

Northern News

NORTHERN SECTION, CALIFORNIA CHAPTER, AMERICAN PLANNING ASSOCIATION

OCTOBER 1998

A Developer's Opinion...

An Infill Developer Versus the Forces of "No"

By Patrick Kennedy

Many cities now recognize the value of promoting dense, mixed-use, infill development to enliven their downtowns, to provide affordable housing, and to improve transit ridership. But obstacles to such projects abound, among them reluctant construction lenders, skeptical mortgage

financiers, and complicated building requirements.

One of the biggest hurdles I have encountered as a developer of mixed use infill projects in Berkeley, California is the project approval process, which invariably involves complying with the city's zoning ordinance. Many cities have ordinances that thwart the very kinds of developments they desire. In my experience, there are three particular areas of local zoning law that are most often used by city staff, opposition groups, and others to kill worthy projects.

Density: The issue of density is one of the biggest sources of resistance to infill projects and the most misunderstood. The problem in many downtowns and city thoroughfares is the absence of people and their purposeful activity, not an excess of them. Samuel

Johnson once wrote, "Men, thinly scattered make a shift, but a bad shift, without many things. It is being concentration that produces convenience."

The empty lots and vacant storefronts that stretch along Berkeley's University Avenue, the once proud gateway to my city, attest to the need for more density. Yet many projects are challenged on this ground alone, with the unsupported claim that more people would be detrimental to the area. In Berkeley, any "detriment" may be grounds for denial of a project, and "detriment" is often broadly defined, since no definition is given in the ordinance itself.

On one mixed use project I recently proposed on a vacant commercial lot abutting a residential neighborhood, a protester announced that "even one more person in this neighborhood or on this street would be detrimental."

The Zoning Board disagreed, recognizing that the site already had 36,200 cars going by it every day, and that the development might even have the beneficial impact of slowing them down. Cities must recognize that 3-5 story mixed-use buildings, in central locations and properly designed, do not represent a threat to any other residents of the city, but rather offer a source of vitality and rejuvenation.

Parking: The first cousin of density, as a roadblock to infill development, is the parking requirement. The latter often wields more power to prevent projects since cities are less likely to grant, and opposition groups to accept, any reduction in it.

Many groups fight new projects purely on the grounds that they will exacerbate a park-

(continued on page 4)

IN ORTHODOX CITY PLANNING, neighborhood open spaces are venerated in an amazingly uncritical fashion, much as savages venerate magical fetishes. Ask a houser how his planned neighborhood improves on the old city and he will cite, as a self evident virtue, More Open Space. Ask a zoner about the improvements in progressive codes and he will cite, again as a self evident virtue, their incentives toward leaving More Open Space. Walk with a planner through a dispirited neighborhood and though it be already scabby with deserted parks and tired landscaping festooned with old Kleenex, he will envision a future of More Open Space. More Open Space for what? For muggings? For bleak vacuums between buildings? Or for ordinary people to use and enjoy? But people do not use city open space just because it is there and because city planners or designers wish they would.

 Jane Jacobs

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By Patricia Jeffery, AICP -Professional Development Officer

HOUSING SYMPOSIUM

The demand for housing in the Bay Area has been and remains strong. The results of this continuing strong demand present a number of interesting paradoxes for planners. Those owning their homes for a number of years have likely benefited from substantial price increases. At the same time, the desire to own new homes have pushed the urban edge into the Central Valley leading to lengthy commutes. Although a number of non-profit builders are actively constructing new affordable projects, supply of these units never seems to dent demand. The housing style of choice remains a single family house on its own lot — despite the fact that lot sizes continue to shrink.

What is the answer to the housing paradox? Why isn't more housing being built? Many barriers to increased housing production have been cited including lack of available land at appropriate cost, infrastructure costs and fees, environmental concerns, excessive construction costs, land use restrictions and lengthy permit requirements.

These barriers will be explored in a day-long symposium entitled *Housing for All – Knocking Down the Barriers*, sponsored by the Northern Section. Equally important, innovative solutions will be identified to promote well planned housing consistent with solid environmental principles.

The program is designed to be thought provoking and interactive. We have arranged for an impressive group of experts in the field of housing to speak at the Housing Symposium. They are people that are actively involved in knocking down the barriers and will offer their ideas and experience in achieving innovative solutions to the housing problem. Tom Jacobson, a land use attorney and member of Sonoma State University faculty will talk about the political process and its role as either facilitating or hindering housing development. John Landis, Institute of Urban and Regional Development, UC Berkeley, will speak on the topic of emerging trends in housing — what are the types of housing that are being developed, how are demographics influencing demand and location and what can be expected in the way of future housing design. Mayor-elect Jerry Brown will address the challenge of providing housing for all and his efforts to establish sustainable communities in Oakland. The Symposium will also feature panel discussions representing differing points of view on how to go about providing more housing. Panelists include architects, planners, political and community leaders, environmentalists and economists. We will also look at three case studies of innovative housing projects that have either been built or are in the pipeline.

It is a full program, offering invaluable information on emerging trends and cutting edge approaches to providing housing for all. We hope you will join us on October 16 at the Metro Center, ABAG Auditorium.

NEWSLETTER INFORMATION

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The deadline for submitting materials for inclusion in the Northern News is the 16th day of the month prior to publication.



Community Planning Forum Scheduled For Central Coast Area

A speakers' forum entitled the "Community Planning Forum" will be held Thursday, October 29, 1998, at the Salinas Community Center in Monterey County. This half-day conference is sponsored by the Association of Monterey Bay Area Governments, and co-sponsored by the Local Government Commission, the Santa Cruz County Regional Transportation Commission, the Transportation Agency of Monterey County, and the City of Salinas.

The Forum program features presentation from well-known community planners **Tom DiGiovanni**, Principal of Heritage Partners, and **Michael Freedman**, Founder of Communities by Design and Principal of Freedman, Tung & Bottomley. DiGiovanni, who was project manager of an award-winning mixed-use development in Harvard Square, Cambridge, will discuss whether our current development

practices are headed in the right direction. Freedman, who now resides in Japan, will give a keynote address summarizing his work to create "communities" instead of the "placeless pattern of late 20th-century development," which Freedman describes as big buildings surrounded by acres of parking lots, creating a total dependence on the automobile. He will discuss ways to develop and redevelop suburban areas by adding varied structures usually seen in larger urban centers: colorful shopping areas, cultural facilities, a variety of housing types, and pedestrian-oriented amenities.

The Forum will start at 9:30 a.m. with registration, and end promptly at 2:00 p.m. A premium box lunch is included in the registration fee of \$40.00 per person. Registrations must be received by October 26, 1998; contact Margo Nottenkamper, AICP at AMBAG for more information at (831) 883-3750 or margo@ambag.org.



Practicing Planners Help Planning Student Organizations (PSO's)

A new AICP program links practicing planners with planning student organizations (PSO's) at planning schools across the country. The AICP PSO Advisor, an AICP practicing planner, will help PSO's bridge the gap across the school year when last year's officers have left school and incoming student officers are new and still learning the organization's work.

The AICP PSO Advisor will also share information with students about the practice of planning and APA/AICP, and provide insights into the profession gained through their experiences.

This new AICP program was initiated at the request of APA's Student Representatives Council. Start-up work also included contributions by APA's Chapter Presidents Council.

AICP Commissioners are responsible for selecting the AICP PSO Advisors. Please contact your AICP Commissioner or your Chapter President if interested in serving in this position.

Additional information on this AICP PSO Advisor Program is available on APA/AICP's web site at www.planning.org, or from APA's "Fax-on-Demand" line at 1-800-800-1589.



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) 642-3258.



A Developer's Opinion...

ing problem. Few seem aware that infill development in mature, central locations tends to reduce auto usage in a downtown or neighborhood, not increase it.

The parking requirement typically calls for at least one space per dwelling unit, and makes dense infill development physically and financially impossible, since few residential developments, particularly affordable or mixed use ones, can afford to build the underground parking garages necessary to accommodate them. The irony, of course, is that many people living in centrally located infill sites don't even need a parking space, and certainly don't want to have to pay for one they are not going to use.

Open Space: Another particularly troublesome requirement is open space, which as Jane Jacobs writes in *The Death and Life of Great American Cities*, enjoys the slavish devotion of many city planners. Many city ordinances mirror this devotion, and make infill development all the more difficult, if not impossible. For example, the open space needed under the ordinance for a four story, infill project in downtown Berkeley that I recently considered is greater than the actual size of the lot. And the lot is across the street from U.C. Berkeley, a place with acres

(continued from page 1)

of open space. Another example of the perversity of the city's ordinance is that an entry front porch, where people naturally gravitate, cannot be considered open space, but a sideyard, with no direct access to a dwelling and only space enough for a garbage can and a lawnmower (10-foot-wide minimum), can.

Despite these and other obstacles, things are changing on the infill development front. For the first time in recent memory, as a result of the efforts of groups like the Sierra Club and Urban Ecology, people are viewing new development as a positive way to enrich the downtown urban scene and improve its environment. In cities with depopulated and less-than-vibrant downtowns, it is rightly being embraced as an important solution to many urban ills. Before significant further progress can be made, however, cities must rethink their expectations for urban development, and revise their outdated zoning ordinances to reflect them.

Patrick Kennedy is owner of Panoramic Interests, a Berkeley development firm, specializing in mixed-use infill developments. (www.panoramicinterests.com)



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Salary: Planner I: \$2497-\$3035; Planner II: \$2754-3347

Current vacancy can be filled at either level, DOQ. To perform a wide variety of professional field and office work related to planning activities, projects, and or programs in the County. Requires BA/BS in planning, or related field and: Planner I - some full time work experience in professional planning work; Planner II - more than one year of professional planning work in a public or private agency involved in city, county, or regional planning work. First screening of applicant pool October 23, 1998. Apply to Personnel Dept. 501 Low Gap Road, Room 1050, Ukiah, CA 95482, (707) 463-4261, fax (707) 468-3407. AA/EOE

Assistant Port Environmental Planner

Port of Oakland

Salary \$4,218-\$5,223 per month, DOE

The Port of Oakland is seeking an Assistant Port Environmental Planner, salary \$4218 to \$5223 per month. Challenging professional work involving performance in organizing and carrying out planning program for land use, facility development, access studies, and related work in support of a broad range of Port maritime and aviation activities and programs. Minimum requirements: Master's degree in environmental studies, planning, environmental science, or closely related field PLUS two years experience in a position with direct relevance to the duties of the Port Environmental Planner position (Bachelor's degree PLUS three years of work experience may be substituted or an equivalent combination of education and experience may be considered). Call (510) 272-1142 for application packet. Resumes alone not sufficient. Position closes October 16, 1998. AA/EOE/M/F/H



Senior Code Compliance Inspector

City of Berkeley

Salary \$45,384 – 53,844 +

Serves as lead performing the more difficult and complex skilled inspection and enforcement work related to the provisions of the zoning ordinances and other regulations regulating the location, condition and use of land, buildings and structures in all areas of the City. Oversees investigations related to zoning complaints, and interpretation of zoning code provisions. Requires high school graduation and 4 years experience in current planning or code enforcement. Full-time equivalent college coursework in planning or related field, or 1 year experience as a licensed contractor, or 1 year experience as a code compliance, building, or housing inspector may be substituted for up to 1 year of the above experience.

City of Berkeley application materials must be submitted by 5 p.m. 11/9/98. Call: (510) 644-6460 or apply at: Personnel Dept., 2180 Milvia St., Berkeley, CA 94704. EOE

Code Compliance Inspector

City of Berkeley

Salary \$43,224 – 51,276 +

Journey-level position to perform skilled inspection work and enforcement of primarily in zoning regulations governing existing development and land use. Requires high school graduation plus 2 years experience in current planning or code enforcement. Full-time equivalent college work in planning or related field, or up to 1 year experience as a licensed contractor, or 1 year experience as a building or housing inspector may be substituted for up to 1 year of the above experience.

City of Berkeley application materials must be submitted by 5 p.m. 11/9/98. Call: (510) 644-6460 or apply at: Personnel Dept., 2180 Milvia St., Berkeley, CA 94704. EOE

There are many solutions offered for our downtown woes, and a constantly evolving paradigm, currently defined by buzzwords like “neotraditional planning,” “sustainable development,” “transit-oriented design,” “new urbanism,” “liveable communities,” and the like. Few would argue with the assertion that our downtowns need help, but solutions offered are as varied as colors in a rainbow. Whether driven by an abhorrence of “urban sprawl,” that notorious product of population growth, or by its byproduct, urban blight, the idea of increasing the density of downtowns is becoming more tenable. Yet older paradigms persist, and with them laws and anti-development sentiments, presenting obstacles to developers and planners, providing a system of checks and balances which may not be a bad thing.

The article by Patrick Kennedy illustrates the frustration of a developer in the face of what he would call antiquated and misguided laws. While the guiding principle of our quest for articles for this newsletter is to inform and inspire, there must also be room for opinions to provoke thoughts and responses. I hope that this piece will do just that. There will be room in subsequent issues for differing opinions, whether in the form of letters to the editor or short articles.

Your opinions and short pieces are invited. Just email the editor: (jsbanks@uclink.berkeley.edu) or send your article, and avail yourself of this opportunity to express yourself and to keep fellow planners as informed as possible of the many opinions out there. With enough response, perhaps a **Letters to the Editor** column could become a regular addition.



HEALING THE COMMERCIAL STRIP: A Conceptual Tool Kit

Commercial strip corridors are major economic engines for municipalities. However, they also are often auto-dominated, pedestrian- and transit-unfriendly places, dominated by asphalt, and lined by garish signs and “Anywhere, USA” architecture. Less successful strips have difficulty attracting quality development and don’t contribute to a positive city image or a livable urban environment. How can we transform strips into places of community pride as well as commercial success?

This is the subject of a day-long workshop for local government officials and planners to be held twice in the Bay Area—on Tuesday, October 27th in the City of Pleasanton and on Wednesday, October 28th in the City of San Mateo. Cosponsored by the American Planning Association, Northern & Central Chapters, the Association of Bay Area Governments, the California Association of Local Economic Development, Great Valley Center, and the Local Government Commission, the workshops will be led by urban designers Michael Freedman and Greg Tung of

Freedman Tung & Bottomley and real estate economist Allan Billingsley of the Sedway Group. Agenda topics will include:

- **Understanding The Problem:** Why are so many communities unhappy with the strip?
- **Why are there strips?** Economic and market forces that shape strip commercial development
- **Options** for making the arterial development corridor a better piece of your city
- **Development & Design:** Buildings, Sites, Signs and Streetscapes that Work
- **Money:** Why Good Design Makes Economic Sense
- **Financial Tools** for Strip Corridor Renovation

The fee for the workshop is just \$150, and includes workshop materials and lunch.

For a brochure and registration information, please contact Kristen Paulsen at Communities by Design (530) 792-1751, or email at kristen@cbdcom.com

Communities by Design is a nonprofit 501 (c)(3) urban design training organization.

INTERESTED IN READING SOME INTERESTING NEW IDEAS?

Two new papers available: "A Comprehensive Approach to Planning and Design of the New Oakland Bay Bridge" and "Getting to Sustainability After the Sprawl" —from Ken Norwood, AICP, Shared Living Resource Center.

Call 510-548-6608 for a copy of the papers, or e-mail: slrnorwood@igc.org.



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NORTHERN SECTION CALENDAR

October

- 15 Deadline for nominations for Director and Administration
Director for Northern Section Board
- 16 Housing Symposium, ABAG Auditorium, Oakland
- 17 East Bay Habitat for Humanity Project, Oakland
- 27 Workshop: Healing the Commercial Strip, Pleasanton
- 28 Workshop: Healing the Commercial Strip, San Mateo
- 29 Community Planning Forum, Salinas

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