



Northern News

NORTHERN SECTION, CALIFORNIA CHAPTER, AMERICAN PLANNING ASSOCIATION

Finally, Water Planning is Linked with Land Use in California

By Eric Parfrey

FEBRUARY 1996

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MINGAN & JONES

Although the 1995 California legislative session was notable for the low number of important issues and new laws that were passed, one very significant piece of planning legislation was sent to the Governor and signed into law. Senate Bill 901, introduced by Jim Costa of Fresno, represents the first time State law mandates that local agencies must seriously document and consider whether large development projects have access to an adequate water supply, before project approval.

In an arid state where political fighting over water is taken for granted, the new law finally spells out the relationship that must be documented in an environmental impact report (EIR) between a proposed project and the public water agency that would serve the new growth. According to SB 901, cities and counties must now formally request from the identified water source a "water supply assessment," which is to be included in the EIR. The water supply assessment must identify whether the demand created by the proposed development project has been considered in the water agency's most recently adopted water management plan, which is required under previous legislation (AB 797, Klehs, 1983). The law requires that the assessment indicate whether the water demand associated with a proposed project can be served by the water agency's supplies available during "normal, single-dry and multiple dry water years," in addition to the demand for water from existing and other planned future uses.

The request to the water purveyor for the water supply assessment must be made at the time that a public agency circulates a Notice of Preparation (NOP) for a Specific Plan or

General Plan Amendment that would result in construction of more than 500 Housing units, more than 250,000 square feet of retail space or 500,000 square feet of offices, or more than 40 acres of industrial development. The water district is required to submit the water supply assessment to the city or county for inclusion in the EIR within thirty days of the NOP request. The new law states that the lead agency shall then determine, "based upon the entire record," whether projected water supplies will be sufficient, the city or county must include that determination in its adopted findings, including any adopted Statements of Overriding Considerations.

Thus, for the first time, the new law requires that a detailed water supply assessment, based on twenty-year projections included in an adopted water management plan, must be incorporated into the text of a draft environmental impact report, not just in the responses to a letter that might be submitted by the affected water agency. However, the law does not award veto power to water agencies that do not want to serve specific development projects, since local jurisdictions can still approve large developments that may not have access to an identified adequate water supply, if Statements of Overriding Considerations are adopted.

This last issue, whether a public water agency should be given veto power over specific projects, had been the sticking point in earlier attempts to pass similar legislation. As in many cases, the need for legislation to address this issue was triggered by several notable battles over growth and water supply. The major forces behind passage of SB 901 were the East Bay Municipal Utility

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DIRECTORS COLUMN

by Wendy Cosin

What does NSCCAPA have in common with Congress? We're both trying to deal with a budget deficit. Only \$5 of your State APA membership fees come to the section each year. That doesn't even cover publishing the newsletter, our primary way to communicate with and offer services to members. Funds from conference revenues have kept the Section afloat, however, at last month's Board meeting we discussed ways to balance the budget, both by becoming more entrepreneurial and reducing expenses.

Our discussion ranged from looking at the smallest details (Boardmembers paying for the pizza that gets us through dinner-time meetings) to considering major new fundraising events such as a golf tournament. The idea of finding sponsors for some of our professional development events has been discussed in the past, but we will now seriously look for companies to provide refreshments and to receive recognition for their contribution. We also would like to produce larger events and may provide accreditation for some activities. We may expand the Awards Dinner and Holiday Party so they become money-makers instead of subsidized services to members.

As always, we would be interested in hearing your ideas about budget and service issues. Increased participation is welcome. Board meetings will now be monthly (generally the first Thursday of each month from 6 - 8 at the Oakland Planning Department; call to confirm location). The NSCCAPA voice mail number or any of our individual phone numbers or e-mail addresses are also easy ways to provide feedback and ideas.

Apologies to those of you who received your newsletters too late to attend the Holiday Party. Although it was advertised in November, we rely on the December newsletter as a reminder. A mailing label problem (newsletters were almost mailed to Southern California members) delayed getting the information out. With an attendance of approximately 100, people seemed to enjoy the food, drink and company.

We are continuing to investigate options for the 1997 State Conference and are seriously discussing Monterey, Oakland, or San Jose as possible locations. Now is the time to let us know if you would like to get involved in the early stages of planning for the conference.

BOARD MEMBERS

On the Move...

Cris Staedler, AICP, of the EMC Planning Group, Inc., has been promoted to Vice President. Cris has been with EMC for ten years, and will continue to serve in the capacity of Planning Manager.

Mark Rhoades has been promoted to Senior Planner at Pacific Municipal Consultants' East Bay office location.

Rolf Pendall, formerly of Berkeley, received his Ph.D. from Cal's DCRP (Department of City and Regional Planning) and has moved to Rhode Island where he is teaching Community Planning and Area Development at the University of Rhode Island. Rolf is now a member of the Rhode Island Chapter, which is (as he points out), much smaller. ♦

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for submitting articles, news,
artwork, advertising and
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in the Northern News is
the 16th day of the month
prior to publication.*

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CCAPA Legislative Guide

CCAPA has just published its annual CCAPA Planner's Legislative Guide. This guide will tell you which bills passed, which died, and which will be coming back in 1996. The guide also includes copies of new laws that have just been signed including laws for water supply planning, CEQA, the Subdivision Map Act, development agreements, local agency fees and adult entertainment ordinances. The cost of the guide is \$15. To get your copy contact CCAPA at (916) 736-2434.

Awards 96 - About Time

Remember last April when your director came to you and asked you to contact Northern Section and Submit an application for a planning award, with only one week left to the submittal deadline?

Remember how you called, hoping the deadline had already passed? Remember the last minute copying of the reports that you had run out of, and the extra money spent Fed-Ex'ing the application materials? Planners may work best under pressure, but that doesn't mean we always enjoy it.

Foooore!!!

Oh, wait a minute, is there a golf tournament in the Northern Section's future? Keep your eyes peeled for more information!

Reduce the stress in your life in 1996. Plan now to submit your award nominations by the April 15th deadline. Squirrel away copies of the reports that you will need (7 copies) and call, fax, or mail a request for application materials and instructions to:

Wayne G. Goldberg
Section Awards Coordinator

City of Santa Rosa, Department of
Community Development
100 Santa Rosa Avenue
Santa Rosa, CA 95404
(707) 543-3220 phone
(707) 543-3218 fax

The Bulletin Board section of the Northern News is intended to provide a forum for individuals to provide the membership with information about events or current topics. If you would like to submit an item for the Bulletin Board section, contact the Newsletter Editor at 510/ 227-3214.

Land Use & Future Use: Taking the Risk

by Daniel Pava, AICP and Paul Corrado, AICP

We believe that there is an important role for land use planners in the environmental remediation arena because it is essential to consider realistic future use scenarios when calculating the degree of clean up required at contaminated sites. In this way, comprehensive land use planning and environmental management strategies could be joined and end up saving everyone a lot of money.

According to former Pennsylvania Congressman Don Ritter, there is an earthquake in environmental policy occurring in Washington and it's registering at least a 7.0. Ritter spent 14 years in Congress and was a senior member of the committees on Energy and Commerce, and Science and Technology. Since leaving the House, Ritter has been serving as the chairman of the National Environmental Policy Institute. Ritter describes the Institute as non-profit, bipartisan organization whose goal is to develop more balanced solutions to environmental problems.

Citing RCRA as one example of an opportunity for improvement Ritter noted that studies done by the Institute show a that a 60% cost reduction is possible using a science-based risk assessment approach. As this is being written Congress is working on the ROSA (Reform of the Superfund Act of 1995) which would eliminate some of the retroactive liability requirements, and enhance public participation by creating Community Assistance Groups that would assist in the determination of future land uses.

The value of the land must be considered when determining the appropriate level of clean-up. At many Superfund sites and especially Federally-owned sites, the most appropriate future uses might be industrial, or maybe even commercial but generally not residential uses.

Imagine the possibilities if this kind of approach were incorporated into more environmental policy making, and coupled with genuine community relations programs aimed at achieving environmental justice

Water...

(continued from page 1)

District (EBMUD) and the California Farm Bureau. Both organizations were responding to specific development controversies. EBMUD and other large water agencies such as the Metropolitan Water District were looking for a legislative solution to the intense and protracted debate over the huge Dougherty Valley project outside San Ramon, in Contra Costa County. The Farm Bureau was upset over the approval of the Diablo Grande project in Stanislaus County and was afraid that other similar "new town" projects in the Central Valley would take water supplies away from prime agricultural lands.

The two case studies are illustrative of how disconnected land use and water planning have been in California and the West, and how developers have successfully exploited that separation between local planning boards and utility agencies. The saga of Dougherty Valley and the numerous "new towns" in the Central Valley are also indicative of how difficult it is for the Legislature to mediate the escalating battle over water supplies between powerful and competing special interests such as the building industry, agriculture, environmentalists, and urban users.

It is possible that the requirements of SB 901, as mild as they are, may accelerate the search by fast-growing municipalities and new town projects for agricultural water allotments to purchase. Tracy, a city of 45,000 residents in San Joaquin County which has adopted plans to almost quadruple in size, must find additional surface water supplies to serve its growth. The City Manager has been actively negotiating with agricultural land owners in Fresno County to procure more water.

Risk ...

(continued from page 3)

and sustainability. Perhaps some of the avoided costs could even be reallocated to environmental reinvestment trusts to fund inner city environmental restoration. It makes great sense to reuse previously developed sites for industrial and commercial activities rather than using up raw land — usually agricultural and usually at the urban

Ironically, the San Joaquin County Board of Supervisors was forced to consider a water policy that forbids the exportation of groundwater supplies outside the County after some Tracy area farmers began selling some groundwater to other agriculturists further south, using the Delta Mendota Canal to wheel it.

A key argument that may have influenced the final vote for SB 901 was a growing list of proposed large development projects, including new towns, that was compiled by the EBMUD lobbyist. It is unclear how many of the one hundred or so new towns and other major developments that have been proposed up and down the Central Valley and other parts of the state will be directly affected by the new water planning legislation. On the one hand, by some calculations over 80 of these 100 large projects have already been approved, at least at the General Plan or conceptual stage, by local cities and counties, so the provisions of SB 901 might be too late.

On the other hand, many mega-projects, such as Lathrop's Gold Rush City (part of the Dougherty Valley Development) will proceed in stages, and as Specific Plans are prepared for the next increment of growth, the developers and lead agencies will face added scrutiny from water agencies and members of the public under the new law. Hopefully, the days are gone in California when the words, "Trust me, we'll find the water somewhere," are good enough for project approval.

Eric Parfrey is a Senior Planner with Baseline Environmental Consulting in Emeryville. ❖

fringes. So-called brown field sites could become income and tax producing assets again. This could serve as a catalyst for bettering people's lives in a more direct and sensitive way than the seemingly perpetual litigation over inflexible and unattainable clean-up targets. This approach is worth the risk! ❖

JOBS

Permit Center Coordinator

City of Berkeley

Salary: \$53,520 to \$64,620/yr

This position will involve planning, organizing, coordinating, participating and assisting with processes for zoning, building, engineering and fire permits in the City's Permit Center. Requires a 4 year degree and 4 years of related experience. The position includes two retirement plans and excellent benefits. Call (510) 644-6460 for application materials or apply at the City of Berkeley, Personnel Department, 2180 Milvia Street, Berkeley, CA 94704. Application deadline is February 13, 1996. EEO/AA

Executive Director

Solano County Farmlands and Open Space Foundation

Salary: \$45,000 to \$55,000 + benefits

The Solano County Farmlands and Open Space Foundation is a land trust in Fairfield, California, that works for the permanent conservation of farm and open space lands in Solano County. The Foundation is seeking an Executive Director to manage all activities of the organization, including land negotiations, natural resource management, fundraising, public information and programs, and financial management for the organization. For further information or to obtain an application packet, please contact the Foundation at P.O. Box 115, Fairfield, CA 94533, or call (707) 428-7580. Applications must be post-marked by April 1, 1996.



NSCCAPA Presents- Cohousing: The Community Approach to Revitalizing Urban Neighborhoods

Kathryn McCamant, partner in the CoHousing Company and co-author of the book *Cohousing: A Contemporary Approach to Housing Ourselves*, and Ken Norwood, AICP, Executive Director of the Shared Living Resource Center and co-author of the book *Rebuilding Community in America...* will give slide/talk presentations on innovative approaches to urban housing that combine co-owned community facilities with private dwellings in a pedestrian only environment.

Date: February 28, 1996
Time: 5:30-6 p.m. networking,
6-8 p.m. presentation
Location: AIA Offices,
130 Sutter St, 6th floor, SF
Cost: \$7 regular, \$5 students
BART: Montgomery Station
Parking: Sutter/Stockton Garage
RSVP: NSCCAPA Voicemail
(415) 281-0195

Look Before You Build

The US Geological Survey is presenting an interactive workshop for local government officials and consultants engaged in the review of development applications. The USGS is conducting a series of half-day workshops that will explore local government programs requiring geologic reports in support of development projects. Representatives from USGS, California's Division of Mines and Geology, and ABAG will discuss geologic information available or in progress for each county. Spangle Associates and local planners and geologists will present local programs to require geologic reports with development applications and examples of effective use of geologic information and reports. Participants will be provided an opportunity to comment on the information presented and to share their own experiences. There is no cost for participants.

February 15, 1996, 1-5 p.m.
Contra Costa County Community Development Department, Conference Room A, Public Works Dept., 255 Glacier Dr., Martinez

February 26, 1996, 1-5 p.m.
Sonoma County Permit & Research Management Department, Planning Commission Chambers, 575 Administration, Santa Rosa

February 29, 1996, 8 a.m.-12 p.m.
Alameda County Planning Department, Auditorium, 399 Elmhurst Circle, Hayward

March 6, 1996, 1-5 p.m.
Santa Clara Planning Office, Lower Level, East Wing Conference Room, 70 West Hedding, San Jose

March 7, 1996, 1-5 p.m.
Santa Cruz County Planning Department, Board of Supervisor's Chambers, Room 525, 701 Ocean, Santa Cruz

Workshops are designed by Spangle Associates under a grant from the US Geological Survey. For more information or to make reservations, please contact Phil Mader or Martha Tyler, Spangle Associates.

Phone: (415) 854-6001; FAX (415) 854-6070;
E-Mail: spangle@batnet.com.



1996 LEGISLATIVE UPDATE

Presented by: Sande George, CCAPA Executive Director and Lobbyist

'96 Legislation & Expectations



2 CONVENIENT LOCATIONS

Southern California

South Coast Air Quality Management Dist.

Thursday, February 15, 1996

8:30 AM - 12:30 PM

Northern California

Association of Bay Area Governments

Friday, February 16, 1996

8:30 AM - 12:30 PM

SEE MAPS ON REVERSE

COST

Early Registration (CCAPA members only — received by mail prior to February 9, 1996)	\$55.00*
At the door / Non-CCAPA Members	\$75.00*
Student or Planning Commissioner	\$45.00*

*Fee includes copy of CCAPA's Comprehensive Report "Legislative Year in Review"

REGISTRATION

CN

I would like to attend the CCAPA 1996 Legislative Update in (check one):

Southern California (Diamond Bar/SCAQMD)

Northern California (Oakland/ABAG)

Name(s) _____

City (Agency) _____

Address _____

City _____ Zip _____

Day Phone _____ Registration Payment of \$ _____

Please send check, payable to CCAPA, to:
Brian Smith, City of Modesto, Community Development Department
P.O. Box 642, Modesto, CA 95353-9003

**Early Registration Deadline:
February 9, 1996.**



Project Planner

Pacific Municipal Consultants

Salary: DOQ + benefits

Pacific Municipal Consultants (PMC) is seeking a qualified land use planner to join its rapidly expanding Bay Area operation. PMC is a multi-disciplinary planning and municipal consulting firm with office locations in Pleasanton, San Jose, Monterey, Oroville, and Sacramento. PMC is seeking an individual with a minimum of two years full time professional planning experience in project review, zoning interpretation and analysis, and environmental review. Experience with agency presentations and/or providing public information in conjunction with public agency employment is preferred. A bachelor's degree in planning, urban studies, political science, or a related field is required. Responsibilities will include a significant level of public agency exposure and presentation in conjunction with the telecommunications industry. This is a full-time temporary (6-12 months) position at our Pleasanton office. For consideration please submit a resume that includes salary history and references to Mark Rhoades, Senior Planner, 4420 Rosewood Drive, Suite 100, Pleasanton, CA 94588. Resumes must be received by February 16, at 5:00 p.m.

Comment on "Fixing Suburbs, Not Building New Ones"

by Gary Black, AICP

Note: The following letter was written in response to the series of articles that were run in the September, October and December/January issues of the Northern News.

Dear Editor,

This article, and many others like it that I have read, blame many perceived urban (or suburban) problems on the traditional subdivision land use pattern. I think this accusation is misguided at best, and elitist at worst. Why do the authors think that so many Californians live in these subdivisions and why do so many apartment or condominium dwellers hope to "move-up" to them? Do the authors think that these people are too ignorant or unobservant to realize that they are miserable? I submit that that most people living in single-family subdivisions like living there.

The first accusation is that subdivisions are boring. I suppose they can be visually boring, but that only affects visiting architects. I live in such a subdivision, and I'm not bored—neither are my neighbors. We all have kids, and they keep us plenty busy.

The second assertion is that subdivisions need more central gathering space. What for? The younger kids all play in the front yards, which form a linear "quasi-public" area. The older kids can play safely in the street because the traffic volumes are so low.

The third accusation is that the design of subdivisions leads to feelings of alienation and isolation. This is absurd. I know all of my neighbors. It's as easy to meet them in a subdivision as in an apartment building or any other type of living situation (except perhaps a commune).

It seems that the authors are longing for a return to the 19th century where all activities were focused on the neighborhood and immediate community. This is not in keeping with the modern American lifestyle, which is not going to change. We are all

members of many communities: the workplace; church; school; and, special interest clubs or community groups, etc. These "communities" are spread throughout the city. The notion that they could all be present in a neighborhood through any kind of design intervention is unrealistic.

We are part of the information age, where communication technologies allow us to reach out to the whole world from anywhere. Our activities are no longer focused on the neighborhood, and haven't been for decades. Would the critics of subdivisions want to ban telephones, televisions, newspapers and computer networks? Then we probably would feel "isolated and alienated." Until then, I will enjoy my "boring" neighborhood and watch my property value increase.

The Commentary section of the newsletter is intended to provide a forum for members to express their views relative to planning related topics, or to express an opinion relative to articles printed in this newsletter. If you would like to submit an article, contact the Newsletter Editor at 510/ 227-3214.

Urban Planning: A rewarding Profession?

by Steve Matarazzo, Sand City Community Development Director

NO ONE IS ME. Pardon my whining, but this IS a thankless profession. We say "no" more than we say "yes". And, when we say "yes," and act upon it, the appreciation we receive is conspicuous by its absence. Here is one of my personal examples, and there are many more I'm sure all of us can share.

One of my favorite planning activities was to be part of a planning team, with a supportive City Council, that redesigned a downtown area, and through that redesign, helped to revitalize it as an active pedestrian center with increased economic activity. It proved to be a textbook example of how the public infusion of funds could act as a catalyst for economic development.

Following my tenure with that particular agency, I became a planning consultant for awhile. And, soon, one of my clients happened to be a person that lived in the community that I had recently left, and during a casual conversation with that client, we discovered those two facts. So, feeling quite proud and ready to accept a congratulatory

remark, I queried how he liked the new downtown. His answer: "Well, it's all right, I guess, but boy all that reconstruction activity sure hurt the local downtown businesses." In point of fact, the construction worked around the businesses with extensive temporary access provided, and the minimal loss in sales activity was more than compensated by increased land values and increased sales following construction. Furthermore, to do nothing meant certain doom for most of the businesses.

You know, I'll never forget that guy and how deflated my ego felt. But that feeling evaporates whenever I walk through that downtown area and witness the positive change that has come about. No amount of money can give you that kind of feeling.

Editor's Note To Potential Employers: Although planners, at times, experience the ethereal rewards of the profession as alluded to in this article, secular remuneration is also appreciated.

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February

- 15 USGS Workshop
- 26 USGS Workshop
- 28 NSCCAPA -Cohousing Presentation
- 29 USGS Workshop

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March

- 6 USGS Workshop
- 7 USGS Workshop

MARCH						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

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