

OCTOBER 1999

# Northern News

NORTHERN SECTION, CALIFORNIA CHAPTER, AMERICAN PLANNING ASSOCIATION

## What is "Smart Growth"?

By Eric Parfrey

It seems that every other newspaper or magazine you pick up has something about "smart growth." Articles about population growth, suburban sprawl, loss of farmland, and "neo-traditional" planning seem to be part of the latest fad.

Part of the reason that "smart growth" has become such a high profile issue is because all levels of government have jumped on the bandwagon. In California, following every population growth cycle we inevitably see a reaction from people in fast-growing cities clamoring for growth management or growth control. We are seeing this phenomenon play out in places like Ventura County in southern California, whose voters adopted a set of growth boundaries last year, and in the Central Valley, where even Fresno County has adopted new guidelines to limit sprawl and increase densities of new development. In Sacramento, Governor Gray Davis is under pressure to address suburban sprawl, loss of farmland in the Central Valley, and fiscal policies which cause cities to compete for "big box" retailers and auto sales lots because of the favorable sale tax revenues, while discouraging other types of economic development. And at the federal level, Vice President Al Gore is clearly pushing "smart growth" as a key issue in his run for the presidency next year.

What is "smart growth"? John Hopkins of the Institute of Ecological Health, a small non-profit organization in Davis, is one of the hundreds, if not thousands, of grassroots activists in California who are trying to define and implement smart growth strategies. In his latest newsletter, *Linkages*, John has outlined some solutions to growth problems. (The Institute's Web page is: [\[thecity.sfsu.edu/users/IEH\]\(http://thecity.sfsu.edu/users/IEH\). John can be contacted at 530/756-6455 or by e-mail at \[ieh@mail.mother.com\]\(mailto:ieh@mail.mother.com\).\) The following are some of the most important concepts that "smart growth" advocates are espousing, as outlined in John's article:](http://</a></p></div><div data-bbox=)

- **Livable communities**, designed for people rather than for automobiles. This requires changing the layout of many new developments, as promoted by the "neo-traditional" planners and New Urbanists. At the neighborhood scale, livable communities have shops, restaurants, other amenities, and offices within walking or biking distance for most residents. The designs for these new livable communities include narrower streets and no cul-de-sacs, shops that front directly onto sidewalks instead of onto parking lots, as well as office, apartment and condominiums above the shops. This scheme is a far cry from the typical walled-off suburban subdivisions that are connected to shopping centers and strip malls by a few crowded arterial roads. Livable communities also include a true "town center," which is a compact area with civic buildings—a church, library, post office, community center—contained in a plaza or other auto-free open space, with a mix of private businesses.
- **Closeness to nature and permanent conservation of important lands.** A closeness to natural areas is vital for many people, and this is not antithetical to compact development. Greenways, such as corridors of native vegetation along streams, and small nature reserves make nature accessible to suburban and city

**"Smart Growth"**—that increasingly popular sound bite of our time, may be more than meets the eye. How can we best plan for inevitable population pressures on our land? What is the relationship between free market forces and government growth controls?

This month we present two articles on the subject: an informative piece by Eric Parfrey and a policy analysis by Richard H. Carson showing that the jury is out regarding the effects of these policies on our economic landscape.

(continued on page 2)

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## “...Smart Growth”?

(continued from page 1)

dwellers. Productive agricultural areas, wildlife habitats, and key open space should also be permanently protected by fee acquisition and easements that buy development rights.

- **Viable public transit** at the city and metropolitan area scale is needed to support compact forms of development. Subdivisions at low densities of four houses per acre (typical for suburban places like Fairfield and Tracy), as well as shopping centers or business parks centered around huge parking lots, all stymie public transit since these low density development patterns make transit very costly to provide.
- **Revitalization of older suburbs and downtowns, and rundown commercial areas.** Infill development and redevelopment of older districts and contaminated “brownfield” industrial sites can help to counter suburban sprawl and revitalize inner cities, by providing housing near existing jobs and shopping areas.
- **Urban growth boundaries** are a key solution to contain continuous sprawl development. Growth boundaries or “urban limit lines” draw a line around cities and allow for 20 or 30 years of growth, and they often can be changed only with a community vote. But such boundaries will only work over time if they are accompanied by changes in community design, infill development and the other steps mentioned above.
- **Long term visions for communities and regions.** Unless citizens decide what they want their communities to look like

in 50 years, and unless we address land conservation needs, and growth/transportation dynamics at regional scales, we invite a continuation of suburban sprawl. Regions and sub-regions must achieve a jobs/housing balance to minimize long distance commuting and preserve resources such as air and water quality, and prime farmland.

And if you are beginning to actually feel sorry for those poor developers and homebuilders who are being asked to adapt to the latest smart growth guidelines, consider this: In China, a new law went into effect that threatens the death penalty for developers who build on valuable farmland without procuring an extensive set of permits from local, regional, and state authorities. The Chinese government adopted this draconian measure because the country cannot afford to lose any more valuable farmland used to feed their 1.2 billion people. They force developers to get individual permits from local, county, provincial, and State Council agencies before they can build on agricultural land. Renegade developers who build without the appropriate permits face prosecution and the death penalty! And you thought getting a building permit in California was difficult!

*Eric Parfrey is president of AEP's San Francisco Bay Chapter. He is a former senior planner for both Contra Costa and San Joaquin counties. He is a member of the Sierra Club and is working closely with the Tracy grassroots group to qualify a slow-growth initiative. He lives in Stockton and works in the East Bay. He may be contacted at (510) 420-8686, (209) 462-4808 or by e-mail at eric@baseline-env.com*

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



## One-Day NEPA Workshops

The National Environmental Policy Act (NEPA) is the nation's most comprehensive environmental law applying to Federal activities affecting the human and physical environments. The NEPA process for review and evaluation of Federal activities requires analysis of alternative actions through preparation of Environmental Assessments (EAs), Environmental Impact Statements (EISs) and supporting environmental studies. It has also been used as a model by jurisdictions throughout the U.S. and around the world. California's environmental impact assessment law, CEQA, was modeled after NEPA but includes several key differences.

This workshop, designed for individuals with all levels of NEPA experience, provides practical advice on the "nuts and bolts" of working with this far-reaching environmental law. The class focuses on case studies of Federal actions requiring NEPA review and provides practical lessons from the field. Seasoned NEPA veterans share the lessons they have learned, which can help sharpen NEPA skills and approaches to the common problems encountered by EIS preparers.

Topics include:

NEPA Overview; Determining Purpose and Need; The difference between an EA and an EIS; Treatment of alternatives; Selecting the preferred alternative and establishing a baseline; Levels of significance; Facilitating public involvement; Combining NEPA with other environmental laws.

This one-day credit course, offered through UC Santa Cruz, is offered twice in the upcoming months. It will be given in Santa Clara on Wednesday, October 27<sup>th</sup>, 1999, and in Monterey on Monday, March 6<sup>th</sup>, 2000. The non-agency fee is \$205, and if you are an agency employee, you can pay a reduced rate of only \$155 per person.

For more information contact Ann Zoidis (415) 974-1221, or to enroll by phone call (800) 660-8639.

## California Planning Foundation 1999 Auction

The California Planning Foundation (CPF) is the chapter's nonprofit foundation responsible for providing continuing education opportunities to practicing planners and providing scholarships to students in the state's accredited planning programs. Established in 1971, CPF relies on the generous donations of our members and fund-raising programs during the year to endow the student scholarship program.

CPF is pleased to announce the following opportunities for local chapter members over the coming months. The first opportunity is to donate an item or items to be auctioned off at the annual Conference to be held in Bakersfield. Some of the more popular items in the past have been walking tours, balloon trips, bed and breakfast accommodations, old maps, and bottles of wine. Donations are only limited to the creativity of your spirit.

To make a donation, please contact Patti Nahill by E-mail at <pattin@pe.net> or by phone at (909) 677-0405 prior to October 4.

The second way that CPF is seeking your participation is by attending the Annual Auction to be held on the evening of October 17 in Bakersfield at the Bakersfield Convention Center. Please plan on attending this important event and remember to bring your cash, checks and credit cards.

Get Ready for the

*Year*  
**2000!**

Celebrate the holidays and the Millennium at the **Annual NSCCAPAA Holiday Party 1999!**

**When:** December 15, 1999

**Where:** Delancey Street, 600 The Embarcadero, San Francisco

Stay tuned to next month's **Northern News** for information and registration!

If you would like to join the "**Party Like it's 1999**" Committee, call Andrea Ouse at (650) 991-8033.



# A Failure of Fairness—Planning in the Pacific Northwest

By Richard H. Carson

At the end of the twentieth century the great land use planning experiments in the Pacific Northwest states of Oregon and Washington made great strides in dealing with the negative impacts of traditional unplanned human settlements – called “sprawl.” However, it is time that we admit to the failures of controlled growth and to talk of possible remedies we can undertake in the future. It is especially important to talk about such problems now, before other states and local governments outside the Pacific Northwest try to mimic our public policy successes and before the presidential election rhetoric about “Smart Growth” begins.

Oregon’s experiment began in 1973 with the establishment of “Statewide Planning Goals”, and Washington’s began with the “Growth Management Act” of 1990. Both were products of a time when citizens still believed that big government was the best agent of positive social change. Oregon’s governor Tom McCall was one of the last charismatic leaders from an age when people would heed the call for social change from Presidents like John F. Kennedy and Lyndon Baines Johnson.

Let’s start with the premise that statewide land use planning (i.e., growth management) as practiced in these two states was one of the best public policy decisions made in America in the twentieth century. The use of urban growth boundaries: (1) supported the urban infill needed to make for a more cost-efficient delivery infrastructure inside the boundary, (2) helped encourage rebuilding in the inner cities by reducing the flight to the suburbs, and (3) protected farm lands, forest and natural areas outside the boundaries.

The economic reality is that urban growth boundaries create an abrupt and artificial financial impact. The land economics of urban sprawl are that the further away you

are from the city or suburban centers you are, then the less value the land has. Travel distances, as well as the lack of urban services and amenities, all drive down land values. The loss of value follows a very predictable drive-time gradient. Land located within thirty minutes is at a premium and land over an hour is less desirable.

With urban growth boundaries most of the land is priced the same. So is all the land outside the boundary. Land that is two miles outside the boundary costs about the same as land 15 miles away. This means that there is a financial windfall and wipeout depending on which side of the boundary your property ends up on. The government act of adding land to the boundary and later annexing it to a city multiples its value some nine-fold. The opposite decision to down zone a property means a massive financial loss to the owner. Unfortunately, neither state land use experiment had any social or economic fairness. Specifically, they lacked:

- Responsiveness to the existing capitalist system where the marketplace produces the most cost-efficient products. Land supply, location and even buildability were handed over to government land use planners who had little real world experience in property development or the siting needs of industry and commerce.
- Fiscal equity, social justice, or even respect for the economic property rights of people living in the rural areas. Note that I didn’t say the legal or constitutional property rights of others. The U.S. Supreme Court long ago decided that as long as government left some small value to your property, then a massive down-zoning did not constitute an economic “taking.”

The public policy of down-zoning farm and forest areas by using minimum building lots

*(continued on insert page opposite)*

## “A Failure of Fairness...” (continued from page 4)

of 40-80 acres is supported by the credible argument that these types of operations could not continue to exist in the face of rising land values pushed by sprawl. Similarly there is a credible argument for the protection of natural areas and wildlife habitat given the current realities of a growing list of endangered species such as the spotted owl and the wild salmon.

However, much of the rural landscape is none of the above. It is simply unproductive and fragmented rural residential properties. The argument to date is that such areas need to be developed with rural character – as opposed to urban character. However, this argument fails to have any meaningful justification or nexus. What it really means is that we are going to force development in urban areas in order to maintain a rural residential land museum that has the bucolic and pastoral character that city folks like to drive through. Rural areas have become a kind of enormous destination resort and amusement park for city dwellers. In the past such properties were developed on 1 to 5 acre parcels which was the minimum area that could support a septic field and a well. Today they are allowed only 5, 10 and 20 acre minimum lots sizes. The 10 and 20 acre lots sizes are often used to buffer resource areas.

If we want to bring some fiscal and social justice into the current statewide planning systems, then we have only two choices. We can either buy the property or the development rights of the rural land owners, or we can create a system by which such development rights can be bought and sold in the market place. The latter is commonly called the “transfer of development rights” (TDRs).

The option to buy development rights is difficult given the anti-tax and anti-government trends of the last 15 years. Governments can't afford and citizens won't support such a massive fiscal investment. One possibility would be for local governments to capture part of the nine-fold windfall since they create it. This money could then be reallocated by buying the development rights from rural residential owners. This idea works because there is a legal nexus that connects the fiscal windfall to the

person annexing into the urban area to the fiscal wipeout of the person remaining in the rural area.

What about transferring development rights from rural areas to urban areas? In order to accomplish this we need to take three steps:

(1) Determine what the developability of rural residential land would have been without the down zoning. That is to determine how many lots any given property would have been physically able to accommodate given the limitations on soils for septic systems and on water availability from wells. The truth is not all rural land is equal in terms of buildability. We would also need to net out the environmental constraints of floodplains, unstable slopes, and wildlife habitat.

(2) Allow the property owner to transfer development rights for residential units on a residential unit for residential unit basis. If you could have developed five lots, but were down-zoned to two, then you could sell three to an urban developer for either single family or multi-family developments.

(3) Allow the urban developer to use TDRs to either: (a) increase the density of an existing project over and above the minimum zoning requirements, (b) expand the urban growth boundary to build new residential units, or (c) upzone property to a higher use. The latter could mean upzoning residential property to commercial or industrial uses.

In the case of *Dolan v. the City of Tigard*, the U.S. Supreme Court found that any government exaction must have a “rough proportionality” between the level of the exaction and the property owner's actual impact on the community. In other words, the best land use planning system is one that is built on social and economic fairness for everyone.

*Richard H. Carson is an elected board member of the Oregon Chapter of the American Planning Association and Editor of the Oregon Planners' Journal. He was previously the director of planning for Metro and currently is the director of community development for Clark County, Washington. He can be reached via the Internet at “richcarson@msn.com” or by mail at 732 NW 170th Drive, Beaverton, OR 97006.*





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**Interagency Planning Manager**

East Bay Regional Park District,  
Oakland, CA

Salary: \$68,833-87,878 with merit steps to \$96,855 (the anticipated salary subject to Board approval) plus benefits. Seeking an experienced and knowledgeable planner to head its Interagency Planning Department. This is a high level position responsible for a small staff that helps steer the District through a wide variety of situations. Works directly with senior District staff, the General Manager and the Board of Directors. Requires a minimum of a Bachelor's degree in land use planning, environmental planning, or land use law and six years experience in one or several related capacities, at least three of the six years in professional-level and supervisory status. The ideal candidate has a thorough knowledge of the planning, development and environmental review processes, a commitment to resource protection, open space, parks and recreation, and a good feel for interagency political relationships. To obtain an application packet, call the East Bay Regional Park District at (510) 544-2160. Application deadline 5:00 p.m. November 3, 1999. EOE

**Transportation Planning Manager**

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**Assistant Planner**

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Belvedere is seeking a full-time, entry-level planner to work on in-fill planning-related activities. Routine duties will include analyzing and processing proposed plans and projects, reviewing applications for CEQA compliance, interpreting the zoning and design review ordinances, making presentations to the Planning Commission and the City Council, and working closely with the building department and other City staff. The successful individual will work under the direction of the City Planner. Important qualities include a teamwork orientation, self-motivation, excellent oral and written communication skills, and the ability to work comfortably with applicants, their architects, engineers, and attorneys. Quality customer service is of paramount importance to the community. Minimum requirements include: Bachelor's degree in city planning or a closely related field and one year of responsible planning experience in a local government setting. Possession of a Master's degree in city planning or a closely related field may be substituted for the one year of required experience. Final filing date: 4:30 PM, October 15, 1999. Submit a detailed resume listing education, relevant experience, current salary and five work or academic related references to: City Manager, City of Belvedere, 450 San Rafael Avenue, Belvedere CA 94920. Phone (415) 435-3838 AA/EOE

**Community Development Director**

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Salary: D0Q

Seeking a creative, customer-oriented professional to lead the Community Development Department. The new Director, reporting directly to the City Manager, supervises 18 staff members who provide planning, public works, and engineering services. The ideal candidate will have several years of professional planning and community development experience, including supervisory experience, and familiarity with California redevelopment practices. This is a hands-on position for an innovative problem solver who loves to work with residents, commissions and business owners to provide high quality community services. A bachelor's degree in urban planning, architecture, or civil engineering is required (advanced degree is desirable). Send a resume, cover letter, current salary and three work-related references by **Friday, October 29, 1999** to:

Shannon Associates; Attention: David Harris; 1601 Response Road, Suite 390; Sacramento, CA 95815; Tel. 916-567-4280; Fax. 916-567-1220. [resumes@shannonassoc.com](mailto:resumes@shannonassoc.com) Visit the City's website at [www.ci.lafayette.ca.us](http://www.ci.lafayette.ca.us)

**REQUEST FOR QUALIFICATIONS**

The Port of San Francisco seeks highly qualified consultant teams to provide real estate economics and other consulting services for current and future waterfront development projects. Successful respondents to a Request for Qualifications (RFQ) will be placed on a consultant list from which the Port will solicit proposals for project-specific consulting services for the next one to four years. Qualifications are due October 18, 1999. For a copy of the RFQ, send a check for \$10 made payable to the "Port of San

Francisco" with your name, phone number and return address to: Rich Hentschel, Port of San Francisco, Ferry Building, San Francisco, CA 94111, Attn: "Request for Qualifications for Consulting Services". You may also download an order form from the Port website under Planning and Development at <[www.sfport.com](http://www.sfport.com)>. For further information about this opportunity, contact Rich Hentschel at (415) 274-0598 or email <[Rich\\_Hentschel@sfport.com](mailto:Rich_Hentschel@sfport.com)>.

## LETTER TO THE EDITOR

ALLAN JACOBS has done it for us! He has brought forth that ever so needed, final theory of planning. I have pondered what to name this all-encompassing, world-shaking theory. Jacobean would fit but it's taken. So . . . with great fanfare I want to introduce all to the *Alfred E. Neuman, What Me Worry?* Theory of Planning. It's marvelous, it's fantastic, and it will solve absolutely no problems, because there are no problems to worry about. . . .

Well planners, there you have it. All these years we have been mis-educated, misled, and certainly abused because we have worried too much. So take a page from Allan Jacob's new theory, sit back and *don't worry!*

P.S. See you all in Rome.

(We regret we do not have space for the entire letter. -ed.)

*Scott Lefaver, AICP, a former faculty member in urban planning, is now working full time attempting to preserve and expand affordable housing in the Bay Area. Dr. Lefaver is worried.*

## ANNOUNCEMENT

PLEASE JOIN the North Bay Regional Advisory Council of APA for a Brown-Bag Presentation on "Vineyard Development in Napa and Sonoma Counties".

Join us for a discussion and comparison of the two ordinances that regulate vineyard development in Sonoma and Napa Counties.

Speakers: **Jeff Redding**, Planning Director, Napa County, **Mike Smith**, Assistant Agricultural Commissioner, Sonoma County Agricultural Commissioners Office

Where: City of Santa Rosa  
City Hall Training Center  
(follow the signs)  
100 Santa Rosa Avenue  
(between 1<sup>st</sup> St. and Sonoma Ave.)

When: Friday, November 12<sup>th</sup>,  
11:45 a.m. to 1:00 p.m.

Bring: Lunch (drinks and cookies provided)

For more information and to RSVP, contact Kristine Bickell at:  
(707) 575-1933.

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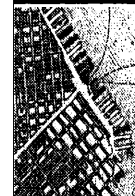
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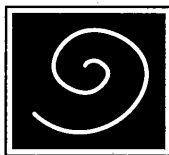
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### October

- 16-19 CCAPA Conference, "Celebrating Diversity", Bakersfield
- 17 CPF Auction, Bakersfield Convention Center
- 27 NEPA Workshop, Santa Clara

### November

- 12 "Vineyard Development in Napa and Sonoma Counties",  
Brown Bag Presentation, Santa Rosa.
- 12 Deadline for nominations for Year 2000 Fellow of AICP.  
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### Northern News

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