future condition is justifiably used as baseline, as a point of information.
- **Interim year impacts:** If a project is phased or there is a substantial passage of time between initial operation and full operation, an EIR may need to analyze multiple timeframes in order to capture both interim and ultimate impacts.
- **No-Project:** Future conditions based on a reasonable projection of planned activities. The EIR must analyze the changes from existing conditions that would occur as a result of a future without the project.
- **Cumulative Impact:** Analysis of the project's contribution to a cumulative significant impact resulting from past, present, and probably future actions and the determination of whether that contribution is "considerable."

In the end, the Supreme Court let the Authority's EIR stand; holding that the error in setting a 2030 baseline was not prejudicial to the agency's decision in approving the

project. Despite the Authority's winning this case, the Court did not seem to approve of a baseline set far in the future; no matter how reliable the future projections might be. Agencies should not emulate the Authority's approach of setting a far-future baseline just because there are available demographics and traffic projections to construct a far-future scenario. If a future baseline is used, it should be as close as possible to the time of project approval, while still allowing meaningful analysis of operational impacts.

Recommendations When Using a Future Baseline

This is the Exception, not the Rule. Using an existing conditions baseline is still warranted in most cases. The Supreme Court, in creating this rule, is establishing an approach that is only applicable under narrow circumstances. Don't get carried away and attempt to apply this approach to every impact analysis.

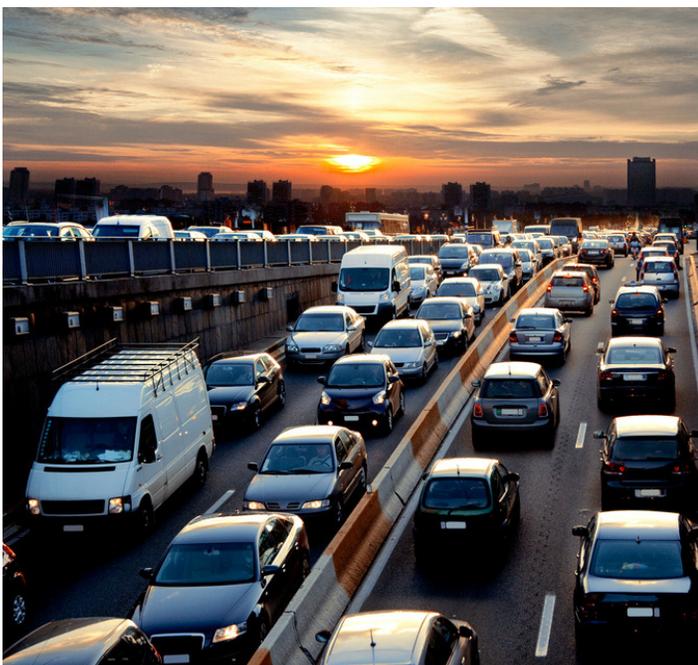
Show your work. This is always good advice, but if you choose to use a future baseline, this case highlights the need to clearly explain why in the EIR.

Be specific. The Supreme Court has set out the rules under which a future baseline can be justified. Describe in the EIR's discussion of baseline the specific unusual aspects of the project or surrounding conditions that justify using a future baseline. In addition, explain how a future baseline is necessary in order to prevent misinforming or misleading the public and decision makers. The description/explanation must be supported by substantial evidence in the record.

Keep it real. Don't use a future baseline that's many years beyond the date at which the project would begin operations. The more distant the baseline year, the more difficult it will be to justify. Explain why the projections that the future baseline relies on are indeed reliable.

Avoid a Mid-life Crisis. When a future baseline is beyond the beginning of operations, the EIR should examine the impacts, if any, which would occur during the middle period between the beginning of operations and the future baseline year. The EIR should disclose whether such impacts are significant and include appropriate mitigation measures.

For additional information, please contact Terry Rivasplata, Ron Bass, or Rich Walter, at Antero.Rivasplata@icfi.com, Ron.Bass@icfi.com and Rich.Walter@icfi.com, respectively. This information is not intended to be legal advice. Any reproduction of this document may be done only at the express permission of ICF International.



What if We Establish an Artistic Milieu for Planning Practice?

By Miguel A. Vazquez, AICP in collaboration with James Rojas

“Many realize that planners, engineers, business people and social workers could all benefit from seeing their worlds through the eyes of artists and the additional power and potential that this can give to projects of any kind. The out-of-the-box lateral thinking and use of imagination present in the arts is perhaps the most valuable thing the arts can offer the city and other disciplines such as planning, engineering, social services, or to the business community, especially if allied to other emphases such as focus on local distinctiveness.”

Charles Landry—*The Creative City*

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Art VULUPS @ City of Indio's Chalk Art Festival, February 2013

About five years ago, I had the opportunity to lead and curate a project where the integration of planning and art was done through the participation and collaboration of 15 planners and 15 artists. The project explored General Plan concepts expressed through the eyes of artists.

The project, “Art as a Vehicle to Understand Land Use Planning and Sustainability (Art VULUPS)”, created a collection of works that were donated to the California Planning Foundation for the 2011 Scholarship Silent Auction, and that same year, it was recognized by APA CA with an Award of Merit for Education Project.

To date, the project continues to explore innovative approaches for community and civic engagement where the public has an opportunity to understand the frequently insulated and monolithic bureaucratic planning process through art.

Looking back at on my own journey—which has validated the notions that art is powerful, practical, and omnipresent—there were times when I questioned my own instincts while dreaming and implementing the idea of integrating art and planning. On more than one occasion, I thought I was completely mad, but the fact that 30 individuals—almost half of them members of the American Institute of Certified Planners—had signed up for the adventure was a positive indicator that I was onto something new and good.

During the summer of 2010, I was visiting Portland with my family. The World Cup was in full swing and the day after Spain conquered the *soccermania*

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What if We Establish an Artistic Milieu for Planning Practice?

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Place It! @ City of Riverside Neighborhood Conference, October, 2013

world, I found myself browsing through planning books at Powell's Books. I picked up a few titles including "Container Atlas—a Practical Guide to Container Architecture" (I am a CONEX box enthusiast) and "The Creative City—a Toolkit for Urban Innovators" by Charles Landry. The minute I scanned through the pages of this second book, it was a no brainer that it was the perfect reading for me. It presented topics and concepts such as imagination, creative bureaucracy, cultural industries, creative ecology, hard and soft infrastructures, and the creative milieu. Most importantly, the section *Creativity as Currency*—in which Landry describes the connections and the process of innovation in which *curiosity, imagination, and creativity* are inherent components and triggers for invention and innovation to take place—assured me that I was not as mad as I thought I was. After reading it, I was able to validate that Art VULUPS is an innovative project that started with the simple curiosity question: **What if we combine art and planning to explain planning concepts?**

Why should artists collaborate with planners more often?

It is true that at some point in time, likely during childhood, we all have been artists. We have used our imagination to its full potential and have expressed it by playing, singing, dancing, drawing, painting, sculpting, etc. For a multitude of reasons, this freedom of creativity typically vanishes as we age. There are some individuals, however, who have been able to retain that capacity for continuing to exercise it: the declared artists. By working with them, I have learned that, in general, they have an acute sense of observation, they are highly critical of the world around them and the systems dominating decision-making processes. They have a keen eye for connecting concepts, ideas, and people while identifying where all these may also be disconnected. They are constantly dreaming up things, taking notes and discussing ideas. They are typically hungry for information and constantly engage in problem solving through research and dialogue exchange that ultimately leads to the development of an art piece or an installation. I believe these are the kinds of qualities the planning profession needs en masse to take planning to the next level of community design and engagement where everyone knows what planning is, what planners do and how

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APA California Creates Facebook Group for Members

By joining, members will have another avenue to receive and share with like minded friends' up-to-date information regarding the Association and to network with each other.

We encourage you to accept and enjoy this invitation to join the APA California group and begin to enjoy this new service for our members. But please refrain from posting anything other than issues related to planning. We hope you continue to enjoy the advantages of this networking alternative.

The views expressed on the Facebook page are the individual's alone, and do not necessarily express the views of the APA California. Members may not post any content that is threatening, obscene, a violation of intellectual property rights or privacy laws, or otherwise injurious or illegal.

 Check out our [Links, Events and Discussion Board](#) for information about our lending library for AICP certification maintenance, legislation that is happening now in the California legislature and administration that will impact planning: view the hot bills, get copies of legislation and regulations, and find out how you can provide input, and much more.

Send Your Articles and Photo Essays for *Cal Planner*

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What if We Establish an Artistic Milieu for Planning Practice?

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planning affects personal and community health and quality of life. Only then, planners will be able to claim that in fact their plans reflect the community's desires and that equity in the decision-making-process is achieved through inclusion.

One of the pioneers working on the integration of art and planning is James Rojas, the LA based planner, artist, and founder of Place It! Through his ephemeral participatory art form for community engagement, he creates spaces where anyone and everyone can become a planner without having any formal planning training. All that is required is imagination and the willingness to share ideas. All active participants in his workshops are also empowered to become ephemeral artists.

Rojas considers his approach an innovative method to transform urban planning outreach from the traditional charrette exercise to an experience where art is the tool for this transformation to occur. Recently, he shared with me some insights about his work that reveal the process of innovation and the prominent artistic characteristics in his approach:

“The goal of my art/urban planning practice is to collect data but as an artist my approach consists of bringing people together to form relationships with the environment and each other.

Physical activities like playing, eating, dancing, and storytelling bring people together. I want people to have a similar experience through my method which can produce similar enduring memories. My art method is inclusive and improves communication between urban planners and the public. This method encourages community members to express their aspirations, needs, and everyday experiences in a simple way that everyone can participate in, thus creating more public involvement in the planning process and better informing planning for the built and natural environment. When people complete my activities, I want them to be passionate about their community. Art-making helps bring out that passion. People's passion is created when they understand how they relate to their environment and each other. Like every planning tool, my method is cerebral but also includes people getting in touch with their senses. By using their senses, I create a leveled playing field where everyone can participate. They reflect, touch objects, and build solutions. By sharing their experiences, memories, and fantasies with each other they learn to listen, respect, understand and inspire each other. I want them to leave knowing they accomplished and learned something about themselves and each other. This process builds on people's

strengths and builds community capacity to work together towards improving their environment.”

A Call for an Artistic Milieu for Planning

How can our existing planning processes include stronger collaboration with the arts community to deliver more outreach interventions that are fun, engaging, useful and interesting like Place it! and Art VULUPS? How can we integrate on-line participatory platforms like Crowdbrite and Mindmixer with more personal one-on-one experiences? How can we involve artists to help de-codify data, create maps, tables and charts that can be taken to the public domain spaces such as plazas, churches, schools and the streets? What if we create a space for these ideas to turn into meaningful dialogue and collaboration?

The artistic milieu for planning has just begun, and planners engaged in public participation, community health, sustainability and community design and development should consider leading the charge to establish this type of dialogue. Public participation and civic engagement are becoming the next big challenges in the planning field which must be prioritized. Creativity may be the key ingredient needed to find meaningful collective solutions for effective communication strategies between the community and planners working for the public, private and non-profit sectors. If you are a planner with artistic tendencies in attrition, take the leap and act upon your creative ideas. If you are a planner who believes in the power of art, reach out to local artists and find avenues to work with them. If you are a planner and an artist, hopefully you are reciprocally applying your skills to your daily work. If you are interested in becoming an agent of change for the integration of the arts and planning, please contact the authors at mavurbanplanning@gmail.com or jamestrojas@gmail.com

Miguel A. Vazquez, AICP is a planner working on community health in Riverside County and is the founder of Art VULUPS. He is a hybrid artist working with multiple media, specializing in photography and graphic arts. James Rojas is a nationally recognized urban planner and an artist who travels across the globe to work with organizations and individuals engaged in community planning through physical interactive engagement. In 2009, Planetizen identified Mr. Rojas as one of the 100 Top Urban Thinkers. Both authors are members of the California Planning Roundtable.

Volunteer Planners are Called to Action to Aid Franklin, TN

How CPAT Benefits Communities in Need as well as the Profession Overall

By Marc Yeber, Commission and Board Representative, APA California Board of Directors

When I told my friends this past summer I was being sent to do work in Franklin, TN, most countered, “Tennessee, why Tennessee?” This would eventually be followed with some stammering as I attempted to explain one of APA’s Community Assistance Programs and its mission to provide a planning service to a community in need. “Development Red Cross” or “Planning 911” would come to mind, but such references do not really start to properly frame the benefit being offered to the community or the experience on which I was about to embark. In short I was asked to join a team of experts to assist the City of Franklin with a planning or development challenge by being a part of a Community Planning Assistance Team or CPAT.

In 2012, Franklin submitted an application to the CPAT initiative seeking assistance for a planning related challenge.



Located just south of Nashville, Franklin is a small “neighborly” community steeped in Civil War lore. Its downtown district is listed on the National Register of Historic Places and was named by APA as a Top Ten Great Neighborhood in 2009. Part of this historic district lies

within a flood plain which is bounded by the Harpeth River. Additionally, one of the primary gateway corridors leading to the district runs through this same flood plain and, more specifically, through the floodway. The community has experienced 10 major flood events since 1929 with the most recent event occurring in May 2010. Under such conditions, it would seem to be common sense that one would instinctually advocate for the prohibition of any further development and for a policy of removal of any legal non-conforming buildings that currently exist within the flood plain. However, as in most planning exercises, it is rarely black or white when it comes to determining policy goals that chart a new path for community. With the competing, and sometimes conflicting, demands of economic development pressures, strong preservation priorities and flood management requirements, it has been virtually impossible for Franklin to seek common ground among the differing stakeholder groups and is the reason this debate has remained front and center for decades.

This is where CPAT entered into the conversation. Upon APA approving Franklin’s application, a team of planning professionals with particular skill sets was assembled to assist by providing a fresh independent perspective. As with any new planning project, we were provided background materials and had several team conference calls to familiarize ourselves with the

About CPAT . . .

The Community Planning Assistance Team (CPAT) is an initiative of AICP, a component of the broader APA Community Assistance Program. It is designed to assist communities facing a broad range of planning challenges from revitalization to disaster mitigation and everything in between. Planners from around the country are selected based on specific expertise and teams are assembled according to need of a specific Community Planning Assistance application. Any local government agency seeking assistance can apply to the Community Planning Assistance Program and any APA member interested in volunteering to be a part of a CPAT can submit an application. To find out more information, visit

<http://www.planning.org/communityassistance/teams>

situation prior to our arrival. Our focus was on a 94-acre study area that faced the multiple challenges of flood mitigation, economic development, historic preservation, mobility and urban design. Once in Franklin, our 5-day on-site visit became a fast paced and exhilarating exercise consisting of area documentation and information gathering, numerous stakeholder group meetings, a public forum workshop, analysis of our findings and preparation of our draft recommendations. This was wrapped up with a presentation to the Board of Mayor and Alderman and the community.

I present this non-California planning story as a way to illustrate the unparalleled opportunity for our 6,000 plus APA|California members to further engage in the profession. This experience was one the most rewarding in my career thus far. Not only did I have the occasion to impart some of my experience, but the challenge presented me the opportunity to consider a situation with which I have yet to be faced. As the urban designer on the team, it allowed me to explore the role of design in the context of flood prone conditions. My previous work has explored issues connected with earthquakes or fires, but floods were beyond either my personal or professional areas of familiarity.

If one considers that the average planner rarely has the opportunity to engage in communities beyond their regional context, let alone the state, CPAT becomes an intriguing exercise in career growth. Few would argue that coming to the planning aid of a community in need of a fresh perspective from beyond a community’s boundaries imparts good will while instilling collegial camaraderie. But it also advances the profession in small steps towards a unified and coherent philosophy while expanding the knowledge base of best practices. It is for this reason that I strongly recommend my APA|CA colleagues to seriously consider submitting a CPAT application. If you are part of a local government agency here in California seeking planning assistance, please consider applying for a CPAT.

APA California Legislative Update - October 2013

By David M. Snow, AICP, Vice President Policy & Legislation, APA California,
 Sande George, Legislative Advocate, APA California, Lauren De Valencia y Sanchez, APA California Lobbyist



The 2013 Legislative Session came to an end on September 12. As usual, however, the end of session was not without a few last minute pieces of legislation that were completely gutted and replaced with brand new language. APA California lobbied the Legislature on hundreds of bills as they made their way through their final stages of committees and floor votes. Nearly one-half of the key planning bills we lobbied are now two-year bills and dead for this year, or were amended to include APA-suggested language. APA was also able to reach agreement on a number of high priority bills.

For a full list of hot planning bills with up-to-the minute status, please go to the legislative page on APA California's website at www.apacalifornia.org.

The key planning measures that were active until the end of session include:

AB 52 (Gatto) Impacts of Projects on Tribal Resources Under CEQA

This bill would have provided a statutory process for Native American tribes to engage in the California Environmental Quality Act review process to avoid significant effects on tribal resources. The amended bills in print continued to include processes, definitions and timelines that were not consistent with CEQA. APA California, as well as the League of Cities and California Building Industry attorneys, continued through the last week of session to work with the tribes on language that would

ensure tribal resources are protected, but also ensure that changes made to CEQA were feasible within and compatible with the existing CEQA process. The Governor also suggested amendments to the bill. In the end, the author, sponsors, Governor and interested parties simply ran out of time to agree on amendments and meet the deadlines to pass the bill out of the Senate. The tribes plan to continue to work on the bill this fall and move it in January.

APA California Position: Work with tribes on definitions and process

Location: Two-Year Bill

AB 116 (Bocanegra) Automatic Two-year Extension on Newer Subdivision Maps

This bill would have once again automatically extended the expiration date of any tentative map or vesting tentative map by an additional 24 months. The APA California Review Team decided not to support the automatic extension again this year unless the bill was amended to allow cities and counties discretion over these automatic extensions applied to very old maps. Due to the many years of automatic extensions since the early 90's, some of these unexpired maps are now over twenty years old and likely do not meet current General Plan and zoning requirements. APA worked with the author and sponsors to amend the bill to, for the first time, provide local agencies with some discretion over these old maps before extensions are granted. AB 116, as signed by the Governor, would provide for an automatic 24-month extension for subdivision maps that were approved **on or after January 1, 2000** and have not yet expired. **But for maps approved before January 1, 2000 (maps over 13 years old), the subdivider will be required to follow the following local process for approval of the extension:**

- The subdivider will be required to file an application with the local agency at least 90 days prior to the expiration of the map.
- If the local agency determines that the map is consistent with applicable zoning and General Plan requirements in effect when the application is filed, the time at which the map expires will be extended by 24 months.
- If the local agency determines that the map is not consistent with applicable zoning and General Plan requirements in effect when the application is filed, the agency may deny or conditionally approve a 24-month extension.
- Upon application, the map will automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs last.
- If the advisory agency denies a subdivider's application for an extension, the subdivider will be allowed to appeal to the legislative body within 15 days after the advisory agency has denied the extension.

APA California Position: Support as Amended

Location: Signed by the Governor – Urgency Bill – In effect as of July 11, 2013

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AB 325 (Alejo) Extended Statute of Limitations (SOL) on Housing Element Adoption & Ordinances

This bill, as introduced, was similar to four similar versions introduced by housing advocates in past years which failed to pass or were vetoed. It would have originally extended the statute of limitations to challenge lawfully-adopted housing elements and ordinances from the current one year and 150 days to over 4 years. APA, the League, CSAC and RCRC argued successfully that those jurisdictions that receive HCD-certified housing elements should not be subject to a longer statute of limitations than was determined reasonable in the *Pleasanton* case. As a result, the bill was amended in the Assembly to keep the total one year and 150 day statute of limitations for jurisdictions that receive HCD certification. However, at the advocates' request, the time to provide the notice of deficiency to the city or county was extended from 90 days to 9 months. The amendment also kept the current 60 days for local agencies to respond, but, at our request, reduced the period to sue from one year to six months. As the bill moved through the Senate, the housing advocates and the sponsor continued to suggest that they needed the longer 4-year SOL for the 15 cities and counties that in this last round self-certified their housing elements, as well as to challenge density bonus, least-cost-zoning and local growth ordinances in every jurisdiction, regardless whether or not the local agency has an HCD-certified housing element. The Governor's office in the mean time was interested in finding a compromise on these remaining challenges. After many hours of negotiation, and requests by Senators and Assembly Members to reach a compromise with local governments and planners, the author, sponsors, APA and local government organizations agreed to the following:

- **The sponsors agreed not to seek further amendments to the statute of limitations addressed in AB 325 or other changes to the statute of limitations for at least three years.**
- **For jurisdictions with housing elements certified by HCD:** The statute of limitations will be 9 months to provide notice to the local agency, 60 days for the local agency to respond, and 6 months to serve the lawsuit challenging the adoption of the housing element.
- **For jurisdictions with housing elements that are self-certified by the jurisdiction:** The statute of limitations will be 2 years to provide notice, 60 days to respond, 1 year to challenge.
- **For challenges to the adoption of density bonus, least cost zoning and growth ordinances:** The statute of limitations will be 6 months to provide notice, 60 days to respond, 6 months to challenge.

Provisions related to implementation and court review were also resolved.

With these amendments and agreements, APA California removed its opposition to the bill and is now neutral.

APA California Position: Neutral as Amended

Location: Signed by the Governor

AB 551 (Ting) New Urban Agriculture Incentive Zones

This bill would enact the Urban Agriculture Incentive Zones Act and would authorize a county and a landowner to enter into a

contract to enforceably restrict the use of vacant, unimproved, or otherwise blighted lands for small-scale commercial production of agricultural crops. APA asked that the bill be amended to define the term "urban" and include cities in its provisions, as most urban areas fall within their boundaries. Both of those issues were addressed and APA took a support position. In its final stage, the bill was amended again to authorize animal husbandry to be included in these zones. APA did not take a position on this amendment, but asked that the bill be clarified to give local agencies the discretion to determine which agricultural uses and farm animals would be acceptable in these zones – the bill now includes language that leaves that discretion to local agencies.

APA California Position: Support as Amended

Location: Signed by the Governor

AB 564 (Mullin) Redevelopment Successor Agency Enforceable Obligations

This bill would prohibit the Department of Finance, once a finding of completion is issued, from future modification or reversal of an action of approval by an oversight board for specified enforceable obligations of a successor agency, with the exception of an amendment to an enforceable obligation initiated by a successor agency.

APA California Position: Watch

Location: Vetoed by the Governor

AB 662 (Atkins) Redevelopment Successor Agencies and IFDs

This bill would allow an infrastructure financing district to include portions of former redevelopment project areas, and would make other changes to dissolution requirements for former redevelopment agencies.

APA California Position: Watch

Location: Vetoed by the Governor

AB 1092 (Levine) Mandated Electric Vehicle Charging Infrastructure

This bill would have required new construction with four or more offstreet parking spaces to include 1 electric vehicle charging station per each 4 parking spaces. APA California raised concerns that such a requirement would be too onerous. Similar to amendments suggested by APA, the bill was amended to require the California Building Standards Commission to adopt, approve, codify, and publish mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development.

APA California Position: Support as Amended

Location: Signed by the Governor

AB 1229 (Atkins) Inclusionary Zoning for Rental Housing

This bill would re-authorize cities and counties to adopt ordinances with inclusionary rental housing requirements for lower income households. The recent appellate court decision in *Palmer/ Sixth Street Properties v. the City of Los Angeles* created

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uncertainty for local agencies regarding the use of inclusionary housing programs for rental properties. This bill would clarify and restore control to local agencies to adopt and continue to fully implement previously adopted inclusionary housing policies for both for-sale and rental housing.

APA California Position: Support

Location: Vetoed by the Governor

AB 1330 (Speaker Perez) Targeted Enforcement of Businesses in Top 15% of Disadvantaged Communities

This bill would have imposed double fines on businesses violating emission and disposal permit requirements that are located in the top 15% of disadvantaged communities. This bill went through many draft versions before the final version was finally in print the last week of session. APA met with the Speaker's office to express our concerns with requirements in the drafts for extensive General Plan, CEQA and local permitting-related outreach, translations, notice, hearings, and other mandates. Fortunately, the final version of the bill didn't include those extensive local government requirements and did provide priority to the 15% most disadvantaged communities for specified grant monies. However, APA remained concerned with provisions included in the final version of the bill that created the potential to "redline" the communities in the 15% to be designated as "disproportionately impacted by environmental hazards" - similar to our concerns with CalEnviroScreen. The bill would have mandated double fines on targeted businesses in the designated 15% of disadvantaged communities for violations that "result in an increased level of emissions or discharges that exceeds a level permitted". APA believes that facilities in any part of the state should not violate permit limits for emissions or discharges. But because the bill would not have distinguished between habitual violators and those businesses that rarely violate, or distinguished between the severity of the releases, those targeted businesses would have received fines that they would not have received in any other areas of the state - just because they were located in one of the communities designated in the 15%. APA remains concerned that this practice could have caused businesses already in these disadvantaged communities to move their facilities and their jobs to other locations or refrain from expanding those facilities, and hamper the abilities of cities and counties to attract new businesses and their jobs to these areas that so need them. Due to the substantial opposition to this bill, the Speaker decided to postpone further consideration of the bill until next year.

APA California Position: Concern with redlining provisions

Location: Moved to Inactive File (on the last night of session) - Two-Year Bill

AB 1331 (Rendon) and SB 42 (Wolk) Water Bond Framework

These two bills at the end of session were substantially amended to provide a framework for a new water bond to be placed on the ballot. These bills were postponed until January, however, to allow the Legislature more time to determine the total amount of the bond, the core purposes and priorities, and allow for more public input this fall. The bond will now be slated for

the November 2014 election.

APA California Position: Working with Board and Review Teams to Determine Position and APA Priorities

Location: Two-Year Bills

AB 1359 (Hernandez) Quimby Act Fees

This bill would authorize Quimby Act fees to be used for the purpose of developing new or rehabilitating existing park or recreational facilities in a neighborhood other than the neighborhood in which the fees are paid, as long as the park or facilities would still serve those paying the fee and other requirements are met. APA didn't take a position on the bill until an amendment was added that would have required the Quimby Act fees to be paid on the date of the final inspection or the date of the issuance of the certificate of occupancy, whichever was earlier. Existing law requires payment at the time of the recording of the final map or parcel map, unless a later time is specified in a local ordinance. APA argued that payment of the fee at the time of map recordation allows local agencies the lead-time to appropriate the funds for, and construct or rehabilitate park facilities needed to serve the project, so that new facilities are available for use closer in time to when the residents take occupancy. The amendment would have created a substantial lapse in time before fees could be used to provide facilities for those new residents, and a lag period before recreational facilities funded with the fees could become available. APA asked that the bill be amended to reflect existing law, which the author agreed to do. As a result, APA remains neutral on the bill.

APA California Position: Neutral as Amended

Location: Signed by the Governor

SB 4 (Pavley) Regulation of Fracking

This bill will regulate fracking in California. It requires regulations, notice, and disclosure of fracking activities rather than imposing a moratorium. APA watched this measure closely to be sure that its provisions would not prohibit cities and counties from enacting local ordinances or mitigation requirements to deal with local impacts related to fracking activities.

APA California Position: Watch

Location: Signed by the Governor

SB 341 (DeSaulnier) Redevelopment Agency Low and Moderate Income Housing Fund Activities

This bill revises rules governing the activities of redevelopment agency low and moderate income housing fund activities. This bill appears to be effective however only if the RDA is reinstated.

APA California Position: Watch

Location: Signed by the Governor

SB 391 (DeSaulnier) The California Homes and Jobs Act of 2013

This bill would have enacted the California Homes and Jobs Act of 2013 and created the California Homes and Jobs Trust

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Fund in the State Treasury. APA California supports the goal of this measure to provide a permanent source of funding for affordable housing. However, the last month of session the author decided to take more time to work on this bill in 2014.

APA California Position: Support

Location: Two-Year Bill

SB 454 (Corbett) Electric Vehicle Charging Stations Open Access Act

This bill would set up a public access process for owners of electric vehicles using private electric charging stations located on public parking property, similar to the system used by bank ATM's. It would provide that persons desiring to use the electric vehicle charging stations would not be required to pay a subscription fee or obtain a membership as a condition of using the station, but would allow the owners of the electric vehicle charging station to require additional out-of-network charges to non-members as long as the charges are disclosed. APA California believes this bill sets up a fair process to ensure all electric vehicle owners can depend on existing charging stations when needed, while allowing the station owners to charge a "foreign fee" to pay for that service.

APA California Position: Support

Location: Signed by the Governor

SB 731 (Steinberg) CEQA "Updating" Provisions

This bill would have made a number of changes to CEQA and was to be the vehicle for major CEQA reforms and updates this year. APA California worked with the author on the provisions in the bill and suggested other CEQA changes proposed by ECAT. Most of those suggested changes were not taken in this bill, and it retained several provisions as of the last week of session that were opposed by interested parties on both sides of the issues, and others that did not significantly streamline the CEQA process. On the last day of session, Pro Temp Steinberg announced he was making SB 731 a two-year bill in favor of statewide CEQA improvements requested by the Governor to be included in SB 743, the Pro Temp's CEQA streamlining bill for the proposed Sacramento King's basketball stadium. (See discussion on SB 743.) As currently drafted, SB 731, among other changes, included provisions that:

- Specified that aesthetic impacts of transit priority infill projects are not subject to CEQA. (APA supports.)
- Required a 15-day notice period for draft findings related to a statement of overriding considerations or finding that an EIR mitigation is feasible. (APA had asked for a more balanced approach to this issue to deal with late information.)
- Required concurrent preparation of the administrative record at applicant request and expense. (APA supports.)
- Required the lead agency to prepare an annual report on project compliance with mitigation measures. (APA opposes given expense and current mitigation monitoring requirements already in place.)

APA California Position: Support if Amended

Location: Two-Year Bill

SB 743 (Steinberg) CEQA – CEQA Infill and Transit Priority Project Streamlining and Judicial Review Streamlining for Environmental Leadership Development Projects (AB 900) and Sacramento King's Proposed Stadium

This is the only significant CEQA measure passed this year. The bill would establish special administrative and judicial review procedures, and mitigation requirements under CEQA for the City of Sacramento's proposed entertainment and sports center project (i.e., Sacramento Kings arena) intended to decrease potential impediments to construction of the project. It additionally would provide a fix to AB 900 to remove an unconstitutional provision struck down in a recent court case. Of more importance to APA, however, SB 743 includes broader amendments to CEQA requested by the Governor. APA supports the infill and transit-streamlining proposals in this bill, although there are timing and definitional changes that should be clarified in clean-up legislation next year. As sent to the Governor, SB 743 includes the following provisions that apply beyond the Sacramento project:

- Specifies that aesthetic impacts and parking impacts related to residential, mixed-use residential or an employment center project within infill and transit priority areas can't be considered significant impacts on the environment.
- Requires OPR to provide CEQA guidelines revisions to establish alternative transportation thresholds of significance, as well develop an alternative metric for assessing traffic impacts within transit priority areas. As soon as the revised guidelines are in effect, automobile delay described only by level of service cannot be considered a significant impact for projects in a transit priority area.
- Exempts transit-oriented, urban infill projects from CEQA if they are consistent with a specific plan for which an EIR was prepared, and are consistent with the use, intensity, and policies of a sustainable communities strategy (SCS) or alternative planning strategy (APS) pursuant to SB 375.
- Provides a fix to AB 900 (the bill designed to streamline court review for major green projects called environmental leadership development projects) to deal with a constitutional issue. Requires that challenges to an EIR and approval of these environmental leadership development projects, and any appeals, be resolved within 270 days of the certification of the record of proceedings.

APA California Position: Support if Amended

Location: Signed by the Governor

Updated Website

In September, the APA California Board launched our newly redesigned California Chapter website to our membership! The new website features the latest technology, has a streamlined look, and allows members and the public to easily navigate through the site.

The new URL is www.apacalifornia.org

Last year, the Board through the Website Committee, contracted with a web development company to revamp the current California Chapter website. The Committee's main goals were to develop a website that members and interested visitors would find updated, informative, straightforward, and user friendly. The new website is now available for members to view and enjoy.

You will still be able to access all of the critical information you did on the old website as well as many more new features:

- New, cleaner format and colors
- Easier login process
- Streamlined navigation bar
- Enhanced graphics
- New sponsor ticker – with a click you can go directly to the sponsor's website for additional information
- Faster ad submission and payment process

We are looking for additional photos to populate our new website. If you take pictures and would like to share them with us, please contact Hing Wong at hingw@abag.ca.gov.

Please note that your six-digit National APA or Chapter-Only membership number is your new user ID. Should you have any questions or concerns, please send them to the APA California Webmaster, Francine Farrell, at ategoresources@live.com. We hope that you will find it easier to stay connected to the activities and news from APA California. Don't forget to join us on LinkedIn and Facebook!



AICP Information(CM)

AICP's Certification Maintenance (CM) program helps planners gain the knowledge and skills they need to remain current in the practice of planning. CM strengthens the value of certification, and demonstrates a Certified Planner's ongoing commitment to excellence to elected officials, community leaders, and employers.

Information about CM can be found at <http://www.planning.org/cm/index.htm>

AICP Exam Coming Up

By Betsy McCullough, AICP, APA California, Vice President, Professional Development

Have you noted the initials “AICP” following your fellow planners’ names? If you’ve thought about becoming AICP yourself, now is the time for investigation and action! The application period for the May 2014 AICP exam period will be open December 3, 2013 until January 23, 2014. Financial assistance is available.

AICP is the American Planning Association’s professional institute, providing recognized leadership nationwide in the certification of professional planners, ethics, professional development, planning education, and the standards of planning practice. Certified planners use their skills to find solutions to community problems and carry the community toward its desired long-term goals. Taking the AICP exam is the first step to becoming a certified planner. To qualify, one must be a current APA member, submit an online application meeting certain education and experience criteria, and pass an examination. Individuals applying to take the AICP Certification exam must demonstrate that they have engaged in professional planning experience that qualifies them for AICP certification.

A complete description of the AICP process and requirements is found on the APA National website at www.planning.org/certification

Note the following upcoming important dates:

December 3, 2013 – application period for May 2014 AICP exam opens

December 19, 2013 – deadline for early bird application

January 23, 2014 – final deadline for applications to be submitted to APA National

May 12-26, 2014 – testing window

Financial Assistance: National APA recognizes that a \$495 application fee may be an obstacle to some members who wish to apply to take the exam. On behalf of National, the California Chapter administers a scholarship program which evaluates members’ financial assistance needs through a confidential process. Please go to the AICP heading on the Chapter’s website under Professional Development for further information and application due dates. <http://www.apacalifornia.org/professional-development/aicp/>

Contact your APA California Section to see what study resources are available and when training opportunities will be held near you. We urge you to explore the opportunity to become a member of the American Institute of Certified Planners in 2014!



APA CALIFORNIA ANNUAL CONFERENCE
DISNEYLAND® HOTEL



CALL FOR PRESENTATIONS

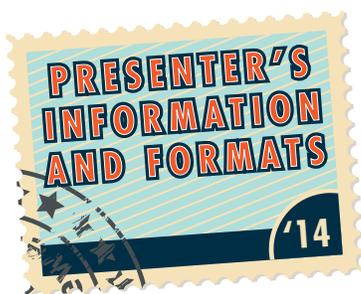
Submission Deadline: February 7, 2014

The APA Orange Section is proud to host the 2014 APA California Annual Conference, *California's Adventures in Planning*. The conference will be held September 13 -16, 2014, at the Disneyland Hotel.

The 2014 conference committee is conducting a Call for Presentations (CFP) seeking session proposals focusing upon the following core conference tracks:

- COMMUTERLAND** - All Things Transportation-Related
- CRUISIN' IN THE JUNGLE** - All Things CEQA Related
- NEW FRONTIERS** - Emerging Development/Land Use Trends
- MAIN STREET** - Neighborhood Revitalization, Downtown Revitalization, etc.
- SOARING ADVENTURES** - Planning Commission Training, Ethics, Public Outreach
- MAGIC BEHIND THE SCENES** - Legal issues and Doing the Right Thing (to satisfy MCLE and Law CM credits)

The committee is seeking proposals for student sessions as well. Proposals for mobile workshops will be solicited in the near future. The Programs Committee will provide additional information regarding Ethics CM, Law CM/MCLE, and Student Sessions. Questions should be directed to the Programs Committee Chair.



Orange County themed presentations are encouraged. Sessions will be 90 minutes in length and APA Formats other than traditional presentations are

welcome, such as point/counterpoint debate; workshops with audience participation; round table; "talk-show" style. Contact us should you have an alternative format suggestion. Include such information in your submittal and we will do our best to accommodate your request.

We encourage all of our speakers to attend the 2014 conference. A discount is available to speakers for conference registration (including meal functions).



Proposals must provide the following information:

- **Session or workshop title:** A brief title that accurately reflects the focus of the session.
- **Summary of session:** A short description of the session to be used in the conference program, not exceeding 50 words.
- **Abstract:** A short description of the session and the relevance to conference topic, not exceeding 200 words.
- Each presenter's contact information and short biography not exceeding 50 words.
- Proposals should demonstrate the learning objectives of the session for qualification of AICP CM credit.

ALL SUBMISSIONS MUST BE MADE ON-LINE

Look for an eblast with instructions which will be available by the end of November.

**SUBMISSION DEADLINE
FRIDAY, FEBRUARY 7, 2014**

Faxed or mail submissions will not be accepted. Only proposals correctly submitted with the above contents will be accepted.

For additional information regarding proposal submissions, please contact:

Amy Stonich, AICP, Programs Committee Chair
astonich@tustinca.org

www.APACalifornia.org