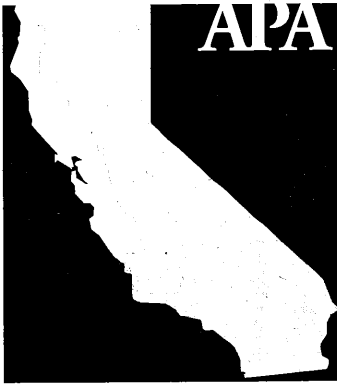


John - You may be interested in meeting announced on P.3 ✓



# Northern News

NORTHERN SECTION, CALIFORNIA CHAPTER, AMERICAN PLANNING ASSOCIATION

## Proposition 218: Bride of Frankenstein?

by Diana Elrod, Legislative Liaison

APRIL 1997

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In all of the hoopla over medical marijuana and affirmative action, California voters passed, by an easy margin, a Proposition that few noticed. The media were too busy to cover the "sexier" stories about the Cannabis Buyers' Club and whether the White House would get involved in the affirmative action fray, and yet Proposition 218 may prove far more costly to cities than anyone could have imagined.

Dubbed "Son of Proposition 13" and "Jarvis II" by Sacramento insiders, Proposition 218 posed the question of whether local government's authority to impose taxes, property-related assessments and fees be subject to voter approval. The voters of California spoke, and answered a resounding "Yes!"

### What the Proposition Does

Simply put, Proposition 218 provides that all future general taxes be approved by a majority of voters, and reaffirms that all special taxes must be approved by two-thirds of voters. With respect to property-related assessments, any new fees or charges — or increases of existing ones — must be submitted to affected property owners for their approval after a notice and public hearing. Finally, fees and charges are limited to the actual cost of providing the service and may not be used for general services.

What this means in practical terms, however, is subject to debate. The Legislative Analyst's report entitled *Understanding Proposition 218* (December 1996) states that most local revenues are not affected, and that given the "relatively small number and dollar value of local revenue sources" affect by Proposition 218, "we think it is highly unlikely that the measure could cause more than a 5 percent

annual decrease in aggregate local government own-source revenues" (emphasis author's). In addition, the Legislative Analyst opines that property taxes, special taxes, redevelopment revenues, most existing assessments, and fees that are not property-related (such as gas and electric fees and developer fees) are not affected.

However, the real impact of Proposition 218 may be even more devastating than the Legislative Analyst suggests. Even she admits that some local governments are more reliant on the types of revenues that are subject to Proposition 218, and therefore will be more substantially impacted by the new law. Furthermore, the report notes that since many local governments have limited flexibility to reduce programs when revenues decline — because of various State and federal mandates, for example — even small decreases in revenues because of voter denial of increased fees could spell trouble over the long haul.

Taken alone, Proposition 218 might have only a small effect on the way cities operate. However, it came at a time when general revenues — as well as special revenues for such things as redevelopment and housing — are declining, and after cities have tried to adjust to the devastating effects of Proposition 13, which for 18 years has drastically curtailed cities' ability to raise revenues for the services it provides. As we all know, the services cities must provide have only increased in recent years, yet the resources to provide those services have not increased. When cities are blamed for the high cost of development, it is often true because it is the only way to raise the funds it needs.

(continued on page 4)

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## DIRECTORS CORNER

by Steve Noack, Past Director

In 1994, the Northern Section played host to APA's national conference in San Francisco while the San Diego Section hosted the state conference. This year, the roles have changed. While planners in San Diego are hastily preparing for the upcoming national conference, the Northern Section State Conference Planning Committee is equally busy planning for the State APA Conference which will be held in Monterey from Sunday, October 12th to Wednesday, October 15th. This year's theme is Choices, Challenges and Change, perennial themes in the planning profession.

The conference location was selected to offer the benefits of beautiful scenery in a coastal location which is within close proximity to the Bay Area and environs. The Conference Planning Committee is working to provide a conference which takes advantage of the location and climate but also offers an opportunity to come together with other professionals to compare notes on the state of planning in California. The first day of the conference (Sunday) will be a hectic day of golf, tennis, site seeing, boating or whatever you choose to do. Sunday night will offer a private reception at the Monterey Bay Aquarium which is truly a "don't miss" opportunity.

From Monday through Wednesday will be the substance of the conference, with panels, round table discussions, key note speakers, awards and a benefit auction. The conference tracks include: Professional Development; Land Use, Transportation and Urban Design; Environment and Natural Resources; Economic Development and Fiscal Policy; Law and Government; Information Technology; Implementation; and Social Policy. If you are interested in developing a session on one of these tracks, contact Kent Edens at the City of San Jose for information. Kent can be reached at (408) 277-4576. For general conference information, contact Nick Chiulos, County of Monterey at (408) 755-5159 or Kim Cole at the City of Monterey (408) 645-3885.

The goal of the Conference Planning Committee is to present the best of what members of Northern Section have to offer. Won't you consider becoming involved?

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**Webmasters and Webmistresses needed!**

Do you live to surf the web? Are you savvy with HTML? Are you interested in planning? Are you looking for a way to combine these characteristics into a meaningful volunteer position? The Northern Section is currently seeking the assistance of such a person to help guide the development and maintenance of a World Wide Web page. Although we in Northern California like to think of ourselves as on the cutting edge, we are a bit behind other organizations on the information superhighway (this is especially ironic considering that our region includes Silicon Valley!).

We're unsure of the time and energy commitment this will involve; we hope that those who come forward to help will be instrumental in defining the scope of this project. If you are HTML literate and have been thinking about having a limited involvement with APA, this is your chance.

How about it?

Please contact John Cook at [jcook@ced.berkeley.edu](mailto:jcook@ced.berkeley.edu) or 510-540-0655 for more information.

**California Preservation Conference offers workshops for planners**

The annual California Preservation Conference will be held in Pasadena May 29 through June 1, 1997. Numerous workshops focus on planning issues, such as neighborhood conservation, affordable housing, multiethnic cultural history and preservation planning. Events include an all-day workshop on the planning and revitalization of Old Pasadena, an award-winning model of downtown development, plus a mobile workshop on the controversies surrounding the completion of the 710 freeway. Continuing education credits for planners are available. For more information and registration materials, call the California Preservation Foundation at (510) 763-0972.

**Planning In Russia**

Robert Odland, AICP, will give a presentation on land use planning and environmental efforts currently underway in Russia. Bob spent two years in Russia where he developed land use and environmental policies and regulations in response to changing political and economic conditions in the country. This is a unique opportunity to learn more about changing conditions in Eastern Europe and their affects on planning and the environment.

Date: May 1, 1997

Time: 5:30 p.m. refreshments and networking;

6-8 p.m. program

Location: SPUR Office 312 Sutter Street, 5th Floor

Cost: \$5.00

RSVP: NSCCAPA Voice Mail 415/281-0195

Parking: Sutter/Stockton Garage

BART: Montgomery Street Station

**Last Call for Awards Nominations**

There is still time to submit outstanding programs and individuals for consideration in the 1997 Northern Section Awards program. The deadline for submission of nominations is April 11th. For nomination packages or further information please contact Wayne G. Goldberg, Northern Section Awards Coordinator, Department of Community Development, 100 Santa Rosa Avenue, Santa Rosa, 95404. Phone (707) 543-3220, fax (707) 543-3218.

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) 540-0655.



## Prop 218 ... *(continued from page 1)*

Now, with the passage of Prop 218, the loss of even more much-needed revenue sources is virtually assured. Over the past 20 to 30 years, voters — not just in California but throughout the nation — have been loathe to tax themselves, if given the choice, no matter how dire the consequences. On the one hand, we all demand our City Halls to give us what we want, but we have been extremely irritated at having to pay for it. Despite the fact that several studies have shown that Americans pay comparatively less than residents of other nations in income tax, there is always more to complain about.

To make matters worse, even previously-enacted local general taxes (any established after December 31, 1994) must be put before a vote of the people within two years. It's possible, then, that a tax that had already been collected and expended would have to be returned to the people if it doesn't pass.

### How Will Planning and Planners be Affected?

On its simplest level, it is expected that even if current levels of funding for services remains constant, over time the inability to raise fees, taxes and assessments will mean that cities will no longer be able to provide the services it once could. Revenue sources will be unable to keep up with increased demand.

Proposition 218 will also impact the ability of planning departments to raise funds to offset the cost of providing services. Although the Legislative Analyst states that "developer fees" would not be affected, most city officials and many legislators agree that building permit fees, sewer fees, and other things that cities routinely charge for will be affected. Fee schedules would have to be put before a vote of the people before increases could be implemented.

Further, the new law requires that any fee may not exceed the cost of government to provide the service. In reality, however, a plan check fee doesn't just pay for the cost of the plan check, but for all of the support functions — the "behind-the-scenes" activities — that make a plan check possible in the first place. Depending upon how this is interpreted, it may be impossible for cities to charge for more than the 30 minutes or more of staff time that the plan check actually took.

The direct and indirect cost of other services, however, will be harder to gauge. In addition, cities that waive certain taxes and fees to fulfill a public benefit — for example, to assist developers of affordable housing in reducing the overall cost of housing — will have a tough time recouping the lost revenue through other means because of limits imposed by the new law.

### Epilogue

Certainly, "taxation without representation" is a serious concern, as proponents of Prop 218 have repeated as their mantra. However, there is an equally deep concern that enacting laws like Prop 218 are extremely dangerous because they lose sight of one essential question: how can cities possibly provide the services their residents demand if they are not given the funds to do so? As federal, state and local funds are all but drying up — and as more cities face the prospect of taking on what used to be the federal responsibilities of welfare reform and public housing — residents will have to face the ugly reality that their parks will be dirtier, there will be fewer paramedics assigned to firehouses, and their overall quality of life will be a lot less pleasant.



### Assistant City Manager

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The city of Visalia (population 92,400), located in California's agriculturally rich San Joaquin Valley, is seeking a highly qualified local government professional to serve as an assistant city manager. The successful candidate will lead a newly combined department consisting of Planning, Building Safety, and Economic Development (including Redevelopment, CDBG, and Business Development). Visalia is a full service city and has a current annual budget of \$88 million, which includes a capital improvement budget of \$12 million and a staff of 465.

The ideal candidate is a thoroughly skilled generalist with a broad base of experience in full service communities. Background in economic development and redevelopment, as well as an understanding of planning and building inspection functions is required. In addition, the candidate should possess excellent communication, negotiation, analytical and interpersonal skills.

Salary for the position is \$79,200 to \$87,560. The city also provides competitive benefits including PERS 2% at 55. The final filing date for the position is Friday, May 9, 1997. A brochure is available upon request.

To be considered for this exceptional career opportunity, submit your resume, three work related references and current salary to Shannon, Davis & Associates, 1601 Response Road, Suite 390, Sacramento, CA 95815. Telephone (916) 567-4280, fax (916) 567-1220.



The Northern Section of the California Chapter of the American Planning Association presents:

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When: Friday, May 9, 1997

Where: Scott's Restaurant/Conference Center, Jack London Square  
Oakland Waterfront

Sponsored by the Northern Section, the Bay Area Planning Directors' Association, and the California County Planning Directors Association.

For information: call Michael Neuman at (510) 548-7500

## ABAG General Assembly: Land Use and Transportation Link

The link between land use and transportation planning will be the subject of the next ABAG General Assembly. Attendees will get the latest information about transportation funding in the region, along with likely new directions in "community-oriented" transportation projects. Attendees will also receive a guidebook suggesting general plan, zoning, and subdivision strategies effective in bringing about positive change, as well as development review checklists applicable to older central cities as well as newly developing suburbs and small semi-rural towns. Keynote speaker Gordon Price, a City Councilor of Vancouver,

British Columbia, will highlight how that city has effectively integrated transportation and land use strategies and created one of the most desirable and livable metropolitan regions in North America.

Date: April 18, 1997

Time: 8:30 a.m. to 2:00 p.m.

Location: Sheraton Palace Hotel,  
2 New Montgomery Street,  
San Francisco

Cost: \$60 ABAG members, \$85 non-members (includes lunch)

RSVP: To ABAG 510-464-7960



1997 AEP Statewide Conference  
 May 1-4  
 Holiday Inn Union Square, San Francisco

## Making the Grade

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### AEP 1997 State Conference Registration Form

Intro CEQA Workshop 5/1/97	Regular Registration Postmarked by 4/7/97	Late Registration Postmarked after 4/7/97
Conf. Registrants add.....\$45	Members.....\$285	Members.....\$335
Members.....\$115	Non-members.....\$345	Non-members.....\$395
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Send resumes with references to Wagstaff and Associates, 2512 Ninth Street #5, Berkeley, CA 94710; Attention S. Ridone.

**To the Editor, Northern News:**

Professional development in the post-Prop 209 era has come to the Northern Section!! A bulletin board item in the December/January Northern News announces a March seminar for leaders of planning organizations. Perhaps it is a mistake to be a feminist and a planner, or even to call oneself a feminist at the present moment. But feminist I am, as well as planner. As both, I am deeply affronted at the Northern Section's offering up three white men as the selected experts on management and leadership development. This despite the fact that the topic is one which women and minority members contribute to greatly and to which we offer particular perspectives. The affront of the lack of diversity on the panel is magnified by the fact that diversity is itself a management and leadership issue in many of our agencies and firms. For those readers who may wonder whether every single panel must be composed with a commitment to diversity, the answer is yes. Perhaps affirmative action may no longer be law, but we may still let its goals guide our actions — if we so choose. I hope we will.

– Ellen Greenberg, AICP

*Wendy Cosin, Director of the Northern Section, replies:*

Point well-taken. I agree it would be better to represent a broader range of experience in the Planning Director Seminar as well as in other events. Diversity is also important to me, both as a feminist and for a variety of personal and professional reasons. We spoke with several people suggested by Ellen Greenberg and others in our attempts to diversify the panel, however we were not successful in doing so. The board relies entirely on volunteers to provide service to members; we welcome increased participation and assistance.

*Editor's Note: The author of the letter above mailed this to me after the first reference to the Planning Director's Seminar in the December/January newsletter. As the editor, I judged that since the event had yet to occur, the letter was not yet "ripe" for publishing and was more appropriately directed to the organizers of the event. If I had it to do over again, I would have printed this letter when I received it. I apologize to the author of this letter for my editorial misjudgment.*

**Planning Notes From Russia** *By Bob Odland*

*Bob recently returned from working in Russia for two years, with short assignments to Ukraine and Poland.*

It's sure nice having long days and warm weather in April. Last year at this time, in St. Petersburg (Russia, not Florida) dirty snow was still on the ground and the long nights were just ending. But these were the least of the differences. In Russia, medical doctors were applying for jobs as drivers, unpaid university professors were lecturing in unheated classrooms, and mega-projects were on the city planning department's drawing boards with absolutely no idea of what they would cost or who would pay.

My wife and I moved to Russia in November 1994, first to St. Petersburg and then to Nizhny Novgorod, formerly known as Gorky, a city about 300 miles east of Moscow. I worked on a US-sponsored project to transfer ownership of urban land from the state to those companies already occupying the land. In September 1995, we returned to St. Petersburg to work on a second project, assisting the City of St. Petersburg in developing a new land-use regulatory system. Before returning to the Bay Area last December, I also worked briefly in Poland

on local economic development and in Ukraine on an analysis of its land-use laws and practices.

The first year in Russia was interesting because I worked with such a variety of people. I talked with almost 100 managers of privatized companies and learned of their problems in trying to run a business in today's Russian economy — ultra-high inflation, virtually no cash flow, uncooperative and often corrupt government officials, lack of marketing knowhow, and draconian taxes. City officials, on the other hand, are being asked to operate in an environment totally unlike that for which they had been trained. Planners who were accustomed to considering general plans as secret documents do not know what to make of a public participation process.

Working with another American and a staff of Russian trainees, I drafted laws, regulations, and procedures on setting parcel boundaries, determining a sales price, establishing the concept of easements, designating an official seller of land, and describing what types of regulations a city can impose upon privately owned land. Then we walked all parties through the process. Small steps, but ones that introduced people to the pros and cons of a land market.

*(continued on page 6)*

When I was a young Senior Planner in Morgan Hill (gee, I didn't think I was so young then), I learned many of the "tricks of the trade" from my wise and seasoned Planning Director, a planner and architect, David Miller. Morgan Hill was then growing quite rapidly, and many commercial franchises were coming to town, trying to capture the disposable income of well-heeled Silicon Valley executive refugee types in search of a more bucolic environment. Our planning office was besieged by all of the big boys: McDonald's, Burger King, Kentucky Fried Chicken, ad nauseum.

My boss would demand superior architecture that was a significant departure from their "canned" designs. The fast-food reps would state that regretfully, they had only four basic designs from which we could choose. At this point, Dave would pull a photograph out from his top drawer and state dramatically, "I want you to give the city design number five!" "Design number five" was one of these fast-food joints in Scottsdale, Arizona, Santa Barbara, Carmel, or Lake Tahoe: that is, each had a unique design that complemented the surrounding architecture and environment. The corporate reps were inevitably speechless at this demonstration, eventually acknowledging that, if the market for their product were really enticing, they did, ahem, on occasion, acquiesce to the design demands of certain communities. Morgan Hill either got the better designed building or the franchise went to a neighboring, less finicky community.

My current community is under a similar bombardment by the big franchises. Unlike Morgan Hill, however, Sand City is literally trying to reinvent itself (Did I really say that?). This is to say it is in the process of major redevelopment. The city has been somewhat successful in demanding better than the standard boxes from Boston Market and McDonald's. Clearly, the major retailers in this country are evolving. But it took communities like Carmel, Santa Barbara, Aspen, Boulder, and yes, Morgan Hill to let them know that they were only welcome if their designs complemented the community.

I have just received a copy of the APA publication entitled "*Saving Face: How Corporate Franchise Design Can Respect Community Identity*." It provides many other interesting examples of how bland and ubiquitous franchise architecture is being abandoned in favor of site-specific buildings that try to integrate into existing or desired urban settings. Read it. It will do your heart good.

## ... from Russia

(continued from page 5)

In the second year, I worked primarily with city planning officials and members of the city council of St. Petersburg, the third largest city in Europe. Most reformers, led by economists, wanted to design a new land-use regulatory system that ignored the planning process. Just like the United States fifty years ago! Many of these reformers also wanted to adopt the types of US zoning ordinances that establish rigid development standards and highly segregated land uses. I argued, sometimes with limited success, for integrating the best of contemporary US and European practices with selected features of the existing Russian system. I felt that a highly tailored system was needed to respect the historic character and mixed uses of St. Petersburg.

St. Petersburg also is experimenting with the concept of strategic planning, based primarily on the experiences of Barcelona, Spain. In fact, a strategic plan effort is now taking place in St. Petersburg, with each city committee (department) attempting to define the process in order to further its own agenda and increase its power. Planners also are starting to think about the concepts of sustainable development. I worked with the Union of Russian Cities in its efforts to develop a strategy to implement President Yeltsin's decree on sustainable development, but little has actually been accomplished. For all kinds of reasons, things are not moving very fast in Russia these days. АРЕНА!

Bob will be talking more about Russia in May (see the Bulletin Board). He can be reached at [rodland@igc.apc.org](mailto:rodland@igc.apc.org).



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# NORTHERN SECTION CALENDAR

## April

- 3 NSCCAPA Board Meeting, 6:00 p.m.
- 5-9 APA National Conference, San Diego
- 11 Deadline for proposals for CCAPA Conference
- 11 Deadline for NSCCAPA Awards Nominations
- 18 ABAG General Assembly
- 19 AICP Exam Prep Workshop
- 26-27 Yosemite Spring Fling Event (Info: (209) 233-4148)

APRIL						
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## May

- 1 NSCCAPA Board Meeting, 6:00 p.m.
- 1 Planning in Russia Event
- 9 NSCCAPA Planning Directors Seminar
- 10 AICP Exam!
- 29 California Preservation Conference, Pasadena

MAY						
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