

AICP Exam Prep

Spring 2014



American Planning Association
Pennsylvania Chapter

Making Great Communities Happen

*Professional
Development
Committee*

AICP Exam Prep

Spring 2014

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American Planning Association
Pennsylvania Chapter

Making Great Communities Happen

Today's Agenda

- ❖ Test Background & Tips
- ❖ History, Theory & Law
- ❖ Functional Areas of Practice
- ❖ Spatial Areas of Practice
- ❖ Public Participation & Social Justice
- ❖ Plan Making & Implementation
- ❖ AICP Code of Ethics & Professional Conduct

QUESTIONS ARE WELCOME AT ANY TIME!

AICP - American Institute of Certified Planners

❖ APA's professional institute

❖ To be AICP, a planner must:

- meet requirements for education and experience,
- pass the AICP exam,
- pledge to uphold ethical standards (AICP Code of Ethics), and
- engage in ongoing professional development (Certification Maintenance)

Education and Experience Criteria

❖ Education

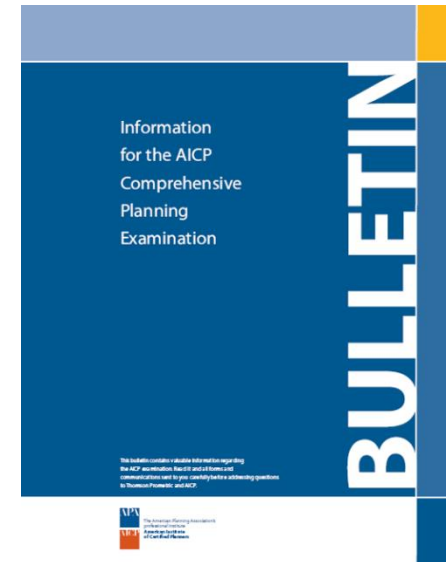
- Graduate planning degree (PAB): 2 years
- Bachelors planning degree (PAB): 3 years
- Graduate planning degree (non-PAB): 3 years
- Other degree: 4 years
- No college degree: 8 years

❖ Experience – *Professional Planning as defined by AICP*

- Apply a planning process appropriate to the situation
- Employ an appropriately comprehensive point of view
- Involve a professional level of responsibility and resourcefulness
- Influence public decision making in the public interest

Application Process

- ❖ Exam Candidate Bulletin for details
- ❖ Testing windows - May and November; applications due months in advance - January and July
- ❖ Early bird – earlier deadline, earlier notification
- ❖ Leave plenty of time to do the experience description, especially if you need to cover multiple jobs
- ❖ Need verification letters/transcripts for all degrees and employment claimed, check dates carefully
- ❖ Approval To Test (ATT) and incompletes notified by email
- ❖ Denials issued by letter



Need to know...

- ❖ Schedule on your own with Prometric
- ❖ Approvals are good for 6 exam cycles, but need to inform APA if not taking the exam in the next window
- ❖ APA Exam Bulletin and APA staff for any questions – don't wait until it's too late

Test Background

- ❖ 170 multiple choice questions (20 sample, 150 real - must answer 110 – 115 of the 150 correct to pass)
- ❖ Scaled scoring - 55 is typically the passing score on scaled range of 25 to 75
- ❖ Pass rate is approximately 65%
- ❖ 3 ½ hours to complete (brief tutorial before exam)
- ❖ ***Question pool for November 2013 was updated***
- ❖ Prometric test centers
 - Arrive 30 minutes early for paperwork
 - Take required IDs – name and spelling need to match
 - Calculator/paper/pencil provided

Test Content

- ❖ Spatial Areas of Practice – 15%
- ❖ History, Theory & Law – 15%
- ❖ Functional Areas of Practice – 25%
- ❖ Plan Making & Implementation – 30%
- ❖ Public Participation & Social Justice – 10%
- ❖ AICP Code of Ethics & Professional Conduct – 5%

So How Many Questions?

Plan Making: 45

Functional: 38

History, Law, & Theory: 23

Spatial: 22

Public Participation & Social Justice: 15

Ethics: 7

How Should You Prepare?

Review the APA outline of material

Allocate study time according to the APA outline

AND

your own background

Study early and often

Identify weak areas...use practice exams...study groups

Get at least one comprehensive study source and supplement with other sources as necessary

How Should You Prepare?

Get a Comprehensive Study Source!!!

- ❖ PA Chapter 2007 PDC Study Notes (*free*)
- ❖ PLAN 310 Planetizen AICP Exam Preparation Course (\$189 for the online course)
- ❖ APA AICP Exam Prep 2.0 (\$195)

These generally review all topics noted in the APA outline of test content

Planetizen and APA both include practice exams

Planetizen is more interactive, but is a limited time subscription

There will be a new APA prep resource...2014

Study Materials from PA Chapter

APA PA
American Planning Association
Pennsylvania Chapter
Making Great Communities Happen

ABOUT EVENTS & TRAINING ADVOCACY PUBLICATIONS FOR PLANNERS SECTIONS RESOURCES

enter keywords

For Planners

- Professional Planners
- Professional Development Committee

AICP Exam Prep

The Professional Development Committee has developed a summary of the benefits of being an AICP, eligibility requirements to take the AICP exam, the basics of the application process, study materials, and testing tips. Please [click here](#) for this helpful starting point to becoming an AICP.

www.planningpa.org
For Planners
Professional Planners
AICP Exam Prep

- ❖ PDC Study Notes
- ❖ Prior Prep Session PowerPoints
- ❖ Ethics presentation and scenarios
- ❖ Test Taker Perspective

- Student Scholarships
- Planning Commissioners

Taking the AICP Exam

The testing windows for the AICP Exam are every May and November, with applications typically due 5 to 6 months in advance. The most current information is available at: <http://www.planning.org/certification/>. For questions regarding the AICP Exam, please email aicpexam@planning.org.

For a first person perspective on applying and studying for the exam, [check out the thoughts of Megan Lehman, AICP](#).

Studying for the AICP Exam

The PA Chapter's Professional Development Committee (PDC) offers several different forms of help to those studying for the AICP Exam. These include a spring in-person prep session (typically held in February or March), free online materials, and study manuals available to borrow or purchase, as well as links to additional websites for further guidance.

As a complement to the Certification Maintenance (CM) focused Chapters, Divisions, and Universities webinar series, several webinars have been developed that are focused on preparation for the American Institute of Certified Planners (AICP) exam. Experienced instructors from the Illinois, Maryland, Pennsylvania, and North Carolina chapters presented these free sessions during February and March 2012.

Recordings of these sessions are available on the [Utah Chapter website](#).

Past prep session presentations are available:

AN OPEN LETTER FROM THE
PENNSYLVANIA PLANNING ASSOCIATION
PROFESSIONAL DEVELOPMENT COMMITTEE

The following study notes are intended to help planners who are preparing to take the Comprehensive Planning Exam. These notes are based on *The Practice of Local Government Planning*, the *National AICP Exam Preparation Course*, the *Chapter Presidents Council Study Manual*, personal notes from graduate school, and several other sources. The notes briefly cover exam subjects such as planning case law, planning theory, planning processes, public participation techniques, urban design, housing, budgeting, office administration, growth management techniques, zoning, subdivision/land development ordinances, transportation planning, recreation planning, economic development, scheduling techniques, environmental issues, quantitative analysis techniques, and demographics.

These study notes are by no means a comprehensive or infallible guide to the Comprehensive Planning Exam's subject material. However, Lee Slusser (the Professional Development Officer) and the remainder of the Professional Development Committee of the Pennsylvania Planning Association would like to keep expanding and updating these notes on an annual basis. To that end, we sincerely welcome any and all suggestions for their improvement or expansion.

Finally, if you have any questions whatsoever about the Comprehensive Planning Exam, please feel free to contact Lee or any other member of the Professional Development Committee.

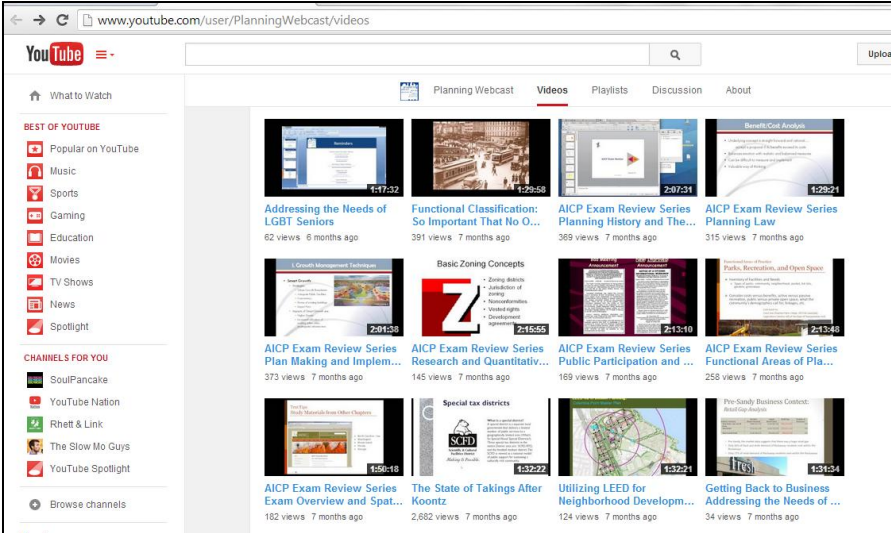
Sincerely,
Professional Development Committee
Pennsylvania Planning Association

Study Materials from Other Chapters



- ❖ North Carolina – law
- ❖ Florida
- ❖ Georgia

❖ Planning Webcast series on YouTube...7 prep videos from various chapters



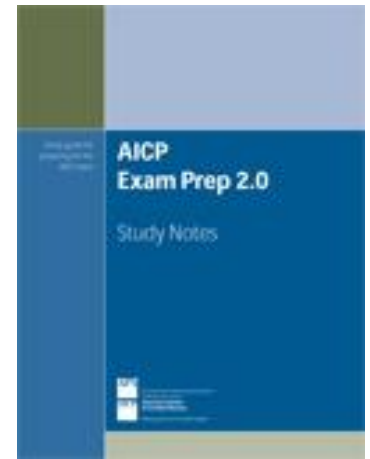
Be mindful of going to deep into the weeds...



Study Materials from APA

www.planning.org and www.planning.org/certification/examprep

- ❖ AICP Exam Prep 2.0...**look for 3.0 in 2014**
- ❖ Ethics Code and Information/PowerPoints
- ❖ Policy Guides (www.planning.org/policy/guides)
- ❖ Legislative Information
- ❖ APA's Top 25s (from 2003)
 - Cases in Planning and Environmental Law
 - Most Significant Planning Laws (1978 – 2003)
 - Individuals Who Influenced Planning Before 1978
- ❖ Timeline (or Pathways) of American Planning History – APA website or Google to find this listing from 1785 to 2000
- ❖ Planning Advisory Service (PAS) Reports
(<http://www.planning.org/pas/reports/>) \$\$



APA Selected Readings

Address <http://www.planning.org/certification/examprep/selectedreading.htm>

AICP
Certification
November 2010 Exam
May 2011 Exam
Post-Exam Information
Exam Candidate Bulletin
Exam Preparation
Exam FAQ
Eligibility Requirements
Certification Maintenance
Advanced Specialty Certification
From the Commission
Ethics
Symposiums
Fellows of AICP
AICP Products
Reinstatement Policy

AICP Certification Exam Selected Readings

The following list may help planners who are preparing to take the AICP examination. Please note that the readings are presented with two cautions:

- No reading list can span the entire range of material in the AICP exam. As a result, the list is not a substitute for professional planning experience and education. It is not expected that exam takers will have read all the resources cited.
- The readings are intended as guidelines only. The AICP exam questions are not drawn from these readings directly, but are developed from materials of similar content.

General Reference

Books

Dalton, Linda, Charles Hoch, and Frank So (eds.). 2000. *The Practice of Local Government Planning*. Washington, D.C.: ICMA.

American Planning Association (ed.). 2006. *Planning and Urban Design Standards*. Hoboken, N.J.: John Wiley & Sons.

APA General References

Planning magazine

Journal of the American Planning Association

PAS reports

Planning & Environmental Law

Policy Guides

I. History, Theory and Law

Brooks, Michael. 2002. *Planning Theory for Practitioners*. Chicago: American Planning Association: (2002).

Campbell, Scott (ed). 2003. *Readings in Planning Theory*. Malden, Mass.: Wiley-Blackwell.

Eisner, Simon, Arthur Gallion, and Stanley Eisner. 1993. *The Urban Pattern* (6th ed). New York: John Wiley & Sons.

Lucero, Lora (ed.). 2005. *Four Supreme Court Land-Use Decisions of 2005*. Planning Advisory Service Report No. 535. Chicago: American Planning Association.

Hall, Peter. 1988. *Cities of Tomorrow: An Intellectual History of Urban Planning and Design in the Twentieth Century*. Oxford: Basil Blackwell.

Irons, Peter H. 1996. *May It Please the Court*. New York: New Press.

Krueckeberg, Donald (ed.). 1983. *Introduction to Planning History in the United States*. New Brunswick, N.J.: Rutgers University Center for Urban Policy.

Peterson, Jon. 2003. *The Birth of City Planning in the United States: 1840-1917*. Baltimore: Johns

OPTIONS
New ways
for planning officials
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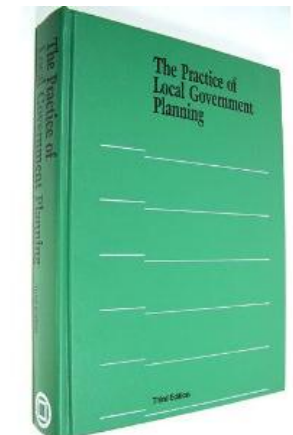
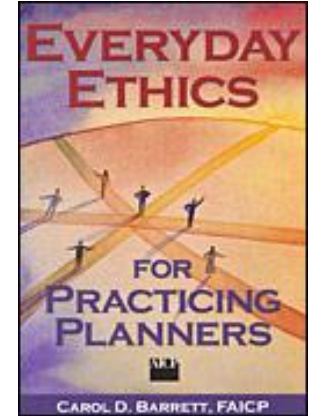
Create a Login ID

Customer service

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Become a member and connect with thousands of people who share your dedication to building vibrant communities.

Join



Other Sources

- ❖ *www.planningprep.com* (free now, getting dated)
- ❖ Electronical flashcards: *www.studystack.com* (search AICP) and gFlash app for mobile devices
- ❖ *www.oyez.org* (legal...but use NC Chapter notes first)
- ❖ Cyburbia: <http://www.cyburbia.org/forums/>
- ❖ Chapter Presidents Council manual
- ❖ AICP Exam Secrets (Mometrix Media)

Exam Questions

Practice exams are critical, but don't memorize specific questions – use them to understand your grasp of the topic. Format quality varies greatly.

Real questions require a mix of professional judgment and technical knowledge. APA notes that the exam tests 40% knowledge and 60% skills.

The real exam has a much greater percentage of longer, scenario based questions than any practice exam currently available.

Sample Question

An urban municipality has received grant funding to restore riparian buffers in order to improve the untreated water quality of the municipality's public water, which is drawn partially from surface waters. Which of the following steps is not necessary to get the project underway?

- A. Research existing databases for information on water quality within the source waters' watershed.
- B. Determine ownership of parcels along all surface waters within the municipality.
- C. Review aerial photography to assess conditions adjacent to waterways within the source waters' watershed.
- D. Research the most effective riparian buffer restoration methods for water quality improvement (such as differing buffer widths and vegetation type).
- E. Contact adjacent municipalities that contain any of the source waters' watershed.

Answer: B. This exact step is not needed. Determining ownership for certain parcels in the source watershed will likely be needed later in the process.

Sample Question

You are a planning director at a county that is going to be implementing countywide zoning for the first time. Which steps would be critical in this process?

- I. General public education on the purpose and value of zoning.
- II. GIS analysis of existing land uses throughout the county
- III. Planning department staff review of the Future Land Use Plan in the County Comprehensive Plan.
- IV. Specific outreach to stakeholders (including business community, developers, and community interest groups).
- V. Outreach through a variety of methods (including website, social media, traditional print media, and public meetings).

- A. I only
- B. I, II, and V
- C. I, II, III, and V
- D. I, II, III, IV, and V

Answer: D.

Test Tips

- ❖ Get plenty of rest for the exam
- ❖ Dress in layers
- ❖ Eat before the exam
- ❖ Arrive early
- ❖ Answer every question
- ❖ **Use the “marking” option**
- ❖ Think of answer before reviewing choices
- ❖ Skim answers before reading long questions
- ❖ Do math twice
- ❖ **Think national**
- ❖ **Think APA**

Sample Question

Which of the following court case(s) is/are concerned with takings:

- I. Renton v. Playtime Theatres Inc.
 - II. Pennsylvania Coal Co. v. Mahon
 - III. Metromedia, Inc. v. City of San Diego
 - IV. Agins v. City of Tiburon
- A. I only
 - B. II only
 - C. I and III
 - D. II and IV

Answer: D. Three points here – one, question format. Two, court case questions can be important to mark, or make notes from, since they can overlap somewhat (see next slide/question). Three – this is a simple case law question. See the next slide for a more difficult case law question.

Sample Question

The landmark case *Agins v. City of Tiburon* (1980) established a test: a regulation is a taking if it can be shown that it:

- I. Prompts a property owner to file a lawsuit.
- II. Deprives property of all economically viable use.
- III. Creates a nuisance on the affected property.
- IV. Fails to advance a legitimate governmental interest.

- A. I and II
- B. II and IV
- C. II and III
- D. III and IV

Answer: B. Similar points as the prior slide. One – question format. Two – marking (or notes) can help you answer questions due to potential overlap of questions. Three – this is an example of a more difficult case law question, focused on the details of the ruling.

History, Theory, and Law - 15%

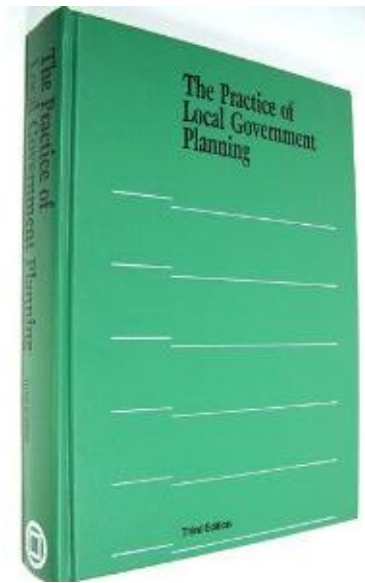
- ❖ History of planning
- ❖ Planning law
- ❖ Theory of planning
- ❖ Patterns of human settlement

Georgia Chapter has an extensive review
of history and theory on their website
(**2014** exam review powerpoint)

History, Theory, and Law

The Practice of Local Government Planning (aka the Green Bible, 1941)

- ❖ 2nd chapter of the 2nd edition is excellent for historical background
- ❖ 3rd edition is more up to date in all other areas and a little less of a dry read
- ❖ 4th edition changed format somewhat
- ❖ Know dates, people, events, philosophies, publications, movements, acts, laws....



History, Theory, and Law

History - Know the amendments!

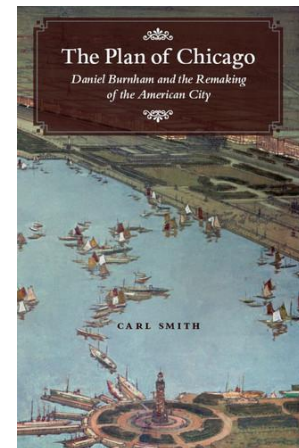
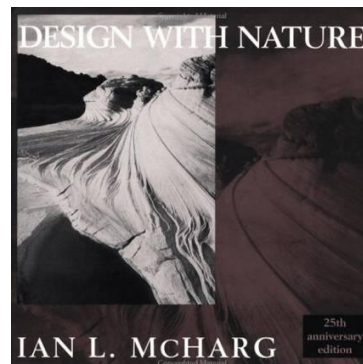
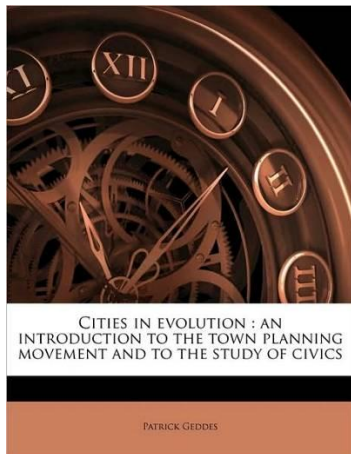
- ❖ **First Amendment** – Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the **freedom of speech**, or of the press; or the right of the people **peaceably to assemble**, and to petition the government for a redress of grievances.
- ❖ **Fifth Amendment** – No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger, nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, **nor be deprived of life, liberty or property, without due process of law, nor shall private property be taken for public use, without just compensation.**
- ❖ **Fourteenth Amendment** - Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; **nor shall any state deprive any person of life, liberty, or property, without due process of law;** nor deny to any person within its jurisdiction the equal protection of laws. There are four other sections of this amendment which do not immediately pertain.

History, Theory, and Law

Know the Fathers!

- ❖ Father of Regional Planning
- ❖ Father of Zoning
- ❖ Father of City Planning
- ❖ Father of Modern Ecology
- ❖ Father of Modern Housing Code
- ❖ Father of Advocacy Planning

- ❖ Patrick Geddes
- ❖ Edward Bassett
- ❖ Daniel Burnham
- ❖ Ian McHarg
- ❖ Lawrence Veiller
- ❖ Paul Davidoff



History, Theory, and Law

Important people...not a complete listing

- ❖ Lawrence Veiller
- ❖ Robert Moses
- ❖ Clarence Perry
- ❖ Paul Lawrence
- ❖ Lewis Mumford
- ❖ Paul Davidoff
- ❖ Saul Alinsky
- ❖ Sherry Arnstein
- ❖ Jacob Riis
- ❖ Camillo Sittee

- ❖ Lincoln Steffens
- ❖ Robert Hunter
- ❖ Edward Bassett
- ❖ Patrick Geddes
- ❖ Joseph Hodnut
- ❖ Jane Jacobs
- ❖ Frank Lloyd Wright
- ❖ Lawrence Haworth
- ❖ T.J. Kent
- ❖ Alan Altshuler

History, Theory, and Law

More People

- ❖ Charles Lindblom
- ❖ Ian McHarg
- ❖ Mary Brooks
- ❖ Christaller
- ❖ Ernest Burgess
- ❖ Homer Hoyt
- ❖ LeCorbusier
- ❖ James Rouse
- ❖ Andres Duany
- ❖ Joel Garreau

- ❖ Robert Lang
- ❖ Frederick Law
Olmstead Sr. and Jr.
- ❖ Alfred Bettman

*Get to know these folks
and their peers!*

History, Theory, and Law

Philosophies and Movements

❖ Agrarian Philosophy 1800 – Thomas Jefferson and John Hector St. John

Social and political philosophy that a rural or semi-rural lifestyle — usually including agriculture — leads to a fuller, happier, cleaner and more sustainable way of life for individuals and society overall. John Hector St. John was a farmer and author of *Letters from an American Farmer*, which provided an understanding of the “New World” and helped to create an American identity in the minds of Europeans.

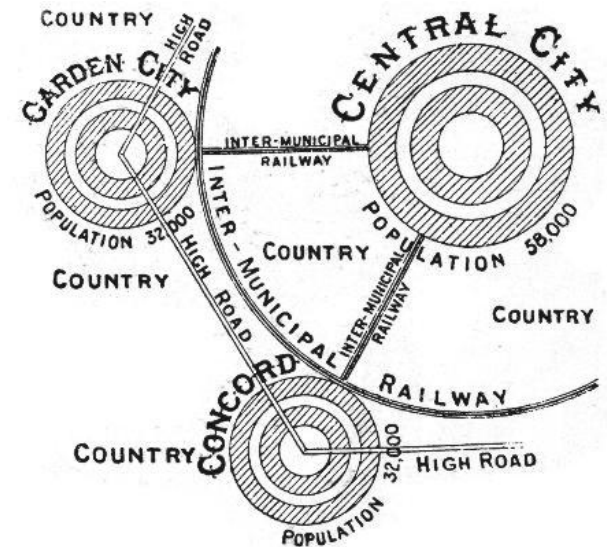
❖ Laissez Faire Philosophy – Adam Smith developed with theories of capitalism

Wrote *The Wealth of Nations* in 1776, a clearly written account of economics at the dawn of the Industrial revolution that advocated a free market economy as more productive and beneficial to society. He never used the term Laissez Faire (the French term hadn't crossed the ocean yet); he referred to the “invisible hand” guiding the free market.

History, Theory, and Law

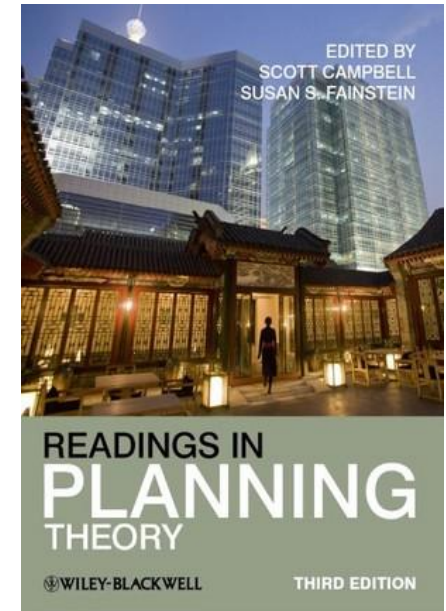
Philosophies and Movements

- ❖ Public Health Movement - Late 1800s to 1920
- ❖ Garden City Movement – Ebenezer Howard, John Ruskin
- ❖ City Beautiful Movement - Daniel Burnham, 1893 World Fair Columbian Exhibit, 1909 Plan for Chicago
- ❖ City Efficient Movement – 1920s Standardization (SSZEA/SCPEA)
- ❖ City Humane Movement 1930s – New Deal
- ❖ New Towns – 1935
- ❖ City Functional Movement - 1940s



History, Theory, and Law Planning Theories....

- ❖ Synoptic Rationality
- ❖ Incremental (Lindbloom)
- ❖ Transactive
- ❖ Advocacy (Davidoff)
- ❖ Radical
- ❖ Utopianism



History, Theory, and Law

Planning Theories on City Development...

- ❖ 1893 City Beautiful - Daniel Burnham
- ❖ 1898 Garden Cities - Ebenezer Howard
- ❖ 1920s Radiant City - Le Corbusier
- ❖ 1925 Concentric Ring Theory - Ernest Burgess
- ❖ 1932 Broad Acre City - Frank Lloyd Wright
- ❖ 1933 Central Place Theory - Christaller
- ❖ 1939 Sector Theory - Homer Hoyt
- ❖ 1945 Multiple Nuclei Theory - Harris and Ullman
- ❖ 1960 Bid Rent Theory - William Alonso
- ❖ 1964 Urban Realm - Vance
- ❖ 1982 New Urbanism - Seaside, Andres Duany
- ❖ 1987 Growth Machine Theory - Harvey and Molotch
- ❖ 1991 Edge City - Joel Garreau
- ❖ 1990s Smart Growth / Sustainability

Patterns of Human Settlement

- ❖ Hippodamus – 5th Century BC Greek architect, introduced regularity to city planning, biggest contribution was the right-angle street grid
- ❖ Ordinance of 1785 – provided for the rectangular land survey and settlement of the Old Northwest

*Know the “nuts and bolts” of 1785 Ordinance:
township = 36 sq mile of territory, 36 sections;
each section = 640 acres, one square mile;
used lat/long*

History, Theory, and Law

Other facts to know...



- ❖ Erie Canal was completed in 1825
- ❖ Union Pacific and Central Pacific joined at Promontory Point, Utah to form the transcontinental railroad in 1869
- ❖ 1st US city with a subway was Boston in 1897
- ❖ The 1901 Plan for Washington D.C. was part of the City Beautiful Movement
- ❖ 1st historic preservation commission was formed in Vieux Carre, New Orleans, LA in 1921
- ❖ 1st off-street parking regulations in Columbus, OH in 1923
- ❖ 1st historic preservation ordinance enacted in Charleston, SC in 1931
- ❖ 1st urban growth boundary established in the US in Lexington, KY in 1958
- ❖ 1st state to institute statewide zoning was Hawaii in 1961
- ❖ ACIP and ASPO joined to form the APA in 1978
- ❖ Largest concrete structure in the US is Grand Coulee Dam (completed 1941)
- ❖ Zip Code stands for Zone Improvement Plan Code
- ❖ 43,560 square feet in 1 acre
- ❖ 5,280 linear feet in 1 mile
- ❖ 2.47 acres in 1 hectare
- ❖ 640 acres in 1 square mile

Check the Timeline (or Pathways) of American Planning History for more items like this

Sample Question

Which of the following pieces of federal legislation focused on slum clearance?

- A. 1906 Antiquities Act
- B. 1934 Federal Housing Act
- C. 1949 Housing Act
- D. 1968 New Communities Act

Answer: C. Know this level of detail on key federal legislation.

15 minute break

History, Theory, and Law

Cases

- ❖ **1887 – Mugler v Kansas:** 14th Amend/Due Process case which ruled that KS could prohibit sale of alcohol based on PP.
- ❖ **1909 – Welch v Swasey:** Boston can impose different height limits on buildings in different districts.
- ❖ **1912 – Eubank v City of Richmond:** A ZO establishing building setback lines was held unconstitutional and not a valid use of the PP; violates the due process of law and is therefore unconstitutional under the 14th Amendment.
- ❖ **1915 – Hadacheck v Sebastian:** SC upheld Los Angeles case prohibiting establishment of a brick kiln within a recently-annexed 3-mile area.
- ❖ **1922 – Pennsylvania Coal Company v Mahon:** SC indicated for the first time that a regulation of land use might be a taking if it goes too far.
- ❖ **1926 – Village of Euclid v Ambler Realty Co.:** Established zoning as a legal use of PP by local government. The main issue in this case was “nuisance”, and that a certain use near a residence could be considered “a pig in a parlor”. Argued by Alfred Bettman, future 1st president of ASPO.
- ❖ **1928 – Nectow v City of Cambridge:** Court found for Nectow and against a provision in Cambridge’s ZO based on the due process clause. However, it did NOT overturn Euclid. This was the last zoning challenge to come before the SC until...

History, Theory, and Law

Cases

- ❖ **1954 – Berman v Parker:** Established aesthetics and redevelopment as valid public purposes for exercising eminent domain. Wash.DC took private property and resold to a developer to achieve objectives of an established redevelopment plan.
- ❖ **1968 – Jones v Mayer:** Ruling that discrimination in selling houses was not permitted based on the 13th Amendment and Section 1982 abolishing slavery and creating equality for all US citizens.
- ❖ **1968 – Cheney v Village 2 at New Hope:** Legitimized planning unit development (PUD) process.
- ❖ **1972 – Golden v Planning Board of the Town of Ramapo:** NY State Court of Appeals case that upheld a growth control plan based on the availability of public services. Case further emphasized the importance of the Comp Plan and set the scene for nationwide growth management plans.
- ❖ **1971 – Citizens to Preserve Overton Park v Volpe:** Established hard look doctrine for environmental impact review. Section 4(f) DOT Act of 1966 – park use ok if no “feasible and prudent” alternative and “all possible planning to minimize harm”.
- ❖ **1971 – Calvert Cliffs’ Coordinating Committee v Atomic Energy Commission:** Made National Environmental Policy Act (NEPA) requirements judicially enforceable.

History, Theory, and Law

Cases

- ❖ **1972 – Sierra Club v Morton:** Opened up environmental citizen suits to discipline the resource agencies.
- ❖ **1972 - Just v Marinette County:** Significantly integrated public trust theories into a modern regulatory scheme. Shoreland zoning ordinance along navigable streams and other water bodies upheld.
- ❖ **1973 – Fasano v Board of Commissioners of Washington Co., Oregon:** Required zoning to be consistent with comp plans, and recognized that rezonings may be judicial rather than legislative. Central issue was spot zoning, which must meet the two measures to be deemed valid: 1st, there must be a public need for the change in question; 2nd, the need must be best served by changing the zoning of the particular parcel in question as compared with other available property.
- ❖ **1974 – Village of Belle Terre v Boraas:** SC upheld the restrictive definition of a family as being no more than two unrelated people living together.
- ❖ **1975 – South Burlington County NAACP v Township of Mount Laurel I:** NJ Supreme court held that in developing municipalities in growing and expanding areas, provision must be made to accommodate a fair share of low and moderate income housing.

History, Theory, and Law

Cases

- ❖ **1975 – Construction Industry of Sonoma County v. Petaluma:** Limited the # of residential building permits per year to 500 & placed a population cap of 55,000. The purpose was to make sure that the growth rate did not exceed the City's ability to fund capital improvements. Court upheld.
- ❖ **1976 – Young v. American Mini Theaters:** First sexually-oriented business case, which held that zoning for adult businesses does not automatically infringe on 1st amendment rights.
- ❖ **1976 – Hills v Dorothy Gautreaux:** The Chicago Housing Authority and HUD had to spread out concentration of public housing (scattered site housing), including into white suburbs that were not necessarily within Chicago. Argued under the Civil Rights Act of 1964.
- ❖ **1976 – Home Builders v. City of Livermore:** Growth policy that timed phasing of future residential growth until performance standards are met; upheld the use of a moratorium.
- ❖ **1977 – Village of Arlington Heights v Metropolitan Housing Development:** Established that discriminatory intent is required to invalidate zoning actions with racially disproportionate impact. Court overturned denial of rezoning to allow for multi-family residences in a previously single-family zoned area.
- ❖ **1978 – Penn Central Transportation Company v The City of New York:** Restrictions on the development of Grand Central Station did NOT amount to a taking, since Penn Central could use TDR and secure a reasonable return on the property. Validated historic preservation controls.

History, Theory, and Law

Cases

- ❖ **1978 – TVA v. Hill (Secretary of Interior):** Court forced full implementation and enforcement of the Endangered Species Act. Halted the Tellico Dam, which was almost completely built, because the endangered Snail Darter — a fish — was found.
- ❖ **1980 – Agins v. City of Tiburon:** Ruled there is a taking when 1st, deprives property of **all** economically viable use; and 2nd, when it fails to enhance a legitimate government interest. Court found that the Open Space ZO of Tiburon does NOT result in a taking w/o just compensation.
- ❖ **1980 – Central Hudson v Public Service Commission:** 1st Amendment case which overruled the NY State Public Service Commission's total ban on an electric utility's advertisements to increase electric usage.
- ❖ **1981 – Metromedia, Inc v City of San Diego:** Ordinance that substantially restricted on-site and off-site billboards was ruled unconstitutional under 1st amendment.
- ❖ **1982 – Loretto v Teleprompter Manhattan CATV Corporation:** Court held that any physical occupation is a taking, no matter how de minimus (landlords had been required under state law to allow cable company to install permanent cable TV facilities on their property).
- ❖ **1983 – South Burlington County NAACP v Township of Mount Laurel II:** This finding cured the deficiencies of Mt. Laurel I, and created the model fair housing remedy for exclusionary zoning. Municipalities must provide their fair share of low and moderate income housing in their region. A special 3-judge panel was set up to rule on exclusionary zoning cases.

History, Theory, and Law

Cases

- ❖ 1984 – **Members of City Council v Taxpayers of Vincent**: 1st amendment case which allowed the City Council to exert control over posting of election signs on public telephone poles.
- ❖ 1985 – **City of Cleburne v Cleburne Living Center**: SC decision which ruled that the City had **illegally** denied group homes special use permits based on neighbor's unfounded fears.
- ❖ 1985 – **Williamson County Regional Planning Commission v Hamilton Bank**: Defined the ripeness doctrine for judicial review of takings claims.
- ❖ 1986 – **City of Renton v Playtime Theaters**: Upheld the requirement of minimum distances between SOB's.
- ❖ 1987 – **First English Evangelical Church of Glendale v Co of Los Angeles**: Allowed damages (as opposed to invalidation) as a remedy for regulatory taking. Just compensation clause of the 5th Amendment requires compensation for **temporary** takings which occur as a result of regulations that are ultimately invalidated.
- ❖ 1987 – **Nollan v California Coastal Commission**: Created the **essential nexus** takings test for conditioning development approvals on dedications & exactions. A relationship must exist between what a property owner wants (in this case, a building permit to add a second story) and what the local government wants (public access to beach). No relationship here.

History, Theory, and Law

Cases

- ❖ **1992 – Lucas v South Carolina Coastal Council:** Defined categorical regulatory taking. Compensation must be paid when all economically beneficial uses of land are taken **unless** uses are disallowed by title or by state law principles of nuisance.
- ❖ **1994 – Dolan v City of Tigard:** Extended Nollan’s essential nexus test to require “Rough proportionality” between development impacts and conditions on development. (bike path/store/lessening overall traffic)
- ❖ **1994 – City of Ladue v Gilleo:** SC ruled that the display of a sign by a homeowner was protected by the 1st amendment under freedom of speech.
- ❖ **1995 – Babbitt v Sweet Home Chap. of Communities for a Great OR:** Applied the Endangered Species Act to land development; Sec of Interior’s definition of harm is valid.
- ❖ **2002 – Tahoe-Sierra Preservation Council v Tahoe Regional Planning Agency:** Sanctioned the use of moratoria & reaffirmed the “parcel-as-a-whole” rule for takings review. Moratoria on development not a per se taking under the 5th amendment, but should be analyzed under the multi-factor Penn Central test.
- ❖ **2005 – Lingle v. Chevron:** Case brought by Chevron based on an Agins-type claim that one of Hawaii’s statutes did not “substantially advance legitimate state interests”. Court ruled that even though Lingle could not be upheld on that issue, it did NOT overturn the 1980 Agins case in the whole.

History, Theory, and Law

Cases

- ❖ **2005 – Kelo et al. v City of New London:** Like *Berman v. Parker* in 1954, involved the City taking private property by eminent domain and transferring it to a private entity for redevelopment. The Court held in a 5-4 decision that the general benefits a community enjoyed from economic growth qualified such redevelopment plans as a permissible “public use” under the takings clause of the 5th Amendment. New London was aided by existence of well-documented redevelopment plans.
- ❖ **2005 – City of Rancho Palos Verde v Abrams:** SC ruled that a licensed radio operator who was denied a CUP for a “commercial” antenna cannot seek monetary damages because it would distort the congressional intent of the Telecommunications Act of 1996.
- ❖ **2006 - Massachusetts v. EPA:** EPA must provide a reasonable justification for why they would not regulate greenhouse gases.
- ❖ **2006 - Rapanos v. United States:** The Army Corp of Engineers must determine whether there is a significant nexus between a wetland and a navigable waterway. This pulled back the ACOE’s jurisdiction regarding wetlands.
- ❖ **2006 - SD Warren v. Maine Board of Environmental Protection:** Hydroelectric dams are subject to Section 401 of the Clean Water Act.

*APA-NC has great law information:
Annotated Planning Law Outline
Planning Law Case Chart
Big Cases*

*APA Policy Guides: Takings,
Billboard Controls*



Sample Question

This Supreme Court decision removed the "substantially advances" test for takings cases:

- A. Village of Euclid v. Ambler Realty Co. (1926)
- B. Agins v. City of Tiburon (1980)
- C. Lucas v. South Carolina Coastal Council (1992)
- D. Lingle v. Chevron USA (2005)

Answer: D. Agins v Tiburon had created the "substantially advances" test, but Lingle v Chevron removed it.

Functional Areas of Practice - 25%

- ❖ Community development
- ❖ Comprehensive or long range planning
- ❖ Development regulation or administration
- ❖ Economic development and revitalization
- ❖ Economic analysis and forecasting
- ❖ Educational, institutional, or military facilities planning
- ❖ Energy policy
- ❖ Food system planning
- ❖ Growth management
- ❖ Hazard mitigation and disaster planning
- ❖ Historic preservation
- ❖ Housing
- ❖ Infrastructure
- ❖ Labor force or employment
- ❖ Land use
- ❖ Natural resources and the environment
- ❖ Parks, open space, and recreation
- ❖ Planning law
- ❖ Policy planning
- ❖ Public services
- ❖ Social and health services
- ❖ Transportation
- ❖ Urban design

Understand the history, legislative background, terminology, and implementation tools for these topics – and how to plan for them!

Functional Areas

There is considerable overlap between the test content areas of functional, spatial, and plan making. When studying in one area, consider its implications in the other test content area. For example, think about the spatial planning perspective of natural resources, or consider the plan making perspective of growth management.

Always keep public participation, social justice, and ethics in the back of your mind when reviewing scenario or process/approach questions.

Functional Areas of Practice

Housing

- ❖ New York City
- ❖ Federal Involvements
- ❖ State and Local Government Roles
- ❖ The “Rural Slum” Phenomenon
- ❖ Household Formation...Changing Demographics
- ❖ Senior, Affordable, Multi-Family, Mixed Use Housing...issues and opportunities
- ❖ APA Policy Guides: Housing, Factory Built Housing, Community Residences, and Homelessness



Functional Areas of Practice

Urban Design

- ❖ Major Traditions of Urban Design (Monumental City Design, Garden Suburb and Garden Cities, Modernism, Megastructure)
- ❖ Social Aspects of Urban Design
- ❖ Neotraditional Movement/New Urbanism
- ❖ People and places are critical – 1929 *Regional Plan for New York City and Its Environs* and its explanation of the neighborhood unit concept by Clarence Perry for example



Kennedy & Montgomery Streetscape Concept

Functional Areas of Practice

Community Development

- ❖ Economic, social, and infrastructure components
- ❖ Main Street Models
- ❖ Housing and Urban Development
- ❖ CDBG – Community Development Block Grants
- ❖ Grassroots Success
- ❖ APA Policy Guides: Public Redevelopment, Neighborhood Collaborative Planning



Functional Areas of Practice

Economic Development

- ❖ Business Attraction and Retention
 - Analysis of existing business community, local economy, demographics, infrastructure
 - Dialogue with business community
- ❖ Real Estate Development
 - Analysis of potential sites, market conditions, and financial feasibility
 - Streetscape improvements to sports complexes
 - Public-private partnerships
- ❖ Work Force Attraction and Retention
 - Create communities that attract talent and business will follow
- ❖ Economic Analyses Tools...Vision of the Future

Functional Areas of Practice

Economic Development

- ❖ Strategies, Incentives, Tools:
 - Industrial Parks
 - Research and Development Parks
 - Main Street Programs
 - Business Improvement District (BID)
 - Business incubators
 - Tax Increment Financing (TIF)



Labor Force and Employment

- ❖ Data sources for analysis
- ❖ Workforce characteristics
- ❖ Training, education, transportation...matching employer needs to prospective employees

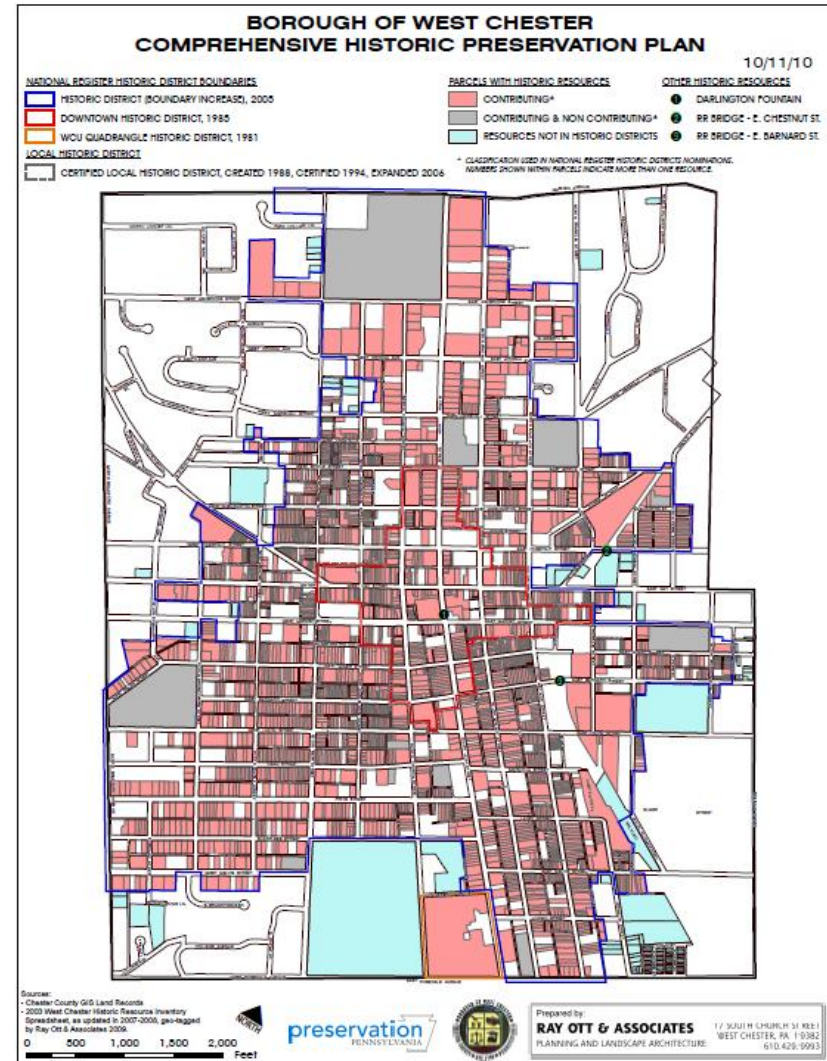
Functional Areas of Practice

Historic Preservation

- ❖ National Historic Preservation Act (1966)
 - National Register of Historic Places, Section 106 process, State Historic Preservation Office (SHPO)
- ❖ Tax Reform Act of 1986
- ❖ Local preservation efforts
- ❖ APA Policy Guide: Historic & Cultural Resources



Link back to:
 Case law (Penn Central v New York, 1978 for example)



Functional Areas of Practice

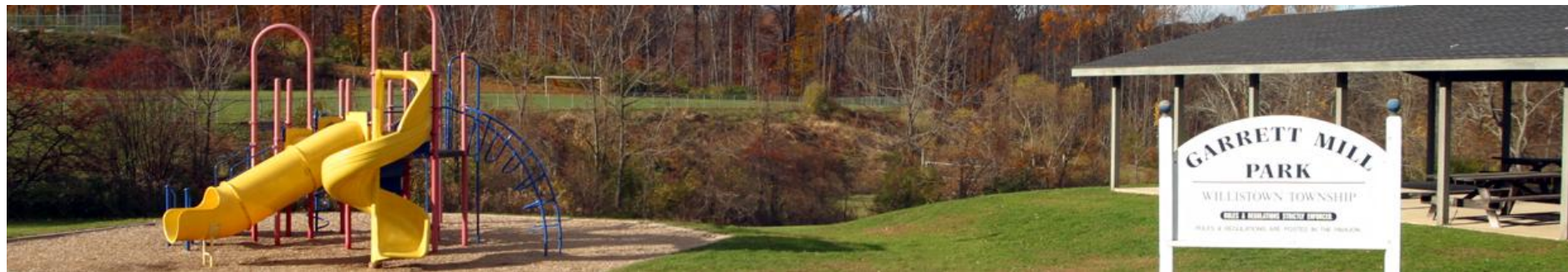
Parks, Recreation, and Open Space

- ❖ Inventory of Facilities and Needs
 - Types of parks: community, neighborhood, pocket, tot lots, gardens, greenways
- ❖ Consider costs versus benefits, active versus passive recreation, public versus private open space, what the community's demographics call for, linkages, etc.

Link back to:

Case law (Overton Park v Volpe, 1971 for example)

Legislation (Section 4(f) of the Dept of Transportation Act)



Functional Areas of Practice

Natural Resources & Environment

- ❖ 1960s/70s legislation: NEPA, Clean Air, Clean Water, ESA, RCRA, CERCLA; EPA established
- ❖ The entire spectrum of natural resources: ground and surface water, wetlands, forests, endangered species, coastal areas, floodplains...

HOW DOES PLANNING DIFFER BY RESOURCE TYPE?



- ❖ APA Policy Guides: Waste Management, Water Resources, Wetlands, Endangered Species and Habitat Management

Link back to:

Case law (TVA v Hill, 1978; Rapanos v US, 2006 as examples)

People & books (Rachel Carson's *Silent Spring*, Ian McHarg's *Design with Nature*)

Functional Areas of Practice Infrastructure

- ❖ Pipes (water, sewer, gas, etc.)
- ❖ Wires (electricity, communications, etc.)
- ❖ Trash (collection, disposal, reuse)



Consider demand, types of systems, funding to construct and maintain, contamination potential, and implications on development



Functional Areas of Practice Infrastructure



- ❖ Transportation (cars, buses, trains, planes, pedestrian, bicycle)
 - Think multi-modal!
 - Consider the energy and growth management implications
 - Consider the spatial planning – who plans for what areas?
 - APA Policy Guide: Surface Transportation



Energy Policy

- ❖ Energy Policies (National, State, and Local)
- ❖ Fossil fuels versus Renewables
- ❖ APA Policy Guides: Energy, Climate Change

*What are the implications of the different energy sources?
Infrastructure required? Land use? Transmission lines?
Pollution? Wildlife impact? Boom and bust cycles and
resulting local impacts (such as housing)?*

Functional Areas of Practice

Institutional Facilities

- ❖ Schools (primary, secondary, and tertiary)
- ❖ Correctional institutions
- ❖ Military installations (including Base Realignment and Closure – BRAC)



Consider impacts on education levels, labor force skill sets, employment, income levels, stability (or lack) of the labor force, demographics, etc.

Functional Areas of Practice

Social and Health Services

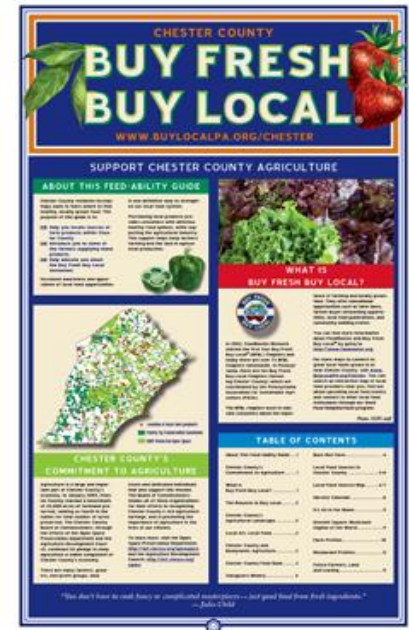
- ❖ Federal and State Programs and Funds
- ❖ Local or Local-Regional Administration
- ❖ APA Policy Guides: Child Care and Homelessness
- ❖ Estimating and serving needs...related to public health
 - *Libraries*
 - *Schools*
 - *Medical facilities*
 - *Childcare facilities*
 - *Senior living facilities*

Interrelatedness of these needs and areas of transportation, housing, environment, neighborhood planning, etc.

Functional Areas of Practice

Food System Planning

- ❖ What is the food system? What is a foodshed?
- ❖ Implications on land use AND public health, energy, pollution, economic development, labor force
- ❖ APA Policy Guides: Food Planning and Agricultural Lands Preservation



LUNCH BREAK!!

You can bring food and drinks back to the room
– but only if they are purchased within Giant

Spatial Areas of Practice - 15%

- ❖ Planning at national level
- ❖ Planning for multi-state or bi-state regions
- ❖ Planning for state
- ❖ Planning for sub-state region
- ❖ Planning at county level
- ❖ Planning for urban areas
- ❖ Planning for suburban areas
- ❖ Planning for small town
- ❖ Corridors
- ❖ Neighborhoods
- ❖ Waterfronts
- ❖ Historic districts or areas
- ❖ Downtowns

Why plan at all of these different levels?

Because the resource demands it.

Complexity of planning processes generally grow as the planning area grows. Study within other topic areas, particularly functional.

Spatial Areas of Practice

- ❖ Planning at the national level
 - Federal programs, roles, and acts:
 - Housing
 - HUD, EDA, CDBG
 - National Housing Acts (1934-1954)
 - Fair Housing Act (1968)
 - Transportation
 - FHWA, FTA, FRA, FAA, ACOE
 - National Highway System
 - TEA Acts and MAP-21
 - Environmental
 - EPA
 - NEPA (1969)
 - Clean Air Act (1970)
 - Clean Water Act (1972)



Spatial Areas of Practice

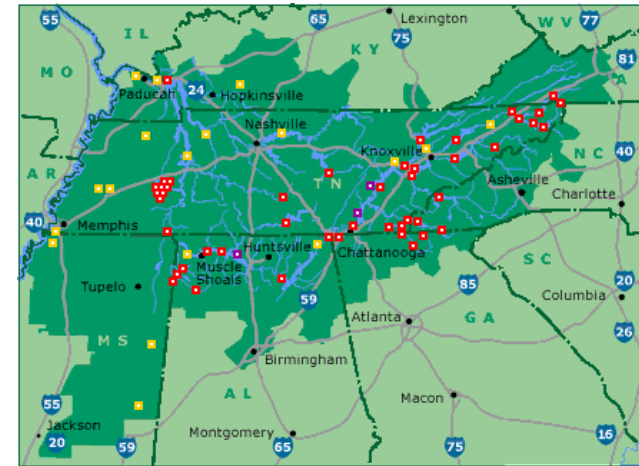
❖ Other National Planning Areas

- Historic Preservation
- Emergency Management
- Flood Protection
- Social Justice (e.g. ADA)
- Telecommunications
- Religion (RLUIPA)
- Census & other data gathering
- Recreation & Parks
- National Defense & Security
- Immigration
- Education
- Tribal Affairs
- Oil & Mineral Leasing
- Energy



Spatial Areas of Practice

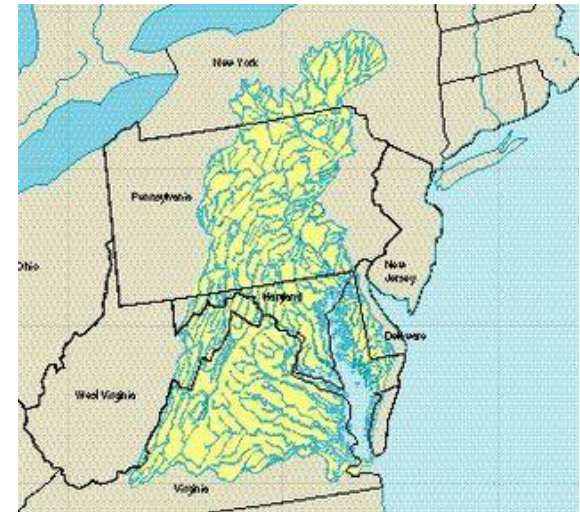
- ❖ Planning for multi- or bi-state regions
 - Environmental/Water
 - Tennessee Valley Authority
 - Established in 1933 to convert two WWI munitions factories and one hydroelectric plant into a regional power authority and a factory producing fertilizer.
 - First example of multi-state planning for power and flood control.



Spatial Areas of Practice

❖ Planning for multi- or bi-state regions

- Environmental/Water cont'd
 - Hoover (Boulder) Dam
 - On border of Nevada and Arizona, completed in 1936
 - Apportioned the waters of the Colorado River between AZ, CA, CO, NV, NM, UT, and WY.
 - Environmental impacts were - and are – significant.
 - Chesapeake Bay Agreement (1983)
 - Signed by four states (now 7 total) to address and plan for pollution affecting the Ches. Bay watershed.



Spatial Areas of Practice

- ❖ Planning for multi- or bi-state regions
 - Transportation
 - Port Authority of NY and NJ (1921)
 - Created to run most regional transportation infrastructure (bridges, tunnels, airports, seaports) within NY-NJ Port District along Hudson and East Rivers
 - In charge World Trade Center plaza rebuilding
 - Tourism and Economic Development
 - Appalachian Regional Commission (1963)
 - Federal, state and local government partnership initially formed in 1963 to create economic development in Appalachia
 - 420 counties, 13 states and 8 independent cities



Spatial Areas of Practice

❖ Planning for State

- Dillon's Rule vs. Home Rule
 - 39 states use Dillon's Rule in whole or in part
 - Dillon's Rule narrowly defines the power of local governments, from a judge from Iowa who made a ruling in 1868. The first part of Dillon's Rule states that local governments have only three types of powers:
 - those granted in express words,
 - those necessarily or fairly implied in or incident to the powers expressly granted, and
 - those essential to the declared objects and purposes of the corporation, not simply convenient, but indispensable.
 - The second part of Dillon's Rule states that if there is any reasonable doubt whether a power has been conferred on a local government, then the power has NOT been conferred.
 - Home Rule: Local governments have all functions not prohibited/preempted by State or Federal law

Spatial Areas of Practice

❖ Planning for State

- Similar State-National Planning
 - Transportation planning
 - Environmental protection
 - Housing & Economic Development
 - Emergency Management
- Unique State Planning Roles
 - Growth Management
 - Hawaii, Maryland, Florida and Tennessee – states who have passed statewide Planning and/or Smart Growth laws
 - Health regulations
 - Coastal zone management
 - Thirty-four states have approved voluntary coastal zone management (CZM) programs



Spatial Areas of Practice

❖ Planning for sub-state region

- Parks, environmental, transportation
- Examples of area-based planning for sub-state regions:
 - Outer Banks
 - Olmstead Parkway in Louisville KY
 - NJ Pinelands
- Examples of issue-based planning for sub-state regions:
 - Climate change (ex. SE FL Regional Trans. Plan)
 - Tourism (ex. Finger Lakes region)
 - Economic development (ex. Silicon Valley)



Spatial Areas of Practice

❖ Planning for sub-state region

- Regional planning agencies:
 - Metropolitan Planning Organizations (MPOs)
 - 1962 Federal Highway Act required their formation
 - Deal largely with transportation
 - Also RPOs
 - Councils of Government
 - Voluntary association of local governments
 - Special Districts
 - Example: Florida water management districts



Spatial Areas of Practice

❖ Planning at county level

- Known as a parish in Louisiana and a borough in Alaska

■ Planning focus:

- Growth management
- Emergency management
- Parks and recreation
- Environmental protection
- Public health



- *Do Not Think State Specific!!*

Spatial Areas of Practice

❖ Planning for urban areas

▪ Planning focus:

- Infill
- Redevelopment
- Traffic management
- Urban heat islands
- Food access

▪ Challenges:

- Blight
- Crime
- Aging infrastructure
- Income disparities
- Demographic change

▪ Opportunities:

- Redevelopment
 - grayfields, brownfields
- Urbanism/urban design



Spatial Areas of Practice

❖ Planning for suburban areas (old and new)

- History
 - Post WWII, automobile
- Issues:
 - Sprawl/connectivity
 - Lack of community patterns
 - Infrastructure
 - Access to jobs/services
 - Aging population/aging in place
- Opportunities:
 - TOD



Spatial Areas of Practice

❖ Planning for small towns

■ Issues:

- Maintaining small town character
- Access to infrastructure and social services
- Economic opportunities/limited tax base
- Loss of farmland

■ Opportunities:

- Ag Zoning
- Urban growth boundaries
- TDRs



Spatial Areas of Practice

❖ Planning for Corridors

- Types:
 - Transportation
 - Greenway
- Considerations:
 - Connectivity
 - Transportation management
 - Consistency in design
 - Compatible land uses



Spatial Areas of Practice

❖ Planning for Neighborhoods

- Neighborhood unit concept – Clarence Perry
- Defined by history, geography, culture...
- Access to services, walkability , or visitability
- Know about 1996 Symposium on Neighborhood Collaborative Planning (from the APA Policy Guides)



Spatial Areas of Practice

❖ Planning for Waterfronts

- Diverse mix of uses
- Considerations:
 - Public access
 - Tourism
 - Commercial ports and shipping
 - Environmental quality
 - Hazard mitigation



Spatial Areas of Practice

❖ Planning for Historic Districts

- District vs. structures
- History
 - First historic district – Charleston, South Carolina (1931)
 - New Orleans - Vieux Carré Commission in 1937 to maintain the French Quarter
- National Register of Historic Places
- State activity
- Local historic regulations



Spatial Areas of Practice

❖ Planning for Downtowns

- Business improvement district (BID/TIF)
- Traffic circulation
- Mixed use – Density Issues
- Wayfinding signage
- Greening the urban area
- Events / Tourism



Spatial Areas of Practice

Thinking about a topic “Spatially”

❖ Hazard Mitigation Planning

- National level:
 - FEMA
 - Disaster Mitigation Act of 2000
- State level:
 - PEMA
 - State Hazard Mitigation Plan
- Local level:
 - County Hazard Mitigation Plans
 - Municipal HM projects

The language of disaster planning and response:

National Incident Management System (NIMS)
Incident Command System (ICS)
National Response Framework (NRF)
National Response Plan (NRP)
Emergency Support Function (ESF)



Sample Question

Which of the following is not true about a Metropolitan Planning Organization (MPO)?

- A. They are federally mandated for urbanized areas with a population over 250,000.
- B. They channel federal funds for transportation projects.
- C. They maintain a long-range transportation plan for a region.
- D. Their decision-making committees can be comprised of a mix of local, state, and federal representatives.

Answer: A. UZA population requirement is 50,000.

Public Participation and Social Justice - 10%

- ❖ Public involvement planning
- ❖ Public participation techniques
- ❖ Identifying, engaging, and serving underserved groups
- ❖ Social justice issues, literature, and practice
- ❖ Working with diverse communities
- ❖ Coalition building

*Knowing the
public process of
planning is KEY
to passing this
exam*

*Understand techniques and how they
function and when they are best used*

*Know names – Alinsky, Davidoff,
Arnstein*

*Understand basic social justice issues and
approaches to solving them*

Why does it matter?

- ❖ Create lasting solutions through an efficient process
- ❖ The AICP Code of Ethics requires it
- ❖ The melting pot versus the salad bowl



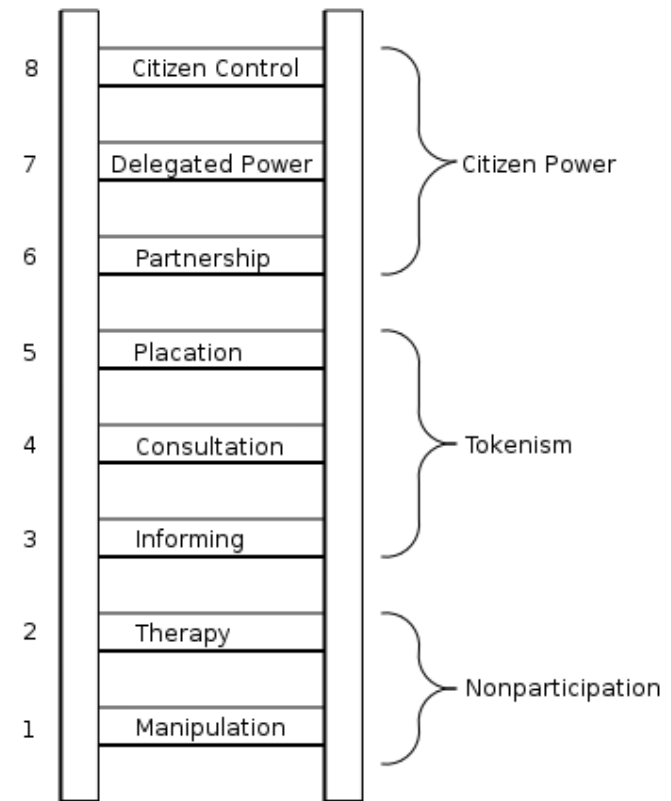
Names to Know

- ❖ Saul Alinsky: community organizing
 - Back of the Yards neighborhood (1930s)
 - *Rules for Radicals* (1971)
- ❖ 1964 Economic Opportunity Act
 - Part of Johnson's War on Poverty/Great Society
 - Head Start remains
- ❖ Paul Davidoff: advocacy planning (50s–80s)

Public Participation and Social Justice

Names to Know

❖ Sherry Arnstein: A Ladder of Citizen Participation (1969)



Planning the Participation Process

- ❖ ID who needs to be involved
- ❖ ID the decision maker
- ❖ ID decision to be made
- ❖ ID stages
- ❖ ID the most appropriate techniques/combination
- ❖ Set schedule

Public Participation and Social Justice

Underserved Groups:

Appropriate Outreach Methods

Other Techniques...

- ❖ Public hearing: technical presentation, group Q&A, transcript
- ❖ Public meeting: not as formal as the public hearing
- ❖ Open house: information displays, individual Q&A
- ❖ Education: information display, presentation, fact sheets

Public Participation and Social Justice

Tools/Techniques...

- ❖ Interviews (detail at a cost)
- ❖ Surveys (efficient, but low response rate)
- ❖ Computer simulations
- ❖ Web-based
- ❖ Social media



Public Participation and Social Justice

Public Participation Techniques

Websites can be useful...if current...if accessible



Other forms of social media for outreach...

Public Participation and Social Justice Techniques...

❖ Small groups

- **Charrettes:** short, intense collaborative process that is usually used to design projects, plan communities, and/or build consensus; can vary in makeup (professionals/citizens) depending on the goal
- **Nominal Group Technique:** variation on brainstorming; question is asked to a group and each individual answers, all answers are recorded and prioritized by the group as a whole
- **Focus Groups**
- **Stakeholder Groups**
- **Task Force**
- **Steering Committee**

Delphi Method...another small group

- ❖ Used to develop a consensus between two or more groups that are in conflict; the views of each group are presented in successive rounds of argument and counterargument, with the rounds gradually working towards a consensus
- ❖ Recognizes the value of expert opinion, experience and intuition and allows using the limited information available in these forms, when full scientific knowledge is lacking.
- ❖ Uses a panel of carefully selected experts who answer a series of questionnaires.
- ❖ Experts are encouraged to revise their earlier answers in light of the replies of other members of the group.
- ❖ It is believed that during this process the range of the answers will decrease and the group will converge towards the "correct" answer.
- ❖ The following key characteristics of the Delphi method help participants focus on the issues at hand and separate Delphi from other methodologies:
 - Structuring of information flow
 - Regular feedback
 - Anonymity of the participants

Public Participation and Social Justice Techniques

❖ 3 Cs

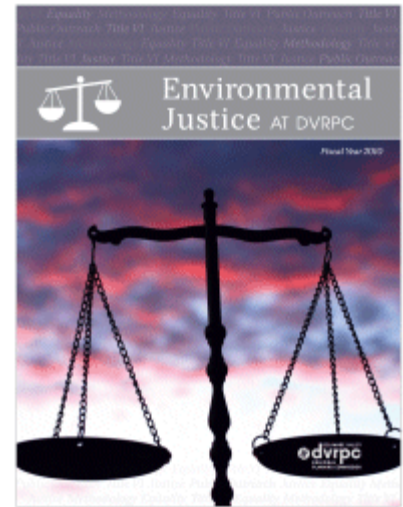
- Coalition building
- Consensus building
- Conflict resolution

A planner's primary responsibility is to the public
Know background information
Identify leadership in the community
Reach beyond the leadership

Social Justice Issues/Approaches

- ❖ Location of infrastructure
- ❖ Access to jobs
- ❖ Access to education
- ❖ Access to housing

- ❖ EISs/EAs – environmental justice
- ❖ Reverse commuting
- ❖ Brownfield and infill development



*Fair Housing Act
ADA*

Sample Question

You are an urban planner for a city, working on a revitalization plan for a commercial area that is a distinct entry point for the city, as well as an important provider of commercial services to the adjacent residential neighborhoods. The area has two anchor stores that are still vibrant, along with a few new businesses and several vacant or underutilized properties. For this project, the least appropriate method of public outreach and engagement would be:

- A. Delphi Method
- B. Design Charette
- C. Taskforce Meetings
- D. Targeted Interviews

Georgia Chapter has many sample questions focused on public participation and social justice in the **2012** exam review powerpoint...otherwise view **2014** for a good general overview of PP/SJ

Answer: A.

Sample Question

Advocacy planning is associated closely with Paul Davidoff and Saul Alinsky. Which of the following was the significant effect of the advocacy movement?

- A. Assisted single women with children find employment.
- B. Caused social planning to move from back room negotiations into the public forum.
- C. Reduced the need for more environmental documentation.
- D. Created economic stability.

Answer: B. Questions related to people will not necessarily ask what they wrote or what year it was – they can ask how those people impacted planning.

15 minute break

Plan Making and Implementation - 30%

- ❖ Visioning and goal setting
- ❖ Quantitative and qualitative research methods
- ❖ Collecting, organizing, analyzing and reporting data
- ❖ Demographics and economics
- ❖ Natural and built environment
- ❖ Land use and development regulations
- ❖ Application of legal principles
- ❖ Environmental analysis
- ❖ Growth management techniques
- ❖ Budgets and financing options
- ❖ GIS/spatial analysis and information systems
- ❖ Policy analysis and decision making
- ❖ Development plan and project review
- ❖ Program evaluation
- ❖ Communications techniques
- ❖ Intergovernmental relationships
- ❖ Stakeholder relationships
- ❖ Project and program management

Plan Making and Implementation

- ❖ The basic steps of plan making and implementation:
 - Identification of stakeholders
 - Defining and identifying problems
 - Gathering information and analysis
 - Developing alternatives/evaluating impacts
 - Selecting an alternative
 - Budget and implementation
 - Evaluation and amendment
 - Achievement



Consider this process in the different functional areas, in the different spatial areas, in the context of public participation and social justice

Plan Making

Goal Setting

- ❖ Statement of where the community desires to go
- ❖ A key element of any comprehensive plan
- ❖ See Kelo or Agins for the importance of goals and/or a comprehensive plan

Landscapes2

Bringing growth and preservation together for Chester County

Chester County Comprehensive Policy Plan



Goal Setting

- ❖ **GOAL:** value-based statement, not necessary measurable; should include purpose, scope and context
- ❖ **OBJECTIVE:** more specific, measurable statement of a desired end; should include location, character, and timing
- ❖ **POLICY:** rule or course of action that indicates how the goals and/or objectives of the plan should be realized; should include principles, agreements, laws, regulations, and resolutions
- ❖ **PROGRAM:** series of related, mission-orientated activities aimed at carrying out a particular goal or policy; should include initiatives, projects, milestones, costs and responsibilities

Comprehensive Plans

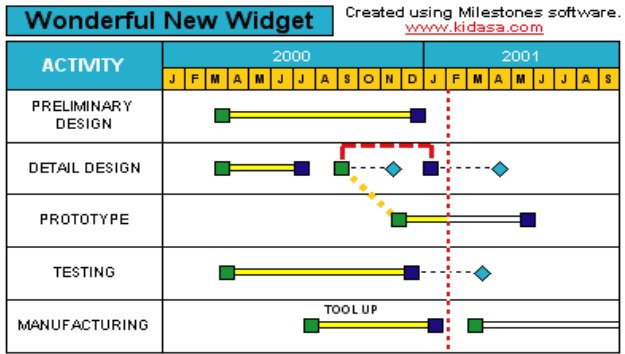
- ❖ The official statement of a legislative body that sets forth its major policies concerning desirable future physical development
- ❖ Adopted by the governing body
- ❖ Key elements
 - Demographics
 - Land use
 - Transportation
 - Community facilities
 - Infrastructure
 - A vision for the future and the actions to achieve it

Plan Making

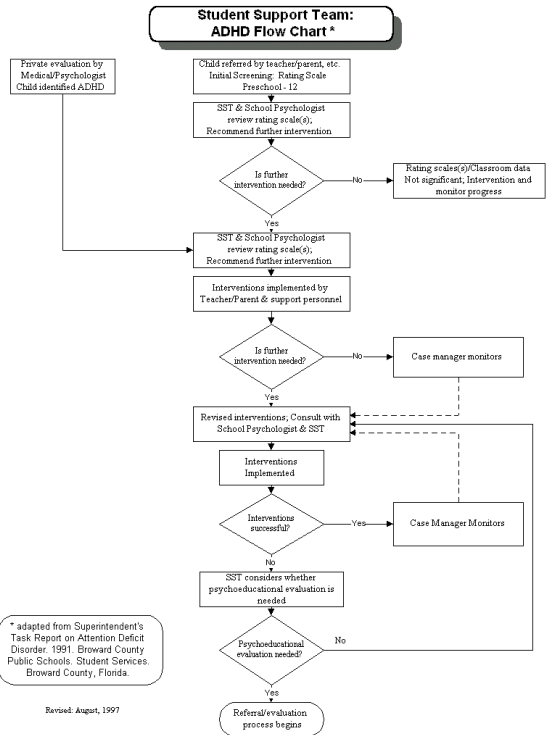
Organizing, Analyzing, & Reporting Data

Know terms such as Gant Chart, Bubble Chart, Flow Chart, matrix, etc

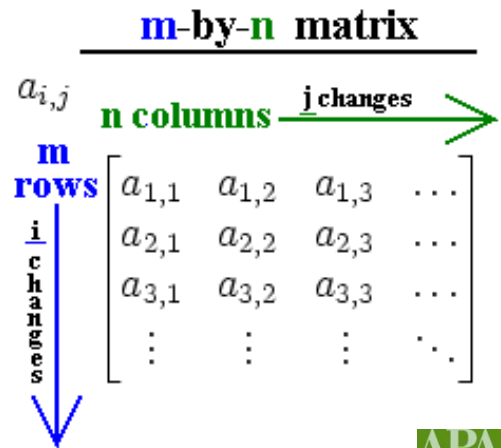
Gant Chart



Flow Chart



Matrix



* adapted from Superintendent's Task Report on Attention Deficit Disorder, 1991. Broward County Public Schools, Student Services, Broward County, Florida.

Revised August, 1997



Land Use and Development Regulations

- ❖ Types of development (greenfield, leapfrog, redevelopment, infill, brownfield/grayfield, TOD, mixed use)
- ❖ Zoning Ordinance
 - Map and text (definitions, general provisions, zoning district regulations, special development standards, administration and enforcement)
 - Regulate uses, density, area and bulk
 - Euclidean, Cumulative, Form-based, Performance, Spot
- ❖ Subdivision and Land Development Ordinance (SLDO)
 - Process and procedures (sketch plan, preliminary plan, final plat)
 - Design standards
 - Construction standards

Plan Making

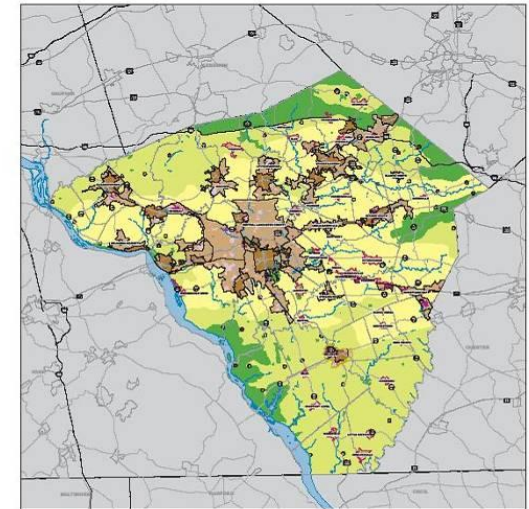
Land Use and Development Regulations

- ❖ Tools within Zoning/SLDO
 - Ag Preservation Zoning
 - Density Bonuses
 - Conservation Subdivision
 - Transfer of Development Rights (TDR)
 - Exactions (improvement or dedication of land, fees in lieu, impact fees)
 - Impact Analysis (environmental, historic, transportation, fiscal)
- ❖ Building Codes
- ❖ Housing Code/Standards
- ❖ Erosion and Sedimentation
- ❖ Stormwater Management
- ❖ Other Tools
 - Easements

Plan Making

Growth Management

- ❖ Methodologies and Techniques
 - Comprehensive Planning & Regulations
 - Urban Growth Boundary
 - Infrastructure Planning & Funding
 - Environmental Regulations
- ❖ Annexation
- ❖ Extraterritorial Jurisdiction (ETJ)



GROWTH MANAGEMENT ELEMENT

Lancaster County Comprehensive Plan

GROWTH MANAGEMENT FRAMEWORK

Legend

Draft UGA	Core Reinvestment Areas
Urban Growth Area (UGA)	General Reinvestment Areas
Single Growth Area (UGA)	Conventional Building Areas
Municipal Boundaries	General Building Areas
Villages (Non-UGA)	Designated Agricultural Areas
Crossroads Communities	Designated Natural Areas
	Designated Agriculture with Natural Areas

Land Use and Development Regulations

- ❖ Plan and Project Review
 - Site specific
 - Existing conditions (natural and built)
 - Regulation at various levels of government
 - Local government planner is the technical resource
 - Process: due process for all parties, all parties can be heard, plans available for inspection and review, appeal process for decisions
- ❖ APA Policy Guides: Impact Fees, Smart Growth, Agricultural Lands Preservation, Sustainability

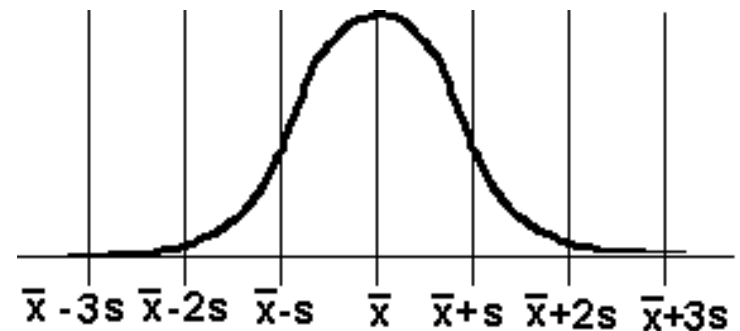
Demographics

- ❖ 3 major components of demographic analysis:
 - Fertility
 - Mortality
 - Migration

Demographics

❖ Types of Descriptive Statistics

- Percentiles and Quartiles
- Measures of Central Tendency
 - Mean
 - Mode
 - Median
- Measures of Dispersion of Variability
 - Range
 - Standard Deviation
 - Variance
- Measures of distribution shape
 - Skewness
 - Kurtosis (thickness of the tails)



Demographics

- ❖ Three basic types of demographic analysis used by planners:
 - Descriptive – tools, data, and methods to describe the population of an area
 - Trends – look at how demographic data has changed over time
 - Projections – estimates of future population and population structure

A comprehensive plan would be a document that would make use of each of these demographic analysis tools

Demographics

- ❖ *Targets*: express desirable future populations based on policies and goals.
- ❖ *Estimates*: measure of a present or past condition that cannot be measured directly because of a lack of resources (data, time, money).
- ❖ *Projections*: conditional statement about the future, describing what the future is likely to be if a given set of assumptions proves to be true; typically based on statistical models that extrapolate past and present trends into the future. Projections can be created through very simple or very complex calculations, the type of calculation used is based on available data and desired use of the projection.
- ❖ *Forecasts*: conditional statement about the future, describing what the future is likely to be; typically based on statistical models, but reflecting and incorporating the decisions and judgment of the analyst with respect to various factors.

Plan Making

Demographics

- ❖ Ratio/Step-down Method: Less technically complicated, good for smaller area projections. The farther out the projection, the more the margin of error.
- ❖ Cohort Component (aka Cohort Survival): Technically complicated, lots of data, good for large area projections like states or large metropolitan areas.
- ❖ Extrapolation Methods: Good at the county level, bases growth on observed growth trends, watch out for mitigating factors.
- ❖ Symptomatic Methods: Regression analysis can be used for small areas.
- ❖ Housing Units Methods: Similar to extrapolation but good at a local level.

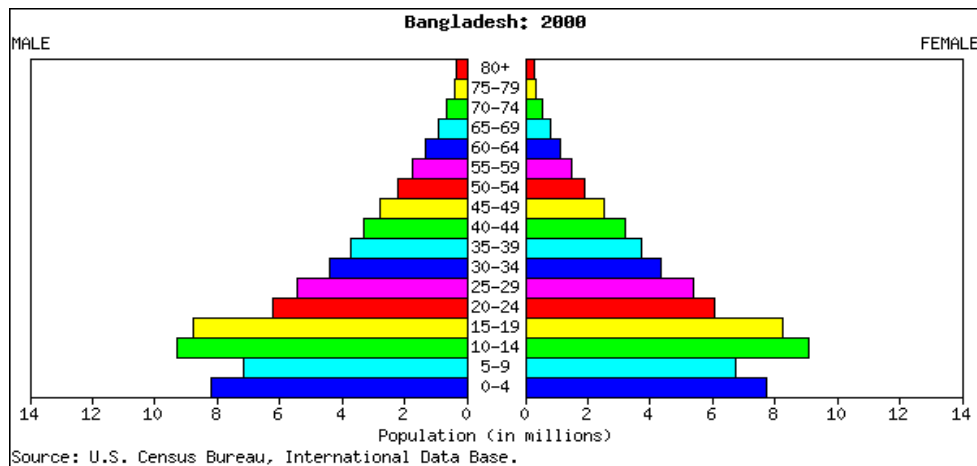
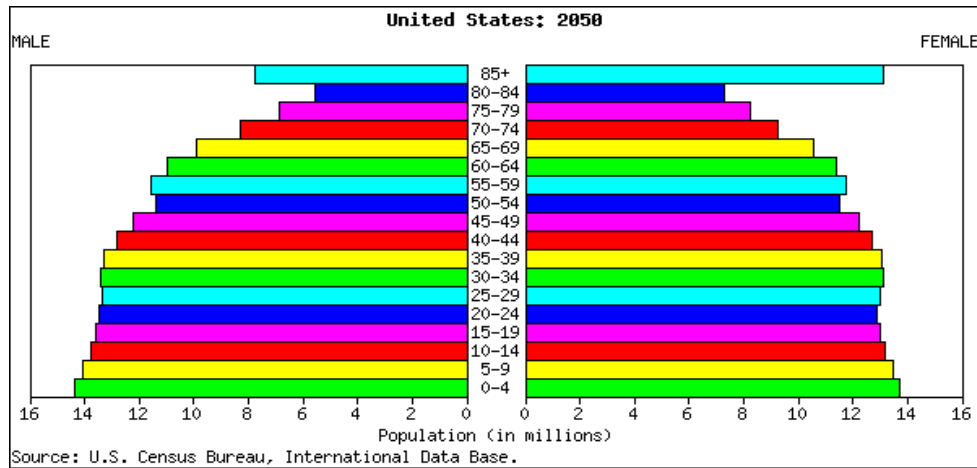
Cohort-Component most common

- *Cohort = age group*
- *Component = the three components of demography (fertility, mortality, migration)*

Plan Making

Demographics

Population forecast pyramids show the underlying demographic structure.



Demographics

- ❖ Why do we care so much about demographics and the U.S. Census?
- ❖ Estimates are used in Federal and State funding allocations....it's all about the \$\$
- ❖ Check the U.S. Census Bureau website for information on trends and notable data

#s = \$\$

Plan Making

Budgets & Financing

❖ Types of Budgets

- Line Item Budgets
- Performance Budgets

❖ Budgeting Process

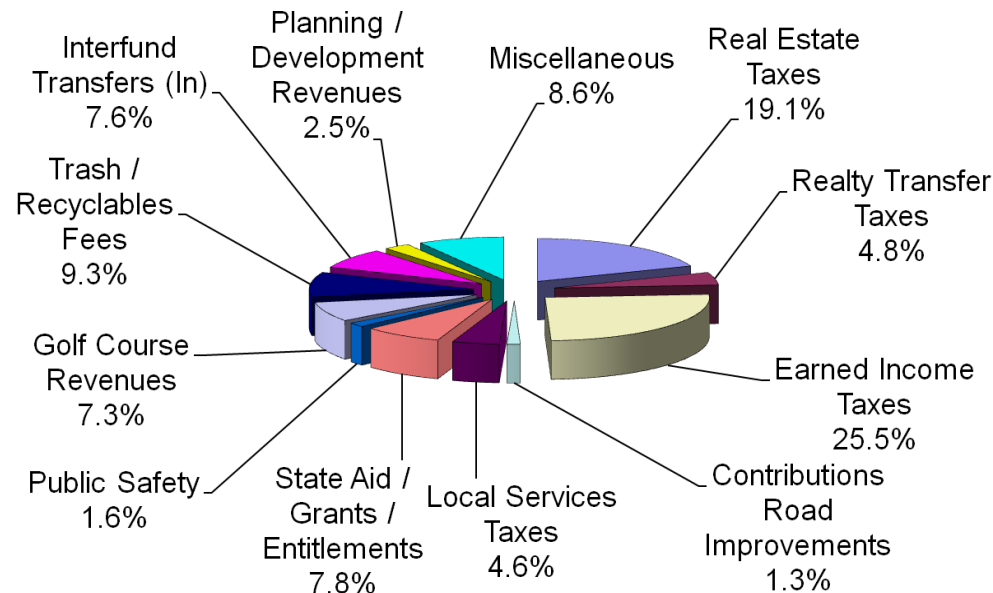
- Financial Analysis and Policy Choices
- Expenditure Estimates
- Review of Expenditure Estimates
- Revenue Estimates
- Budgeting Forecasting
- Budget Document
- Budget Review and Adoption
- Budget Execution

*Budgets turn plans
into reality –
planners need to be
familiar with how
they work*

Plan Making Budgets & Financing - Public Financing Tools

- ❖ Current revenues – cash
- ❖ Revenue funds/Fees
- ❖ State and Federal grants
- ❖ Revenue bonds
- ❖ General obligation bonds

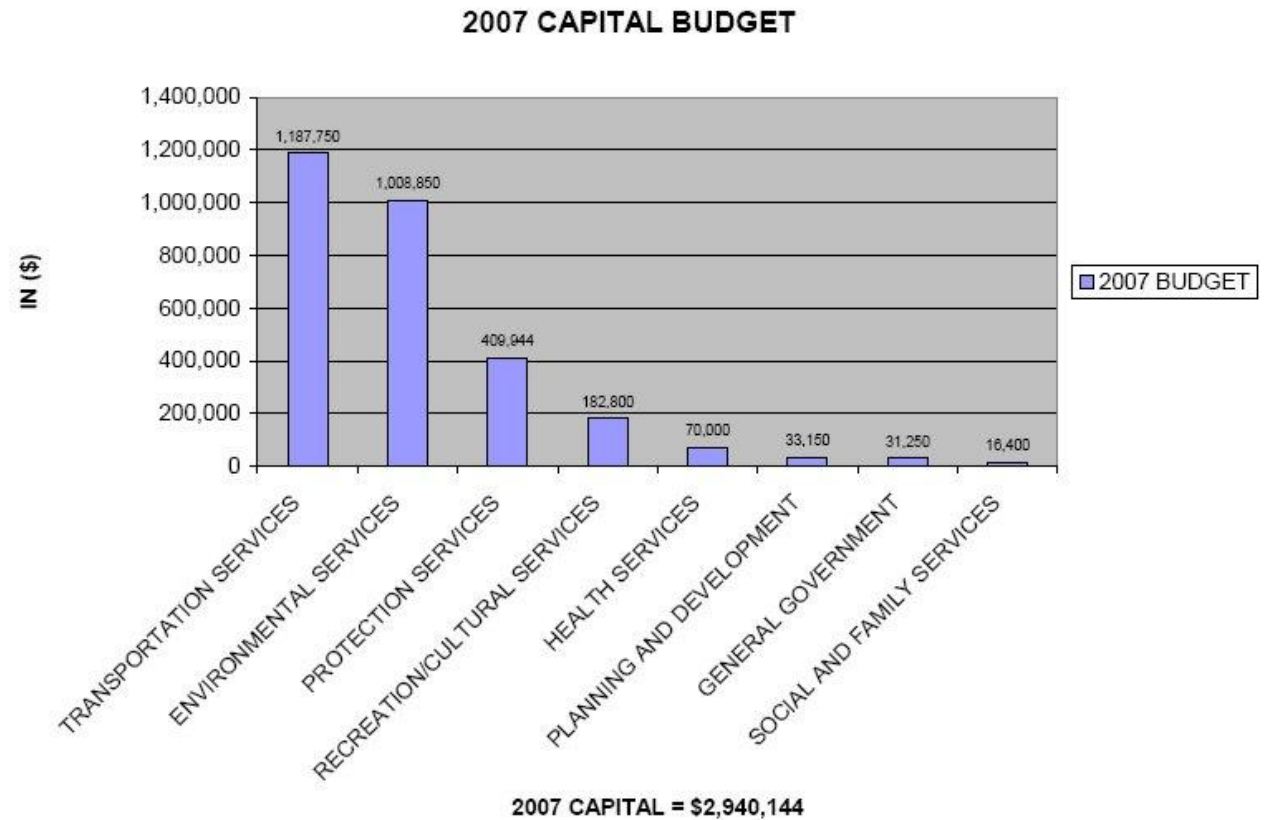
- ❖ Special Taxing Authorities
- ❖ Special assessments
- ❖ User fees
- ❖ Tax Increment Financing



Plan Making Budgets & Financing - Capital Improvements

❖ Types of Projects

- Streets
- Water
- Sewer
- Parks
- Public facilities
- Drainage



Plan Making Budgeting

Allocation of Tax Dollars



Differs by state!

Economic Analysis & Forecasts

- ❖ Always question the data
- ❖ Economic Analyses
 - Floor Area Ratio (FAR) – floor space/lot size
 - Location Quotient (LQ)
 - Economic Base Multiplier
- ❖ Fiscal Impact Analyses
 - Net Present Value (>0 = monetary benefits outweigh costs)
 - Benefit-Cost Analysis (>1 , used to compare alternatives)
 - Fiscal Impact (such as Per Capita Multiplier Method)
- ❖ Know Terminology: neighborhood shopping center versus a community or regional shopping center

Economic Base Theory

- ❖ **Economic base techniques divide regional industries into two groups:**
 - **Basic or export sectors**
 - **Non-basic or local sectors**
- ❖ Assumes that export or “base” industries drive regional economic growth
- ❖ Relatively simple to calculate, generates straightforward impact and prediction tools
- ❖ Rationale: exports from a region represent competitive or comparative advantages
- ❖ Export industries drive regional growth through multiplier effects, backward and forward “linkages”
- ❖ Emphasizes the “open” quality of small regional economies
- ❖ **An indirect method of defining economic base is the “Location Quotient” method, which is currently the most popular method**

Location Quotient

- ❖ Location Quotient: defines base sector of study area, or the concentration of a given industry in a given place in comparison to the nation – used to tell the amount of export employment in an industry
 - Commonly used, relatively easy to find data and calculate
 - Most common usage is with **employment data** (output or income can also be used)

$$LQ = \frac{e_i/e}{E_i/E}$$

e_i = local employment in Industry I

e = total local employment

E_i = national employment in Industry I

E = total national employment

Assumes base year is identical

Plan Making

Location Quotient

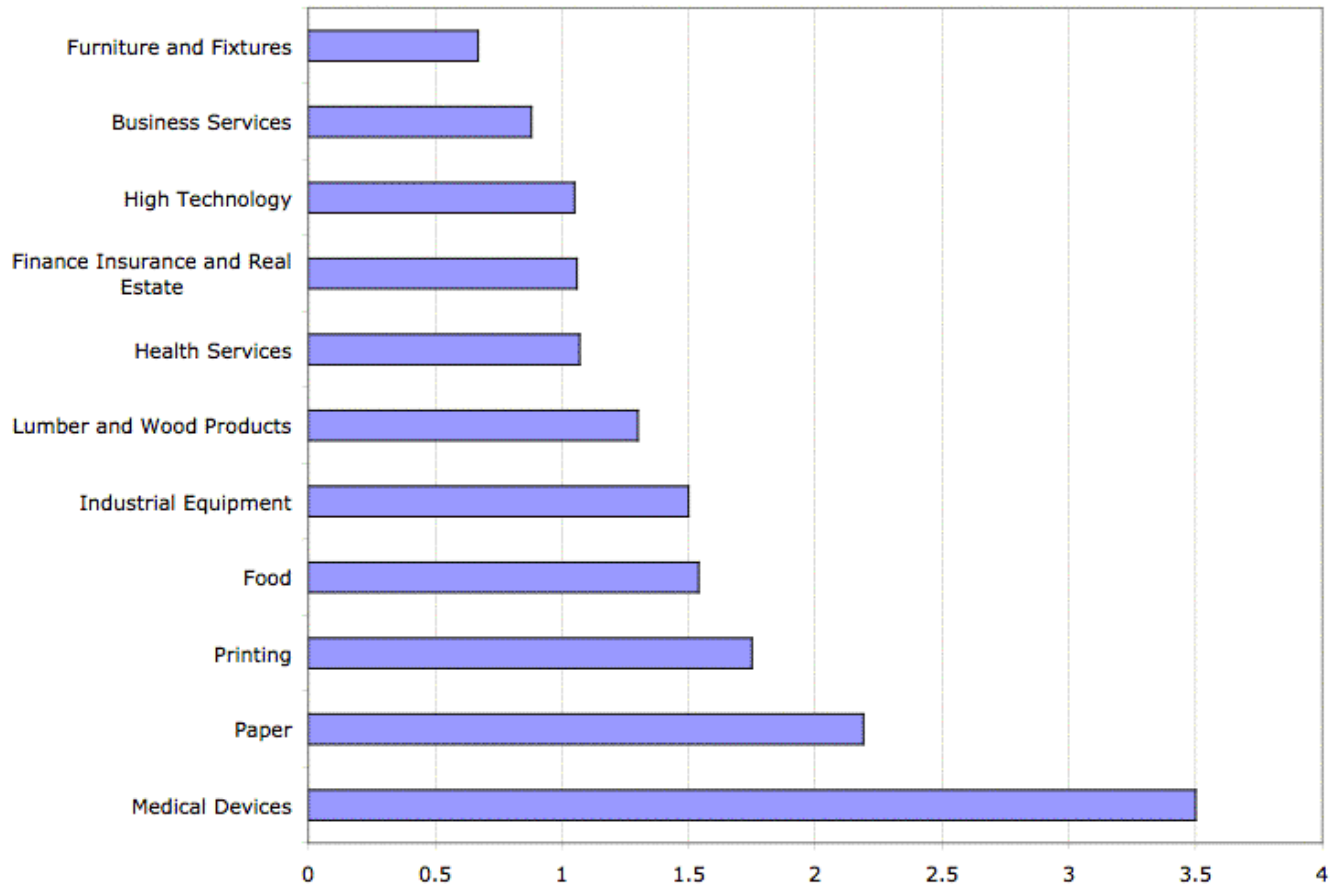
Location Quotient >1 : exporting employment (basic)

Location Quotient <1 : importing employment (local/non-basic)

Plan Making

Location Quotient

Location Quotient for Selected Industries in Minnesota (2000)



Economic Base Multiplier

- ❖ Use the base sector (LQ) activity and the total economic activity of a study area to get the “Economic Base Multiplier” to measure local economic growth as follows:

$$\text{TOTAL ECONOMIC ACTIVITY} / \text{BASIC SECTOR ACTIVITY} = \text{EBM}$$

- ❖ An EBM of 3, for example, would mean that for every basic job/output/dollar, three non-basic jobs/outputs/dollars are created in the economy

Sample Question

Industry	Local Employment	National Employment
X	3%	6%
Y	10%	7%
Z	11%	3%

5. Listed above are two types of employment percentages for industries X, Y, and Z in a metropolitan area. The local employment for each industry is listed as a percent of total local employment, and the national employment in each industry is listed as a percent of total national employment. Under the location quotient method, an economic planner can assign which of these industries to the export sector of the metropolitan area?

- A. Y only
- B. X only
- C. X and Z
- D. Y and Z

Answer: D. This is a realistic example of the type of calculation question that the exam may have (from the Georgia Chapter).

Shift Share Analysis

- ❖ Shift share analysis is a descriptive technique for analyzing sources of change in the regional economy by looking at national share, industry mix, and regional shift.
- ❖ National growth share: what part of local job growth is due to growth in the national economy
- ❖ Industry mix: the effect of industry trends on local employment
- ❖ Regional shift: unique local factors relating to local employment growth or decline

Information Systems (GIS, MIS)

- ❖ GIS (Geographic Information System): computer software used to display multiple layers of information about a geographic location. Lines, points and areas are used to display layers. Provides an efficient means for us to organize information about a region and provides a method to visually display that information.
- ❖ MIS (Management Information Systems): computer system for the management of people, projects, and information. Support business processes and operations, decision-making, and competitive strategies.

AICP Code of Ethics & Professional Conduct - 5%

❖ Effective June 1, 2005; revised October 3, 2009 (Rule 26 and Section D)

❖ Four parts:

- **A: Principles to Which We Aspire:** *ideals to which we are committed*
- **B: Our Rules of Conduct:** *rules to which we are held accountable*
- **C: Our Code Procedures:** procedural provisions (charges and rulings)
- **D: Planners Convicted of Serious Crimes – Automatic Suspension of Certification**

❖ Available on the APA website

Principles to Which We Aspire

- ❖ Our Overall Responsibility to the Public
 - “primary obligation is to serve the public interest”
 - public involvement, accurate information

- ❖ Our Responsibility to Our Clients and Employers
 - “independent professional judgment”

- ❖ Our Responsibility to Our Profession and Colleagues
 - education, research, professional development

Principles to Which We Aspire

If you are found guilty of violating a portion of this section of the code you can NOT be removed from AICP or sanctioned in any manner.

AICP Code

Principles to Which We Aspire

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www.glasbergen.com



**“We need to draw the line on unethical behavior.
But let’s draw it with an Etch-a-Sketch and
don’t be afraid to shake it a little.”**

Our Rules of Conduct

- ❖ 26 rules
- ❖ General Topics:
 - Conflict of interest (8 rules)
 - Accurate information (7 rules)
 - Code procedures (4 rules)

AICP Code

Our Rules of Conduct

If you are found guilty of violating a section of this part of the code, you can be removed from AICP or sanctioned in another matter.

AICP Code

Our Rules of Conduct

Stu's Views

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What?!? 7 out of 10
Commandments isn't passing?

Our Rules of Conduct - Key Points

Rule #1

*We shall not deliberately or with reckless indifference fail to provide **adequate, timely, clear and accurate information** on planning issues.*

Our Rules of Conduct - Key Points

Rule #4

*We shall not, as salaried employees, undertake other **employment** in planning or a related profession, **whether or not for pay**, without having made **full written disclosure** to the employer who furnishes our salary and having received subsequent **written permission** to undertake additional employment, unless our employer has a written policy which expressly dispenses with a need to obtain such consent.*



Our Rules of Conduct - Key Points

Rules #5 and #6

- ❖ *We shall not, as **public officials or employees**; accept from anyone other than our public employer any **compensation**, commission, rebate, or other advantage that may be **perceived** as related to our public office or employment.*
- ❖ *We shall not perform **work on a project for a client** or employer if, in addition to the agreed upon compensation from our client or employer, there is a **possibility for direct personal or financial gain** to us, our family members, or persons living in our household, unless our client or employer, after full **written disclosure** from us, **consents** in writing to the arrangement.*



Our Rules of Conduct - Key Points

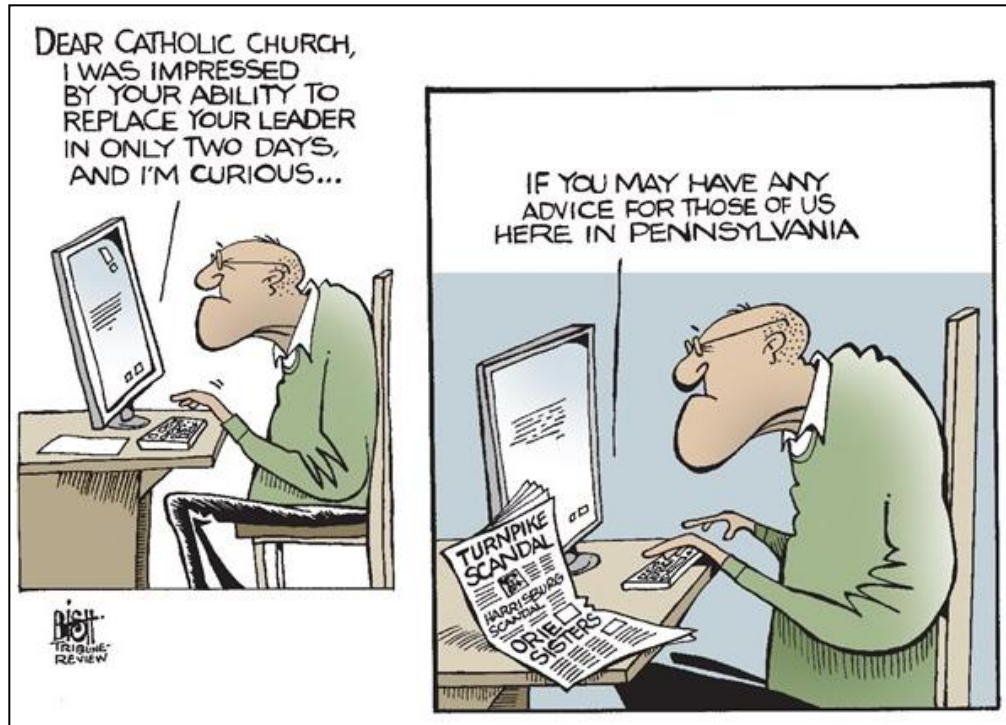
Rules #8 and #9

- ❖ *We shall not, as **public officials or employees**, engage in **private communications** with planning process participants if the discussions relate to a matter over which we have **authority to make a binding, final determination** if such private communications are prohibited by law or by agency rules, procedures, or custom.*
- ❖ *We shall not engage in **private discussions with decision makers** in the planning process in any manner prohibited by law or by agency rules, procedures, or custom.*

Our Rules of Conduct - Key Points

Rule #14

We shall not use the power of any office to seek or obtain a special advantage that is not a matter of public knowledge or is not in the public interest.



Our Rules of Conduct - Key Points

Rule #18

*We shall not **direct or coerce other professionals** to make analyses or reach findings not supported by available evidence.*

Our Rules of Conduct - Key Points

Rules #24 and #21

❖ *We shall not file a **frivolous charge** of ethical misconduct against another planner.*

❖ *We shall not **withhold cooperation or information** from the AICP Ethics Officer or the AICP Ethics Committee if a charge of ethical misconduct has been filed against us.*

Our Rules of Conduct - Key Points

Rule #25

*We shall neither deliberately, nor with reckless influence, commit **any wrongful act**, whether or not specified in the Rules of Conduct, that **reflects adversely on our professional fitness**.*

Our Rules of Conduct - Key Points

Rule #26

We shall not fail to immediately notify the Ethics Officer by both receipted Certified and Regular First Class Mail if we are convicted of a "serious crime" as defined in Section D of the Code; nor immediately following such conviction shall we represent ourselves as Certified Planners or Members of AICP until our membership is reinstated by the AICP Ethics Committee pursuant to the procedures in Section D of the Code.

Our Code Procedures

- ❖ Informal Advice
- ❖ Formal Advice
- ❖ Charge of Misconduct
 - filing
 - preliminary responses
 - investigation
 - dismissal or complaint
 - answering a complaint
 - hearing
 - decision
 - settlement – an option throughout the process

Section D - 2009 Revision

- ❖ Definition of “serious crime”
- ❖ Process related to conviction for “serious crime”
 - Automatic Suspension
 - Notification
 - Petition for Reinstatement
 - Publication

2009 update

Sample Question

An AICP member charged with misconduct under the AICP Code of Ethics and Professional Conduct is subject to the final determination of which entity?

- A. AICP Commission
- B. Executive Committee of AICP
- C. Executive Director of AICP
- D. AICP Ethics Committee

Answer: D.

AICP Code

Just FYI ... How much is the Code Used? 2011 Activity

❖ Ethics Cases - 4 Total

- 2 Cases Resolved:
Both Dismissed
(None withdrawn or other resolutions)
- 2 Cases Pending:
1 Charge Under Review
1 Complaint Under Review

❖ Ethics Committee Actions: No actions

❖ Requests for Formal Advice: No requests

Another FYI ... Case Activity Trends

❖ Ethics Cases

- 2005: 7
- 2006: 9
- 2007: 12
- 2008: 15
- 2009: 11
- 2010: 4
- 2011: 4
- 2012: 2



- ❖ Ethics Committee Actions from 2005 – 2012: just ‘05 and ‘09
- ❖ Requests for Formal Advice from 2005 – 2012: none

AICP Code of Ethics

- ❖ Learn the differences between principles that we aspire to and rules of conduct we are required to meet
- ❖ Learn how advice can be sought
- ❖ Learn how charges are filed and defended
- ❖ Learn who the players are – Ethics Officer (Executive Director of APA/AICP) and Ethics Commission



Resources for Scenarios

- ❖ Carol Barrett's book (*Everyday Ethics for Practicing Planners*, 2001)
- ❖ PA Chapter AICP Exam page
- ❖ **Toolkit for Conducting Ethics Session**
- ❖ **Ethics Case of the Year**
- ❖ **Planning Ethics in Action Blog**

On
the
APA
Ethics
site

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?

?

PA Chapter of the APA

www.planningpa.org

Susan Elks, AICP
Professional Development Officer
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American Planning Association
Pennsylvania Chapter

Making Great Communities Happen