

NORTHERN NEWS

A Publication of the Northern Section, California Chapter, American Planning Association

1992 APA Northern Section Holiday Party at Oakland's Camron-Stanford House

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This year's APA Northern Section Holiday Party will be held at the **Camron-Stanford House**, on the shores of Lake Merritt in Oakland. Built in 1876, the Camron-Stanford House is one of the last of the Victorian homes that once dominated the Lake Merritt area. The 14-room home served as the Oakland Museum from 1910 to 1967. With the transfer of the Museum collections in the late 1960's, the house was deserted and marked for demolition. Concerned citizens formed the Camron-Stanford House Preservation Society in 1971 and labored for seven years to bring the house back to life. Since 1978, it has served the community as an historic resource and center for learning.



file w/series

Northern Section CCAPA has rented the house for the evening of **Thursday, December 17** and will be hosting its annual holiday party there between 6:00 and 9:00 PM. In addition to music, food and drink, the party will feature a continuous multi-media program, *Images of a City*, which documents Oakland's evolution from the 1870's to the present.

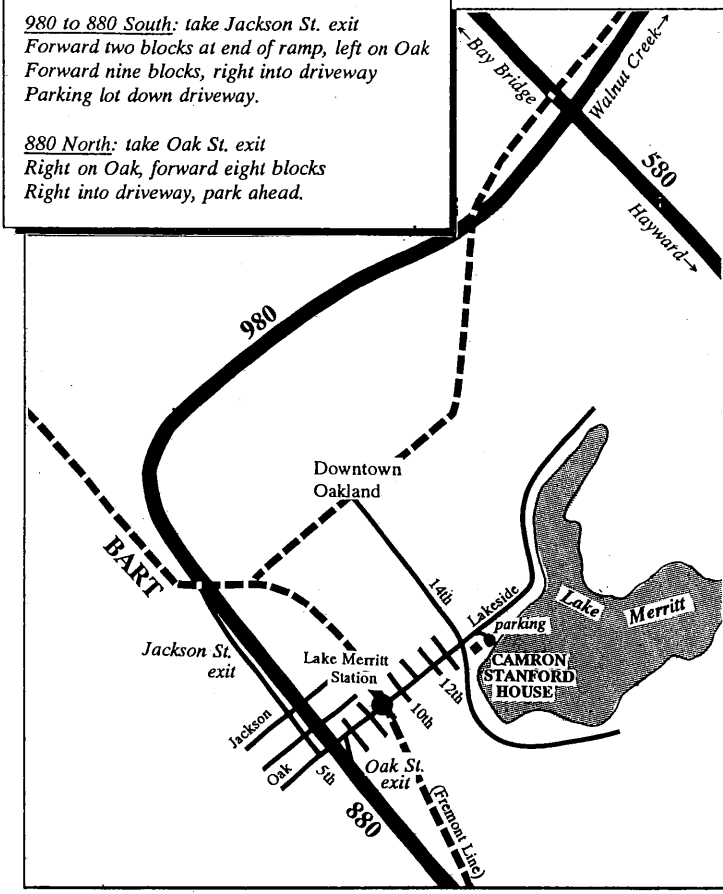
Museum exhibits chronicling the history of the house and explaining the changes in Oakland's home life and neighborhoods during the past century will be open during the party. A volunteer docent will be on hand to answer questions about the house. We have also made arrangements to have four authentically restored period rooms open to our group between 6:30 and 8:30

PM. For those who wish to enjoy twilight over Lake Merritt, the veranda and lawn areas will also be open.

The Holiday Party is traditionally one of the year's most enjoyable Section events. It's a great opportunity to meet other planning professionals, hob-nob with friends after work, and enjoy good food and drink in a beautiful, historic setting. The party has been in the planning stages for several months and is an event you won't want to miss. Our caterers are promising a great spread of hors d'oeuvres and snacks. If all goes as planned, a musician will be on hand to play the home's recently restored 1881 harmonium organ.

The cost of the party is \$7.50 in advance, \$10.00 at the door. Student admission is \$5.00 if paid in advance. To attend the holiday party, clip the reservation form on the back page of the newsletter and mail your check to the address shown. You can also make your reservations by calling Barry Miller at (510) 524-0941. Leave your name and phone number, and your message will be returned. Please act quickly so that we can make appropriate catering arrangements.

The Camron-Stanford House is located at 14th and Lakeside, about five blocks north of the Lake Merritt BART Station. If driving, parking is available on the premises and next door at the Oakland Boathouse. Carpooling is encouraged. For directions, see the map at left.



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DIRECTOR'S CORNER

by Don Steiger

It is the eve of many things:

The beginning of the rainy season in the sixth year of drought

The most promising National Election in years

California State APA Conference

Halloween in San Francisco

The deadline for this column

I am prepared for the first four.

The Northern Section board held a very successful all day retreat on Saturday, October 3rd at Steve Noack's home. Two very important issues were discussed. During the coming year, the Northern Section will be conducting sessions to explore a restructuring/reorganization to improve our service delivery as well as increase the participation of the membership. Leading the effort are Larry Cannon and Steve Noack.

The important news that we have all been waiting for is at hand. It is time to begin preparation for the 1994 National APA Conference in San Francisco. The Northern Section of California Chapter will be the host. There is much to do and many rewarding opportunities. We will need to assemble a steering committee in the next two months. This committee will form the nucleus for the "Host Committee". Our responsibilities will include the opening reception, mobile workshops, recreational events, marketing, and some of the sessions. Each of these activities will require leadership, commitment, and lots of volunteers. We will need participation at all levels. Hartmut Gerdes has already initiated a concept for a video project for the conference. Give us your suggestions, too!



Note: The next newsletter will be a combined December-January issue. Submittal deadline is December 5.



Social Equity in Planning: The Los Angeles Forum

by Craig Fajnor

On August 16 and 17, Los Angeles APA, in conjunction with the National and California Chapter of APA, and the cities of Los Angeles, Compton, Inglewood and Long Beach, sponsored an intensive forum of 35 planners from across the country for the purpose of learning how to integrate social equity planning and economic development into our traditional planning processes. Recent events in Los Angeles and surrounding communities have clearly suggested that our profession needs to address not only the traditional issues of land use regulation, but also how to contribute to the health, vitality and quality of life in American cities. The forum brought together seven key "resource" experts from around the nation who, along with local representatives, identified concerns, principles and an action agenda for including new ideas in the planning process to fulfill our promise of building healthy, vital and well-planned cities.

On the evening of August 17, at the Cary Grant Pavilion in Inglewood, the seven national-level participants shared their impressions of the forum and provided key findings which had emerged from the intensive discussions of the previous two days. It was noted that California's historically rapid growth has placed the greatest emphasis on physical planning, land use, and environmental issues using the traditional tools of General Plans, zoning and subdivision regulations.

Several key themes emerged from the discussions that followed:

- Affected individuals and communities should be included in the planning process.
- The planning process should include social equity as a desired end product.
- The pursuit of social equity is a valid use of public resources.
- Planners can play a critical role in incorporating social equity into the public agenda by reaching out to serve as an interface between neighborhoods and the public decision making process.
- New planning tools, along with increased emphasis on communication and negotiating skills, will be required from planners to fulfill this role.

Community organizations were identified as key participants in social equity planning, as planners work for change directly with people in their own neighborhoods.

There needs to be an expansion of the capacity of neighborhoods to effect change and to broaden the planning agenda to include not only land use and environmental impacts, but also education, job creation and welfare reform. Central issues that need to be tackled include racism and classism, which can be reflected in the subtle, not necessarily conscious decisions made daily by individuals. Planners must tear down the issues that divide, reaching out into the community to bring together competing factions.

For instance, a traditional update of the General Plan can develop into a new planning process designed to produce "more choices for those who have few". No new authority is needed to address issues of social equity through planning, just a conscious decision to include them in the process. Some might argue that social equity must be a primary focus of planning, providing for the people who don't currently benefit from planning. General economic growth cannot always be relied upon to provide these benefits; instead, a "grow your own" strategy stressing ownership and locally developed businesses can offer the potential for a more equitable system of distribution.

"Urban" problems are not restricted to urban areas, but rather are human problems which span jurisdictional boundaries and reflect larger questions of health and welfare. A new agenda was presented for American federalism, stressing the values of empowerment, prevention, building the capacity of local institutions, and providing "bundles of services" to address complex, interrelated human problems. Planners must demonstrate a measure of courage to promote change, an effort that must extend "beyond white shirts and ties and air conditioned offices".

There is tremendous energy within the neighborhoods of Los Angeles and, while the current problems are serious, the area will recover. Planners must refine their communication and negotiation skills and see diversity as strength in order to move ahead.

This article was excerpted from a piece written by Craig Fajnor, editor of the LA Dispatch, newsletter for LA Section, CCAPA. A longer version appeared in their October issue.



No Vested Rights for Downzoned Developer

In an about-face, a California Court of Appeal ruled that a city may downzone property after approving a project under its growth management program. *Consaul v. City of San Diego*, 92 Daily Journal D.A.R. 7330 (May 1, 1992).

Allocation Not an Entitlement

San Diego's Interim Development Ordinance ("IDO") required developers to receive unit allocations before applying for building permits. The developer, Ahrens, received allocations for a multi-family project, only to find the property rezoned for single-family use before building permits were drawn.

Ahrens did not have a development agreement or vesting tentative map. Absent those statutory tools for obtaining vested rights, the common law rule of the 1976 *Avco* case governs: a property owner's rights vest only after incurring substantial costs in good faith reliance on an entitlement to build (usually a building permit). The first *Consaul* decision ruled that the IDO allocations were entitlements; Ahrens' reliance on the allocations negated the property's subsequent downzoning (see McCutchen Update dated July 12, 1991).

Taking a second look at the IDO, the court decided that the unit allocations only entitled the developer to apply for building permits, reaffirming the *Avco* rule. Because the building permits, and not the unit allocations, confer the right to build, the developer's rights never vested, and his project was subject to the later downzoning. Without a permit authorizing construction, a developer has no common law vested rights regardless of the amount of money spent in reliance on other approvals.

Warning for Developers

Consaul repeats a warning to all who commit substantial resources to a project before receiving the last governmental approval needed to begin construction: Without a development agreement or vesting tentative map, you cannot be sure of finishing what you start until you have cleared the last governmental hurdle, pulled permits, and reasonably relied on those permits.

From the McCutchen Update, July 1992. Prepared in Walnut Creek by Daniel J. Curtin, Jr. and Ann R. Danforth.



Transportation Research Forum

Road Pricing: A Management Tool for Congestion and Air Pollution?

Dr. David Gillen, adjunct professor of Civil Engineering at UC Berkeley and Resident Economist at the Institute for Transportation Studies, will be the speaker. He will review the underlying rationale, past experience, and some political difficulties. He will also summarize the increasing international activity promoting road pricing as a workable, inexpensive strategy for attacking a variety of urban, transportation, economic and environmental problems.

Lunch Program, Wednesday, November 18, 1992.

Mandarin Garden Restaurant, 2025 Shattuck Avenue, Berkeley. Take Berkeley BART. Gather between 11:30 and Noon, Lunch at Noon, Program at 1 PM.

Cost: \$10 for TRF members, \$11 for non-members.

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Planning and Urban Conservation in Central Europe

This January, Northern Section CCAPA and San Francisco AIA will be sponsoring a slide show and discussion on Planning and Urban Conservation in Berlin, Krakow, and Warsaw. Steve Wanat, NSCCAPA International Liaison, and Bruce Anderson will discuss their planning experiences and travels in these cities. The event will be held on the evening of the 13th or 14th (date and time to be determined) and will feature wines and cheeses of Eastern Europe. Admission will be \$5 for APA and AIA members; \$10 for non-members. Watch the December-January edition of Northern News for more details.

Leaving Everything Home; The Perils of Peripatetics

by James A. Clapp

"I have an affection for the great city. I feel safe in the neighborhood of man, and enjoy the sweet security of streets." - H.W. Longfellow

"Leave everything - your money, passport, jewelry, cameras - in your hotel room," our local guide to Palermo, Sicily, warned as we embarked on the city tour, "or it will surely be stolen." Palermo has a bad rap sheet among cities for theft; hoards of gypsies and 27 percent unemployment seem to have exacerbated the larcenous reputation of Palermitans. And recently, the unnerving tendency of the Mafia to employ megaton-loaded Fiats to dispatch public officials has added another level or peril to this fascinating and often beautiful city.

Yet the Americans in my group took little heed of these admonitions. When the guide remarked to me of their insouciance, I could only offer in reply that, aside from a few exceptions, Americans come from the cities with the most dangerous streets in the world. When one of my group asked her if she might be robbed at gun or knifepoint the guide seemed shocked. Not at all, she meant pickpockets and purse snatchers. "They won't hurt you," she clarified, "they just want your money and valuables."

"Heck, in America you get that kind of treatment from an S&L," I told her. "On the street you can get knifed at your ATM for twenty bucks, pulled out of your car and stomped because you're the wrong race in the wrong neighborhood, or blown-away by a drive-by drug dealer or gang-banger with enough fire power to liberate Sarajevo."

So off we went into the streets of Palermo, much as we had in Naples, Rome, and other Italian cities, snapping photos and displaying our dwindling American wealth. All without incident; all proclaiming that we felt safer and more at ease in these storied dens of pilferage than we do in our own home towns. (It might be noted that a bomb assassination of another anti-Mafia official on a Palermo street the day following our departure did little to diminish this sentiment.)

Over two-thousand years ago Aristotle proclaimed that people came together in cities first for safety, but remained in them to pursue the good life. The statement may be interpreted to mean not only that safety is the primary impetus to urban life, but also a necessary pre-condition for the pursuit of a good life. If we add another premise - that freedom is a fundamental requisite of the good life - then the relationship between safety and freedom is syllogistically joined.

Aristotle might have had special reasons for stressing the importance of safe streets. He was one of those philosophers who taught by the "peripatetic" (literally, "walking around") method; the city itself was his campus. And his city, Athens, was, of course, the cradle of democracy.

The relationship between freedom and safety will always be riddled with paradoxes, not the least of which is the remarkable increase in street crime in the erstwhile communist states. The centers of cities, which for much of urban history were the safest places to live, are now the most dangerous locations. And among the hard lessons of the L.A. riot and its precipitating event is that the demands of civic security and civil rights can be vexingly inverse.

One of the embarrassments of the L.A. riot and the depressing day-to-day litany of rapes, robberies and homicides is that it diminishes our credibility as the prime peddlers of democracy around the world. At the personal level, it was also embarrassing to have to tell our Palermo guide when she said she wanted to visit the U.S. that it would be a good idea to "leave everything home," perhaps even herself.

... we felt safer and more at ease in these storied dens of pilferage than we do in our own home towns.

Planlines

by Chuck Myer, AICP

THE LITTLE HOUSE

On my four-year-old daughter's bookshelf is a rather disturbing book.

It tells the tale of a little pink house "way out in the country." "She shall never be sold for gold or silver," said the man that built her, "and she will live to see our great-great-grandchildren living in her."

The little house watches as the city in the distance creeps slowly towards her: roadside stands, gasoline stations, houses, stores, garages, and tall tenement houses surrounding her on all sides. Soon a subway is built beneath her, and the tenements are replaced by 15- and 35-story buildings, with the little house shoehorned in between. In the end, the great-great-granddaughter discovers the house, sees its sadness, and moves the little house back out into the country. The ominous unspoken moral is that the story will keep repeating itself.

The book, "The Little House: Her Story" by Virginia Lee Burton, was published by Houghton Mifflin in 1942, when it won the Caldecott Medal for the most distinguished American picture book for children. Its moral still seems crystal clear a half-century after publication; perhaps it should be on adult reading lists, as well.

Another fictional work that dealt with the same theme starred the archetypal grandparents, Hume Cronyn and Jessica Tandy. In "...batteries not included," filmmaker Steven Spielberg attacked urban problems of blight, redevelopment, historic preservation and senior housing. Here again, the villain is the classic developer, whose highrise is going to wipe out the elderly hotel where the protagonists have their residence and business. No social organization, protest, or public hearing can save the historic senior hotel, it seems, unless otherworldly robot babies can rebuild it from scratch.

These stories have a real-life parallel in the saga of Jean Herman and her four-story brownstone at 134 E. 60th St. in New York. Herman had for thirty years

rented a fourth-floor walkup (locked at \$200/month) in an 1865 structure and planned to spend the rest of her life there. In 1981, however, Cohen Brothers Realty Corporation bought the building (and every other on Lexington between 59th and 60th across from Bloomingdale's) with the intent of demolishing them all. Jean Herman's building was in the path of a 31-story glass, granite and steel office tower.

She had one ace in the hole, however: New York's rent control laws, adopted after rent-gouging during World War II. The law only allows landlords to evict rent-regulated tenants if the building is not economically viable. The brownstone failed this test.

So the big boys had to buy out all of the renters, which they did, except for one. Herman turned down a \$750,000 buyout offer, and became an urban legend herself.

"She had a principled opposition to overdevelopment," said her lawyer Joseph Fallon. "And she was eccentric." She sort of liked the publicity, also, her brother revealed.

Her story was immortalized in the book "Hold-outs," by developer Seymour Durst, who described her as "the ultimate holdout."

At any rate, when the 31-story tower was built in 1988, it had a nice little notch cut in it. Pictures of this classic urban paradox, the little brownstone dwarfed by the monster skyscraper, quickly hit the news. I saw one in a recent planning text catalog from the Center for Urban Research, which I cut out and pinned up on my daughter's bulletin board where I read her "The Little House."

Jean Herman died in April at the age of 69, and the landlord changed the locks on the day of her funeral. But the built environment remains.

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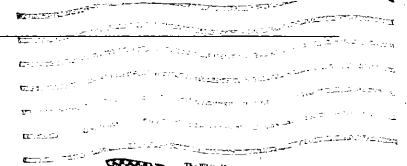
Applications *must be received* in the Washington, DC office by January 8, 1993. The exam registration deadline is March 26, 1993 and the exam will be held on Saturday, May 15, 1993.

NORTHERN NEWS

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3871 Piedmont Avenue., Suite 205

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