

AICP Exam Prep

Spring 2018



American Planning Association
Pennsylvania Chapter

Making Great Communities Happen

*Professional
Development
Committee*

AICP Exam Prep

Spring 2018

Susan Elks, AICP PDO and PDC Chair...for now

Dave McFarland, AICP PDC Member

Alexis Williams, AICP PDO and PDC Chair ...coming soon



American Planning Association
Pennsylvania Chapter

Making Great Communities Happen

Today's Agenda

- ❖ Test Background & Tips – Focus on New Outline
- ❖ Recent Test Taker
- ❖ Fundamental Planning Knowledge
- ❖ Plan Making & Implementation
- ❖ Areas of Practice
- ❖ Leadership, Administration, and Management
- ❖ 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

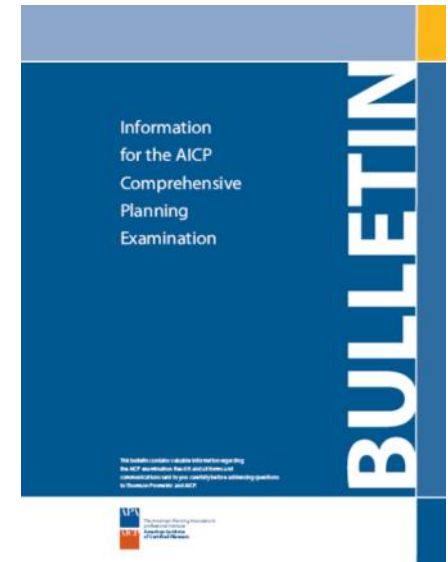
- Graduate planning degree (PAB): 2 years
- Bachelors planning degree (PAB): 3 years
- Graduate planning degree (non-PAB): 3 years
- Other degree: 4 years
- No college degree: 8 years

❖ Experience – *Professional Planning as defined by AICP*

- Involve a professional level of responsibility and resourcefulness while applying a planning process appropriate to the situation (Plan making/Functional/Research & Teaching)
- Demonstrate a comprehensive point of view when implementing professional planning tasks
- 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 - December and June
- ❖ Early bird – earlier deadline, earlier notification, can resubmit in the same cycle
- ❖ Leave plenty of time to do the experience description
- ❖ Need verification letters/transcripts for all degrees and employment claimed, check dates carefully
- ❖ Notification by email
- ❖ Approval To Test (ATT)/Eligibility ID or incomplete or denial



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

May 2017 Exam Overview

- ❖ Starting with May 2017 Exam, the AICP Certification Exam:
 - Tests a planner's ability to succeed at the levels of education and experience required by AICP certification — to think critically, anticipate consequences, and mitigate problems;
 - Recognizes that all planners achieving AICP must share a fundamental knowledge of core elements and competencies that form the foundation of our profession;
 - Is written by AICP members who are practitioners or educators working in the public and private sectors;
 - Relates to what planners should know today, including innovative practices, emerging issues, trends, and best practices;
 - Reflects that planning occurs at the intersection of many disciplines, and that planners frequently work as conveners and facilitators within communities and with experts in other fields;
 - Emphasizes that the AICP Code of Ethics is fundamental to being an AICP-certified planner and is the foundation for much of what planners do; and
 - Tests knowledge of planning as practiced throughout the United States, and not in any particular region, state, or place.

Test Background

- ❖ 170 multiple choice questions (20 sample, 150 real - must answer approximately 110 – 115 of 150 correct to pass)
- ❖ Scaled scoring - 55 has **typically been** 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; May 2017 has new questions and new content outline***
- ❖ Prometric test centers
 - Arrive 30 minutes early for paperwork
 - Take required IDs – name and spelling need to match
 - Calculator/paper/pencil provided

Test Content

- ❖ Fundamental Planning Knowledge – 25%
- ❖ Plan Making & Implementation – 30%
- ❖ Areas of Practice – 30%
- ❖ Leadership, Administration & Management – 5%
- ❖ AICP Code of Ethics & Professional Conduct – 10%

Comparison to old outline

(some study resources may still be organized under prior headings)

Fundamental Planning Knowledge – combined previous History/Theory/Law and other core values/systems

Plan Making – somewhat carried over, incorporates Public Participation/Social Justice

Areas of Practice – combined parts of Functional Areas of Practice, Spatial, and Plan Making

Leadership – taken out of Plan Making plus new content

AICP Code – carried over, additional weight

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 (approx. \$245 for the online course)
- ❖ APA AICP Exam Prep 3.0 (approx. \$199)

These have generally reviewed all topics noted in the APA outline of test content – updates in response to the 2017 outline of content are likely, but perhaps not completely integrated

Planetizen and APA both online, including practice exams/questions

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.

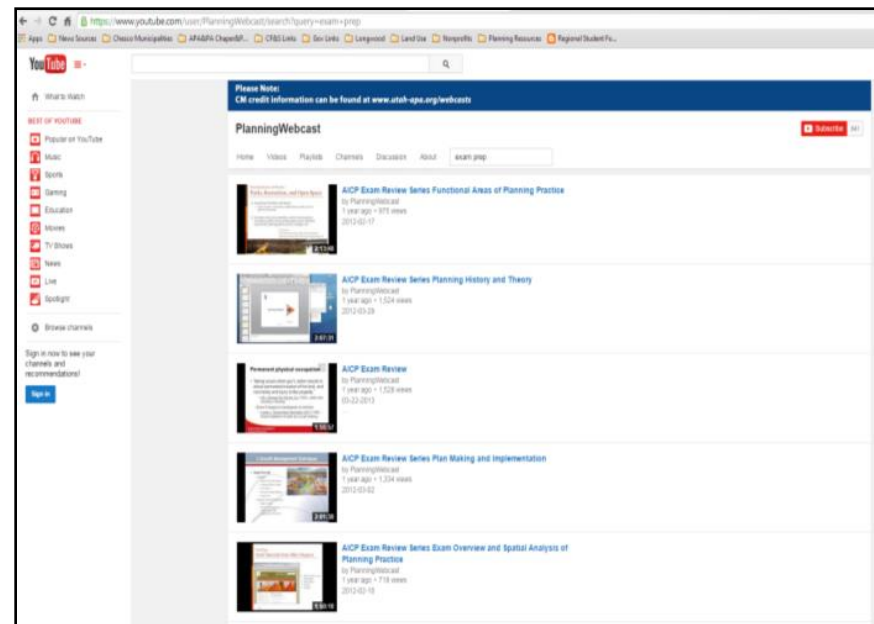
Sincerely,
Professional Development Committee
Pennsylvania Planning Association

Study Materials from Other Chapters



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

❖ **Planning Webcast series on YouTube...prep videos from various chapters, plus others now**

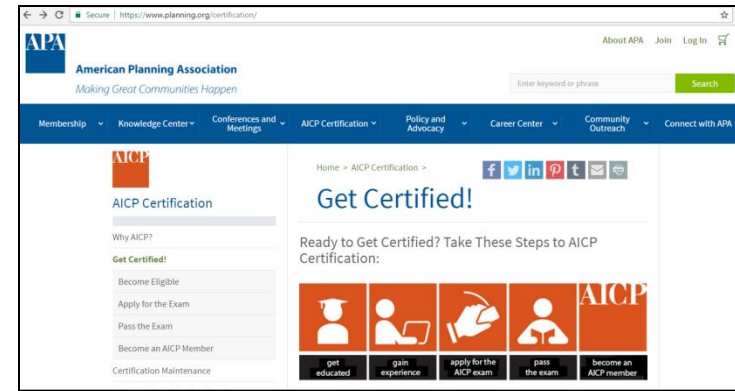


Be mindful of going to deep into the weeds...

Study Materials from APA

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

- ❖ AICP Exam Prep 3.0
- ❖ 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 – Google to find this listing from 1785 to 2000
- ❖ Planning Advisory Service (PAS) Reports (www.planning.org/pas/reports/) --- *these are now available at no cost to all APA members, and have been noted to be a great resource for the exam*



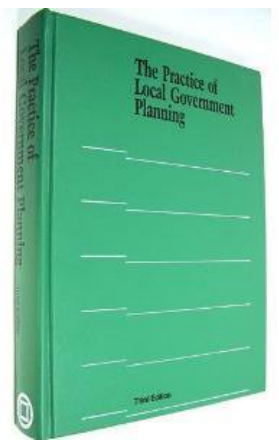
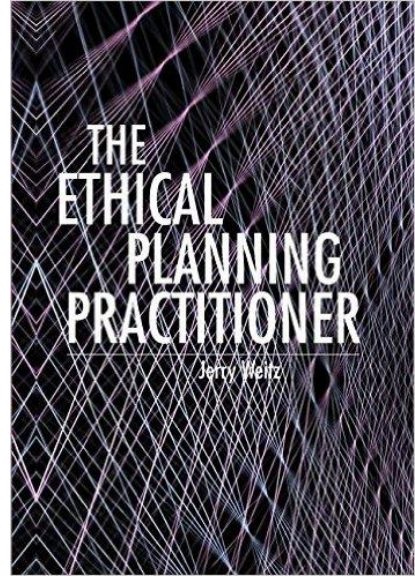
APA Selected Readings

The screenshot shows the American Planning Association (APA) website. The header includes the APA logo, the text "American Planning Association Making Great Communities Happen", and navigation links for "About APA", "Join", and "Log In". A search bar is present with the placeholder text "Enter keyword or phrase" and a "Search" button. A blue navigation bar contains dropdown menus for "Membership", "Knowledge Center", "Conferences and Meetings", "AICP Certification", "Policy and Advocacy", "Career Center", "Community Outreach", and "Connect with APA".

The main content area is titled "AICP Certification Exam Recommended Readings". The breadcrumb trail is "Home > AICP Certification > Get Certified! >". Social media icons for Facebook, Twitter, LinkedIn, Pinterest, Tumblr, Email, and Print are displayed. The text reads: "The following list may help planners who are preparing to take the AICP Certification Examination. Please note that the readings are presented with these understandings:"

- No reading list can span the entire range of topics covered by the AICP exam. As a result, this 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. While many AICP exam questions are based on these readings, many are developed from other materials of similar content.
- Many readings are available for download on the web or in any well-stocked planning office library. Those choosing to purchase readings are encouraged to do so selectively. Consider purchases that not only help in preparing to take the exam,

A sidebar on the left contains the "AICP Certification" section with a list of links: "Why AICP?", "Get Certified!", "Become Eligible", "Apply for the Exam", "Pass the Exam", "Become an AICP Member", "Certification Maintenance", and "Advanced Specialty Certification".



Other Sources

- ❖ *www.planningprep.com* (questions)
- ❖ Electronical flashcards: *www.studystack.com* (search AICP) and gFlash app for mobile devices
- ❖ *www.oyez.org* (legal...but use NC Chapter notes first)
- ❖ Cyburbia: *www.cyburbia.org/forums*
- ❖ Chapter Presidents Council manual (in depth in areas, not comprehensive)
- ❖ 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. In the past APA has noted that the exam tests 40% knowledge and 60% skills.

The real exam has a much greater percentage of longer, scenario based questions than most practice exams 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**

Recent Test Taker



Fundamental Planning Knowledge-25%

- ❖ History of planning, planning movements, influences on planning
- ❖ Foundational legal principles and decisions
- ❖ Theories of & about planning
- ❖ Patterns of human settlement
- ❖ Statutory basis of planning (governance structure)
- ❖ General terminology, practices, & principles of related professions
- ❖ Natural, social, & economic systems
- ❖ Core values of planning (equity, social justice, democratic engagement, etc.)

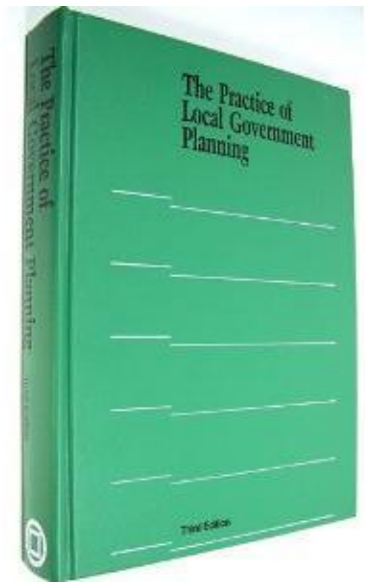
This includes information from the previous content area of History/Theory/Law, plus

Georgia Chapter has an extensive review of fundamental planning knowledge on their website

Fundamental Planning Knowledge

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 general dates, people, events, philosophies, publications, movements, acts, laws....



Fundamental Planning Knowledge - History

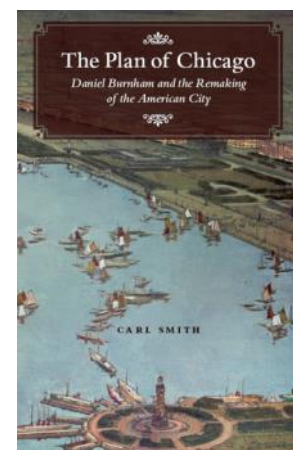
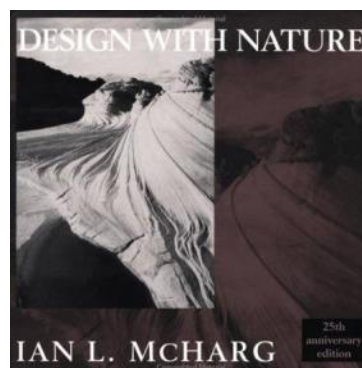
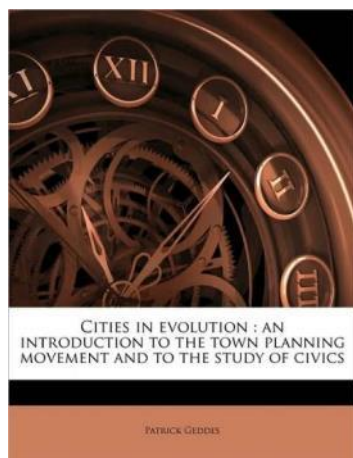
History - Know the amendments!

- ❖ **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.

Fundamental Planning Knowledge - History

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



Fundamental Planning Knowledge - History

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

Fundamental Planning Knowledge - History

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!*

Fundamental Knowledge – Foundational legal principles & decisions

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...

Fundamental Knowledge – Foundational legal principles & decisions

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.

Fundamental Knowledge – Foundational legal principles & decisions

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.

Fundamental Knowledge – Foundational legal principles & decisions

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.

Fundamental Knowledge – Foundational legal principles & decisions

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.

Fundamental Knowledge – Foundational legal principles & decisions

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 SOBs.
- ❖ 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.

Fundamental Knowledge – Foundational legal principles & decisions

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.

Fundamental Knowledge – Foundational legal principles & decisions

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.

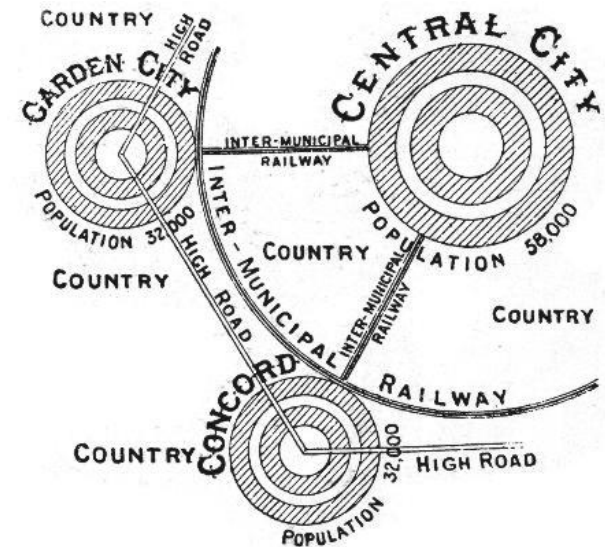
*APA-NC has great law information:
Annotated Planning Law Outline
Planning Law Case Chart
Big Cases*

*APA Policy Guides: Takings,
Billboard Controls*



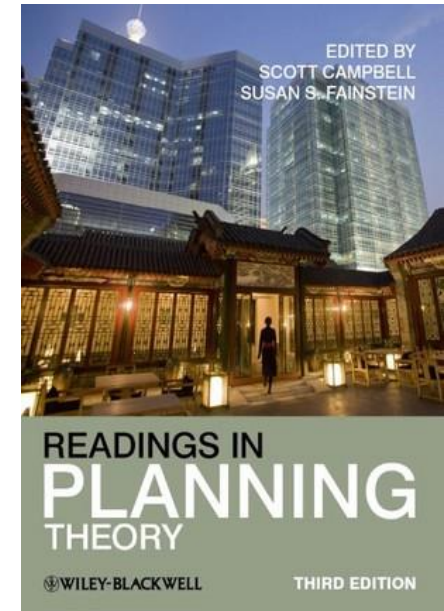
Fundamental Planning Knowledge - Theories Philosophies and Movements

- ❖ 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



Fundamental Planning Knowledge Planning Theories....

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



Fundamental Planning Knowledge

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

- ❖ Ordinance of 1785 – provided for the rectangular land survey and settlement of the Old Northwest

e.g., growth and development of places over time, role of transportation in shaping urban form, cultural influences on the form of places

*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*

Fundamental Planning Knowledge

Statutory basis of planning

e.g., relationship to national and state government, governance structure

❖ Planning at the national level

- 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)

❖ Others

- 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

Fundamental Planning Knowledge

Statutory basis of planning

e.g., relationship to national and state government, governance structure

❖ Planning for State

- Dillon's Rule vs. Home Rule
 - 39 states use Dillon's Rule in whole or in part
 - Dillon's Rule (Iowa judge, 1868 ruling) narrowly defines the power of local governments. 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

Do Not Think State Specific



Fundamental Planning Knowledge

General terminology, practices, & principles of related professions

Review of Planning magazine (and similar) and supplemental sources/research to clarify any information is probably the extent needed for this content sub-area

Focus on those related professions that you haven't interacted with during your career

e.g., public health, architecture, law, engineering, real estate, environmental restoration

Fundamental Planning Knowledge

Natural, social, and economic systems

Some of the details in these areas are covered with Areas of Practice

e.g., political context, demographics, social trends, ecology, water, health, climate

Demographics – U.S. Census

<http://www.census.gov/2010census/data/2010-census-briefs.php>

Ecology/Water – Wildlife habitat (T&E), stormwater runoff/water quality relationship, water quality & quantity issues, surface & groundwater, functions of wetlands, air quality/public health relationship

The 65 years and over population grew at a faster rate than the total population.

The Older Population 2010 Census Brief

Fundamental Planning Knowledge

Core values of planning

e.g., equity and social justice, public interest, sustainability, healthy & prosperous communities, diversity, democratic engagement, transparency

These core values are reflected in the Code of Ethics, Policy Guides, Planning Advisory Service reports, Planning magazine, and APA award-winning projects

Fundamental Planning Knowledge

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**
- ❖ **USGS map scale**

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.

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. Remember the key take-aways from case law.

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. Court case questions can be important to mark, or make notes from, since they can overlap somewhat.

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. Another example of a question focused on the details of the ruling.

10 minute break

Plan Making and Implementation - 30%

- ❖ Conducting research and acquiring knowledge
- ❖ Spatial analysis
- ❖ Public engagement
- ❖ Communication
- ❖ Preparing to plan
- ❖ Formulating plans and policies
- ❖ Plan implementation
- ❖ Monitoring and assessment
- ❖ Project or program management
- ❖ Social justice

*Knowing appropriate
planning process is
KEY to passing this
exam*

Plan Making & Implementation

Formulating plans and policies

e.g., creating and evaluating alternatives, full range of impacts, plan presentation, policy analysis, building constituency, visualization techniques

- ❖ 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 areas of practice and in the context of public participation and social justice

Plan Making

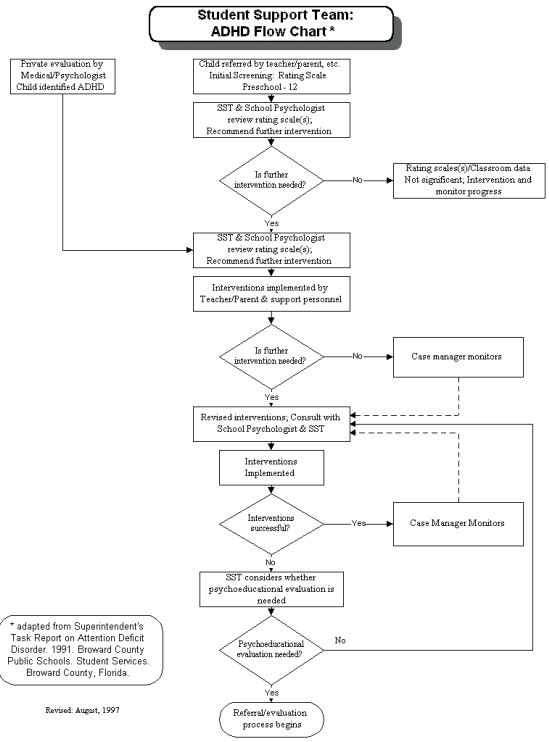
Organizing, Analyzing, & Reporting Data

e.g., qualitative, and quantitative research, research methods, precedents and examples, best practices, analysis and reporting, surveying

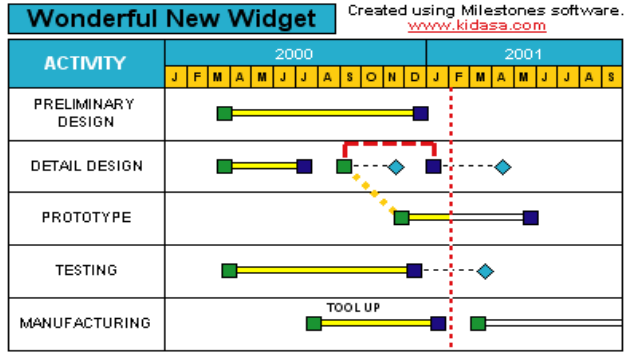
Conducting research & acquiring knowledge

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

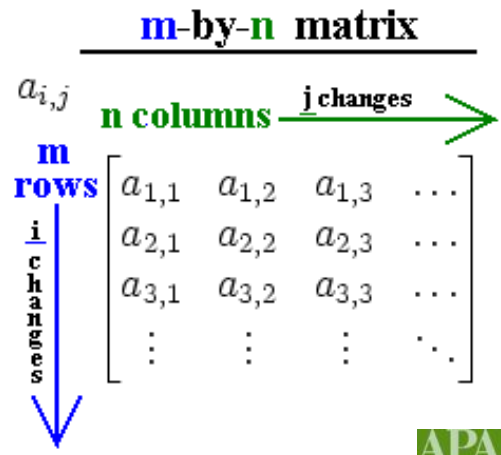
Flow Chart



Gant Chart



Matrix



Plan Making Organizing, Analyzing, & Reporting Data

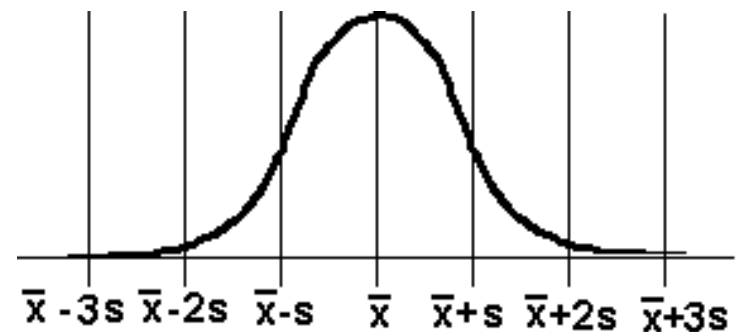
Demographics

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

Plan Making Organizing, Analyzing, & Reporting Data

❖ 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)



Plan Making Organizing, Analyzing, & Reporting Data

❖ 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

Plan Making Organizing, Analyzing, & Reporting Data

- ❖ *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 Organizing, Analyzing, & Reporting Data

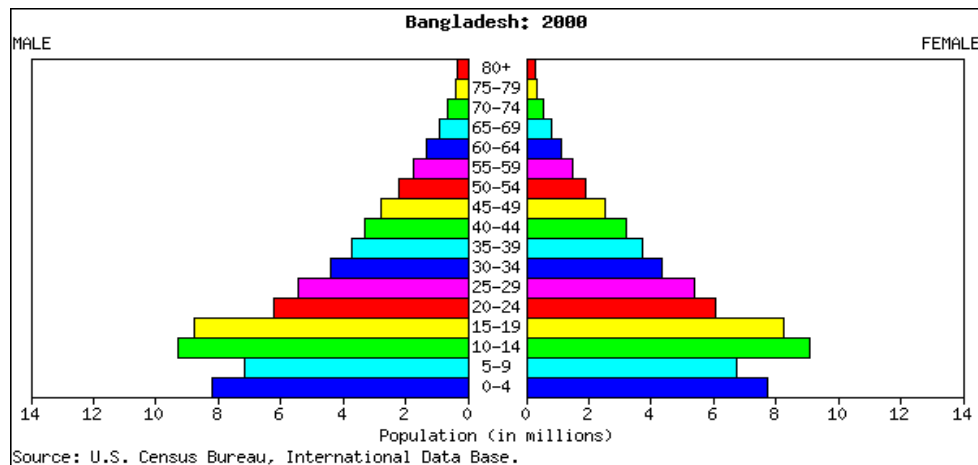
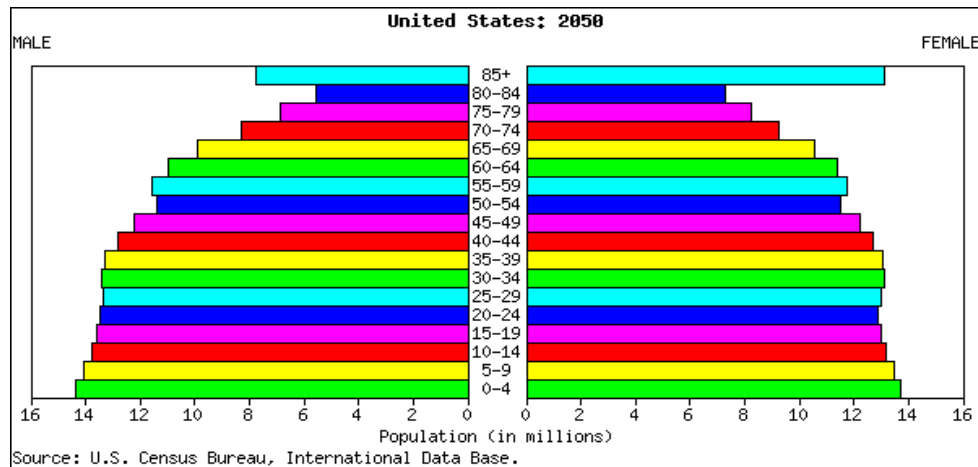
- ❖ Ratio/Step-down Method: Less technically complicated, good for smaller area projections. The farther out the projection, the more the margin of error.
- ❖ Cohort Component (aka Cohort Survival): Technically complicated, lots of data, good for large area projections like states or large metropolitan 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 Organizing, Analyzing, & Reporting Data

Population forecast pyramids show the underlying demographic structure.



Plan Making Organizing, Analyzing, & Reporting Data

- ❖ 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 & Implementation

Spatial analysis

e.g., GIS, mapping, interpretation

- ❖ 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.

Plan Making & Implementation

Public engagement

*e.g., participation methods, social media, strategies and tools,
advocacy, outreach*

- ❖ 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

Plan Making & Implementation

Public engagement

Tools/Techniques...

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



Plan Making & Implementation

Public engagement

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



Other forms of social media for outreach...

Plan Making & Implementation

Public engagement

❖ 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**

Plan Making & Implementation

Public engagement

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

Plan Making & Implementation

Public engagement

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

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' 2015 materials
have a good general overview of
PP/SJ

Answer: A.

Plan Making & Implementation

Communication

*e.g., clear and understandable visual, written, and spoken concepts;
building relationships; conducting meetings; media relations*

- **Planners Communication Guide 2.0**

www.planning.org/communicationsguide/

- Message/support
- Media
- Social Media
- Allies & partners (ID/engage/communicate...early and throughout)
- Contentious issues
- **Meetings – deliberate process & structure**

Plan Making - Preparing to plan

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

e.g., visioning, goal setting, identifying key issues, forecasting, legal context

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

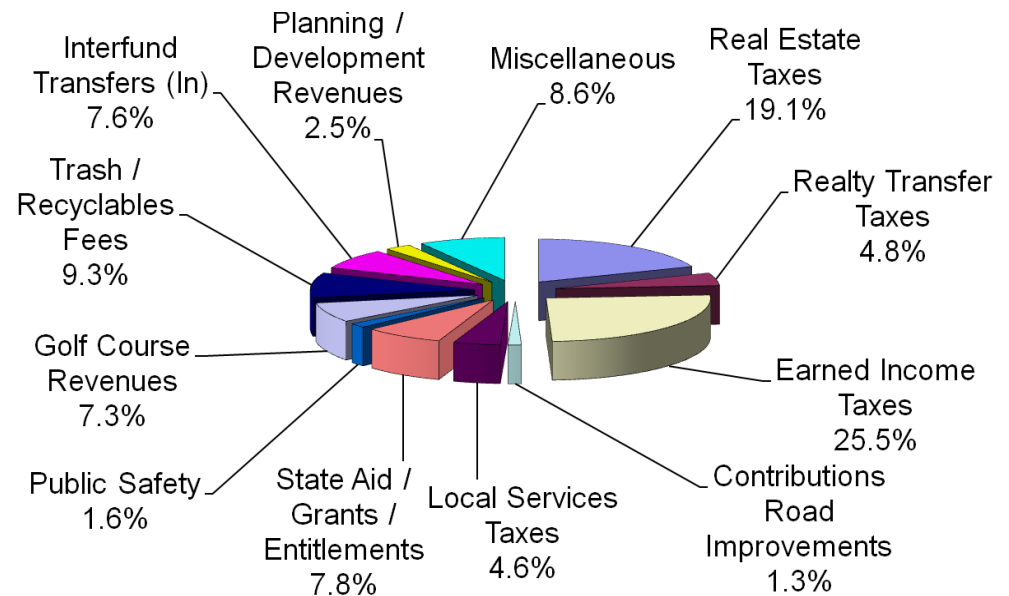
Plan Making & Implementation

Plan implementation

e.g., codes and regulations, budgeting and finance, demonstration projects, decision 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



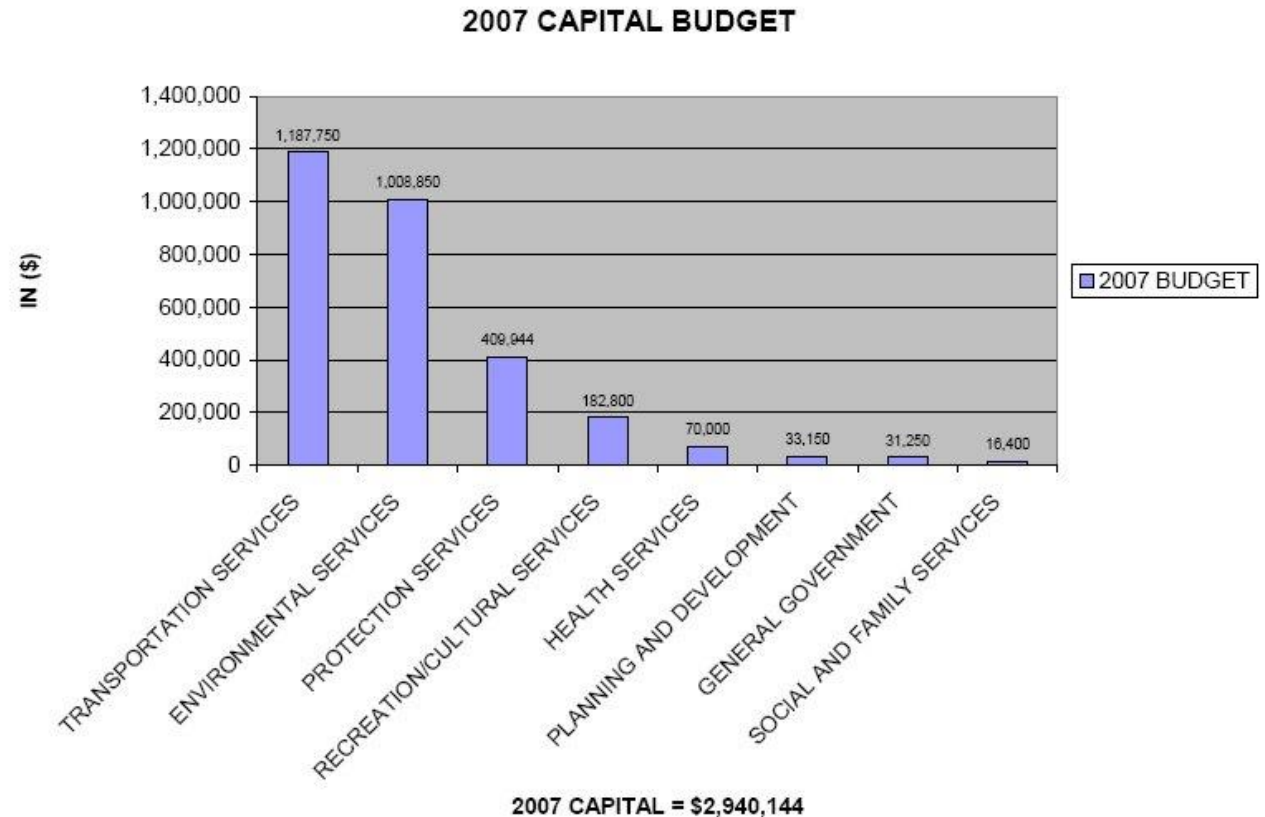
Plan Making & Implementation

Plan implementation

Budgets & Financing - Capital Improvements

❖ Types of Projects

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



Plan Making & Implementation

Project or program management

Budgeting

Allocation of Tax Dollars



Differs by state!

Plan Making & Implementation

Project or program management

e.g., RFPs, RFQs, grants, preparing budgets, managing contracts, scheduling, allocating staff

Budgets

❖ 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

RFP: Request for proposals
RFQ: Request for qualifications

Plan Making & Implementation

Monitoring and assessment

e.g., measures of performance, outcome indicators

- ❖ Measures or outcomes need to be established in order to assess performance
- ❖ These will vary by the type of plan or program being assessed
- ❖ Assessment on a regular basis, and assessing the proper measure, are equally important

Plan Making & Implementation

Social justice

e.g., planning for diverse or underserved communities, social empowerment

- ❖ 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

Plan Making & Implementation

Social justice

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



VS



Plan Making & Implementation

Social justice

Names to Know

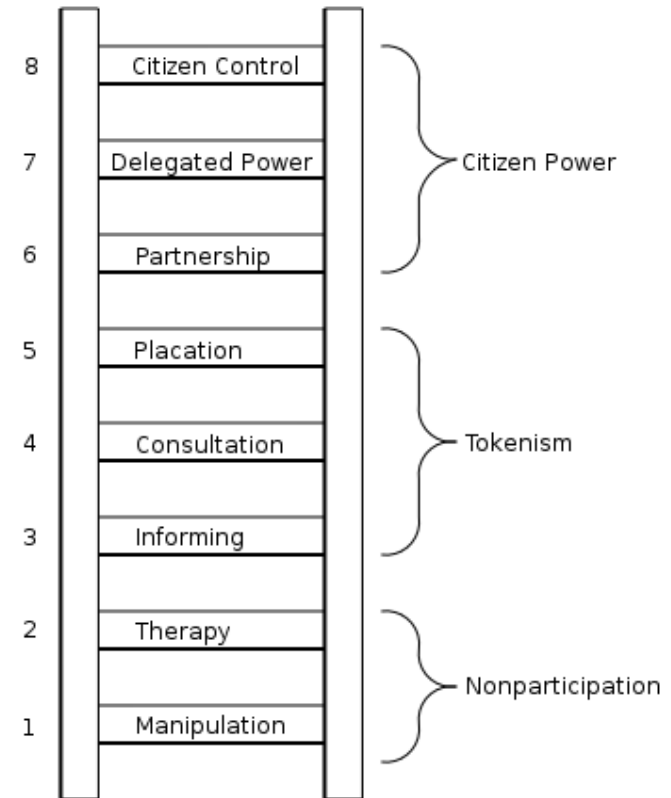
- ❖ Saul Alinsky: community organizing
 - Back of the Yards neighborhood (1930s)
 - *Rules for Radicals* (1971)
- ❖ 1964 Economic Opportunity Act
 - Part of Johnson's War on Poverty/Great Society
 - Head Start remains
- ❖ Paul Davidoff: advocacy planning (50s–80s)

Plan Making & Implementation

Social justice

Names to Know

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



Plan Making & Implementation

Social justice

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

Plan Making & Implementation

Social justice

Underserved Groups:

Appropriate Outreach Methods

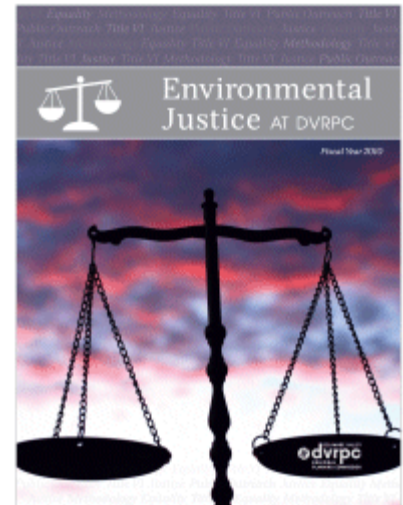
Plan Making & Implementation

Social justice

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

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.

LUNCH BREAK!!

You can bring food and drinks back to the room

Leadership, Administration & Management - 5%

- ❖ Leadership
- ❖ Managing external relationships
- ❖ Internal organizational management
- ❖ Technology and related applications

Leadership

e.g., influencing decision making in the public interest, strategic decision making

- ❖ **Thinking big:** Create, impart, and execute big ideas
- ❖ **Exercising leadership:** Lead the community in addressing emerging issues and trends
- ❖ **Changing culture:** Foster an innovative, collaborative, and entrepreneurial culture
- ❖ **Implementing big ideas:** Focus on implementation and outcomes
- ❖ **Advancing equity:** Be the voice for equity and fairness

Managing external relationships

e.g., customer service; client interaction; representing and promoting organizations; relationships with partner/sister organizations, decision makers, boards, and commissions; transparency; freedom of information; confidentiality; privacy

- ❖ Providing excellent customer service is one of the most important functions of a taxpayer-funded public agency
- ❖ Managing relationships is important for planners who are working with communities, clients, and customers

Transparency:
Know what
FOIA is

Internal organizational management

e.g., team building and staff training planning-office culture, strategic planning, organizational budgeting and financial management

- ❖ Team building enhances interpersonal relations of staff so that they better work together
- ❖ Team training is designed to improve efficiency and build skills
- ❖ Strategic planning – organizational management activity used to set priorities, focus resources, and work toward common goals



Technology and related applications

e.g., using technology and related information tools to advance planning, smart cities technology planning

❖ *Public officials are using technology to engage a host of new constituencies—from apps that encourage the reporting of potholes and abandoned vehicles to systems that enable citizens to participate in planning debates electronically and from afar*

❖ Smart cities technologies: e.g. smart devices, systems, and operating software that collect and analyze data for functions such as monitoring highway conditions to improve traffic flow



Areas of Practice- 30%

- ❖ Comprehensive and sectoral planning
- ❖ Community, subarea, corridor, and neighborhood planning
- ❖ Current planning
- ❖ Sustainability planning
- ❖ Transportation planning
- ❖ Infrastructure planning
- ❖ Hazards, mitigation, and resiliency planning
- ❖ Environmental and natural resources planning
- ❖ Economic development planning
- ❖ Urban design
- ❖ Housing planning
- ❖ Parks, recreation, open space
- ❖ Historic and cultural resources planning
- ❖ Institutional planning and siting
- ❖ Food planning
- ❖ Health planning
- ❖ Rural and small town planning

Areas of Practice

Comprehensive and sectoral planning

e.g., spatial planning, growth management, long range planning, general planning, regional planning, fiscal impact analysis, capital improvement planning, policy planning, tribal planning, governance structures

❖ Comprehensive Plan

- ❖ 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

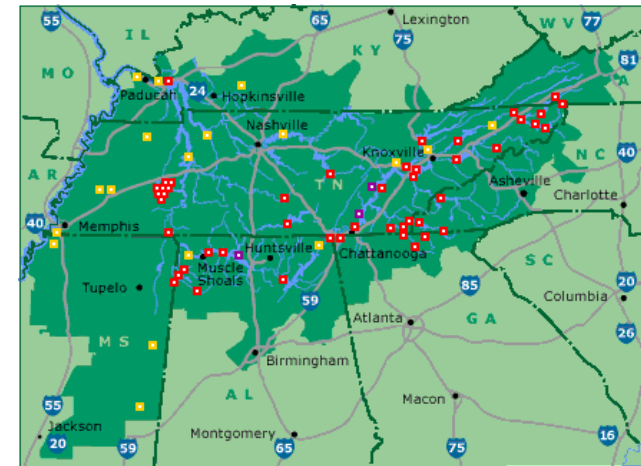
Areas of Practice

Comprehensive and sectoral planning

e.g., spatial planning, growth management, long range planning, general planning, regional planning, fiscal impact analysis, capital improvement planning, policy planning, tribal planning, governance structures

❖ Regional Planning (multi-state)

- 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.

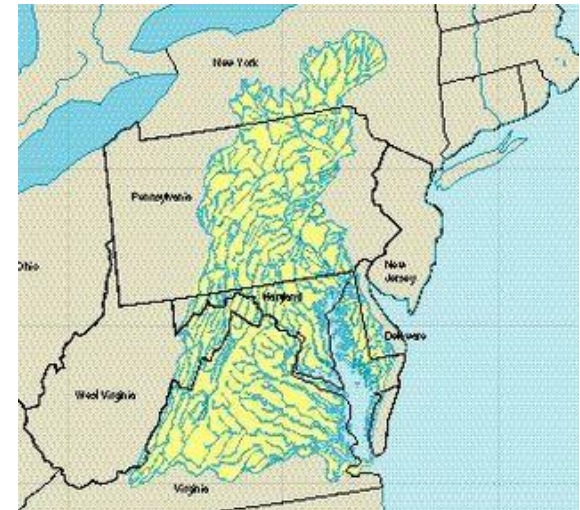


Areas of Practice

Comprehensive and sectoral planning

❖ Regional Planning (multi-state)

- 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.



Areas of Practice

Comprehensive and sectoral planning

❖ Regional Planning (multi-state)

- 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



Areas of Practice

Comprehensive and sectoral planning

❖ Statewide Planning

- 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



Areas of Practice

Comprehensive and sectoral planning

❖ Regional Planning (sub-state)

- 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)



Areas of Practice

Comprehensive and sectoral planning

❖ Regional Planning

- 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



Areas of Practice

Community, subarea, corridor & neighborhood planning

❖ 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!!*



Areas of Practice

Community, subarea, corridor & neighborhood planning

❖ 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



Areas of Practice

Community, subarea, corridor & neighborhood planning

❖ 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



Areas of Practice

Community, subarea, corridor & neighborhood planning

❖ Planning for Corridors

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



Areas of Practice

Community, subarea, corridor & neighborhood planning

❖ 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)



Areas of Practice

Community, subarea, corridor & neighborhood planning

❖ Planning for Waterfronts

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



Areas of Practice

Community, subarea, corridor & neighborhood planning

❖ Planning for Downtowns

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



Areas of Practice - Current Planning

Land Use and Development Regulations

e.g., codes & regs, zoning, plan review, design review, site planning

- ❖ 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

Areas of Practice - Current Planning

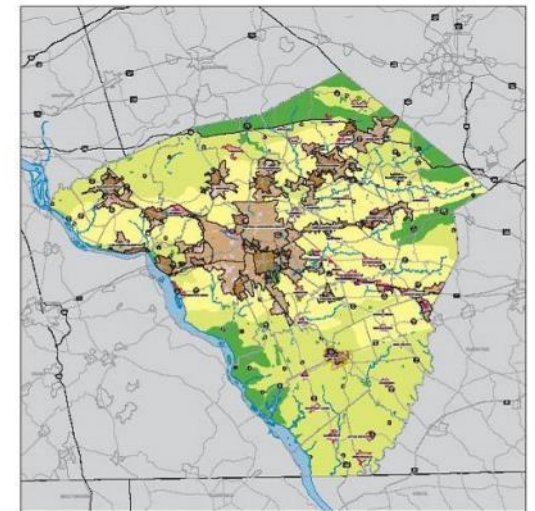
Land Use and Development Regulations

- ❖ 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

Areas of Practice - Current Planning

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
- Urban Growth Area (UGA)
- Village Growth Area (UGA)
- Municipal Boundaries
- Villages (Non-UGA)
- Crossroads Communities
- Core Redevelopment Areas
- General Redevelopment Areas
- Conventional Building Areas
- General Building Areas
- Designated Agriculture Areas
- 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

Areas of Practice

Sustainability planning

e.g., sustainable processes, practices and outcomes, including environmental planning, economic planning, and equity planning

- ❖ Sustain communities as good places to live
- ❖ Sustain the values of our society (e.g. liberty and democracy)
- ❖ Sustain biodiversity of natural environment
- ❖ Sustain the ability of natural systems to provide life supporting services

Things contributing to unsustainability:

- ❖ Overconsumption
- ❖ Population growth
- ❖ Dependence on non-renewable resources
- ❖ Pollution
- ❖ Environmentally and socially destructive development patterns
- ❖ Inequities in resource distribution
- ❖ Limited public participation

Areas of Practice

Transportation planning



e.g., mobility and accessibility planning, and use and transportation demand, transportation modes, goods movement, ports, airports, intermodal, pedestrian, bicycle, transit, parking, and access equity

- ❖ 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



Areas of Practice

Infrastructure planning

e.g., utilities, community facilities, energy, green and blue infrastructure, communications, waste, water and sewer, concurrency

- ❖ 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

Areas of Practice

Infrastructure planning

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)?*

Areas of Practice

Hazards, mitigation, & resiliency planning

e.g., flooding, earthquake, wildfires, spills, brownfields, anti-terrorism, disaster preparedness planning

❖ 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)



Areas of Practice

Environmental & natural resources planning

e.g., air quality, climate change, environmental impact analysis, aquatic planning, agriculture, forestry, extraction, habitat, shoreline planning, environmental justice

- ❖ 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*)



Areas of Practice

Economic development planning

e.g., community revitalization, economic analysis and forecasting, incentives, financing mechanisms, tourism, workforce development, business development, resiliency, shared economy, tax increment financing

❖ 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

Areas of Practice

Economic development planning

❖ Strategies, Incentives, Tools:

- Industrial Parks
- Research and Development Parks
- Main Street Programs
- Business Improvement District (BID)
- Business incubators
- Tax Increment Financing (TIF)



Areas of Practice

Economic development planning

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

Areas of Practice

Economic development planning

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**

Areas of Practice

Economic development planning

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

Areas of Practice

Economic development planning

Location Quotient

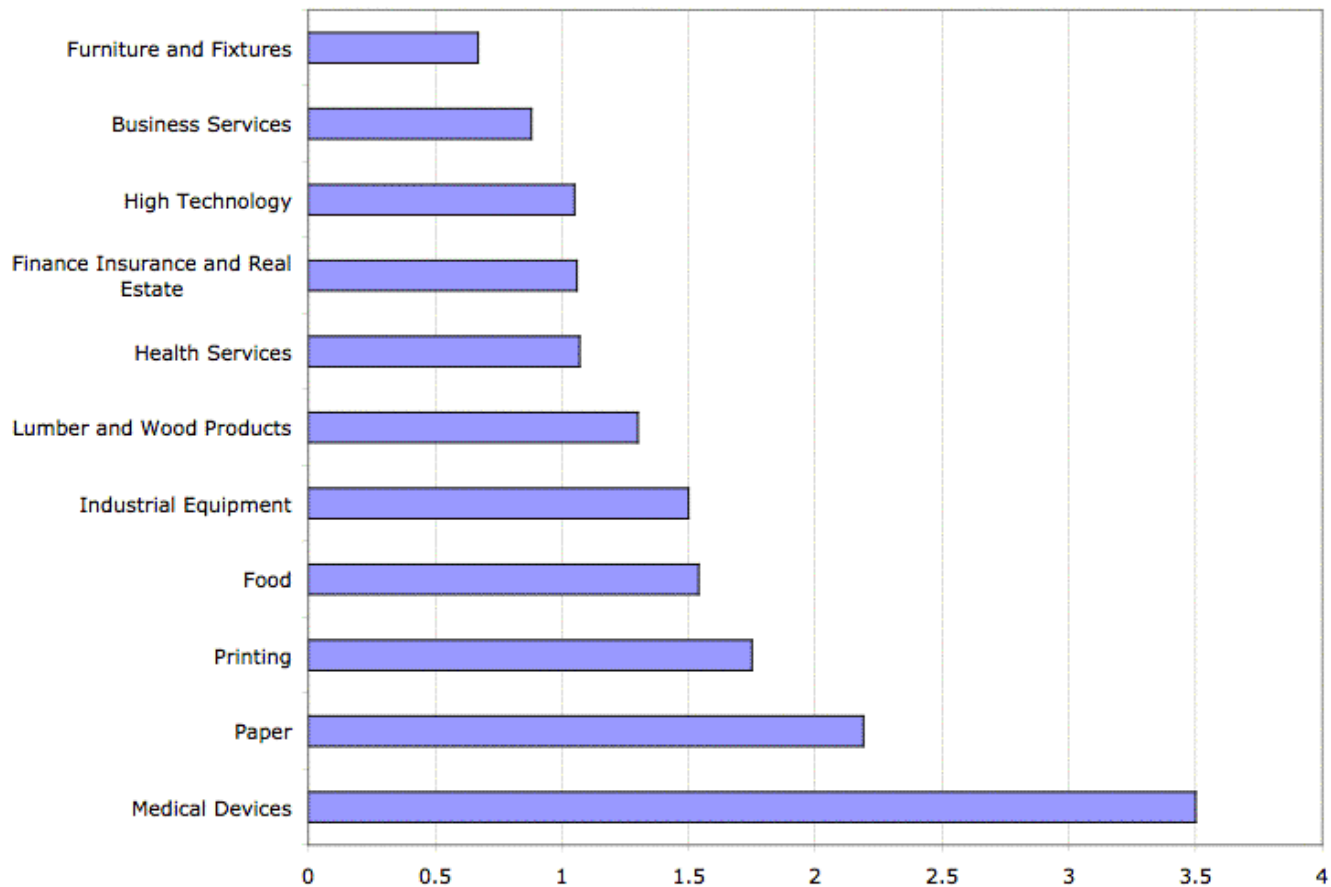
Location Quotient >1 : exporting employment (basic)

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

Areas of Practice

Economic development planning

Location Quotient for Selected Industries in Minnesota (2000)



Areas of Practice

Economic development planning

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).

Economic development planning

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

Areas of Practice

Economic development planning

Labor Force and Employment

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

Areas of Practice

Urban design

e.g., place making, transit oriented development, walkability, mixed use, public realm, design guidelines, wayfinding, infill development

- ❖ 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

Areas of Practice

Housing planning

e.g., homelessness, affordability, market analysis, policy, finance, fair housing, manufactured housing, micro-housing, universal design, co-housing, accessory dwelling units

- ❖ 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



Areas of Practice

Housing planning

- ❖ 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



Areas of Practice

Parks, recreation, and open space

e.g., standards, incentives, greenways and trails, scenic resources, preservation, viewsheds, wildlife corridors, connectivity, conservation easements, transfer/purchase of development rights

❖ 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)

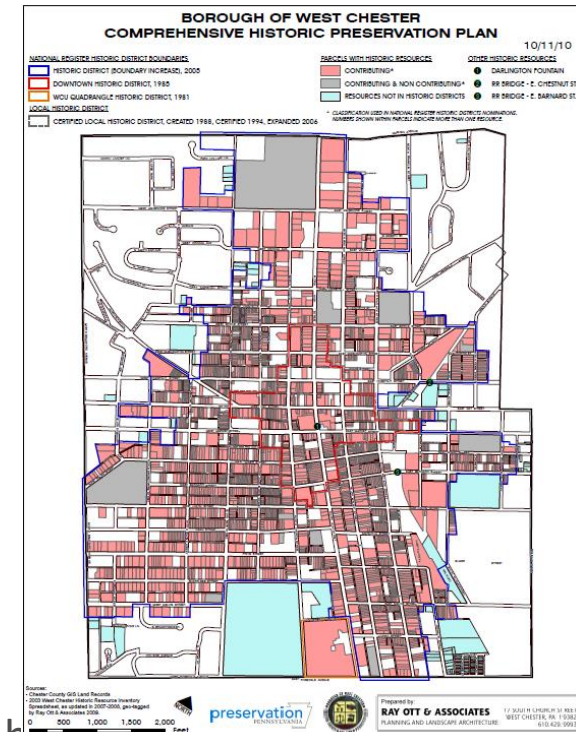


Areas of Practice

Historic and cultural resources planning

e.g., historic preservation, adaptive reuse, regulatory context, financing, cultural and heritage preservation, arts districts

- Historic district vs. structures
- History
 - First historic district – Charleston, South Carolina (1931)
 - New Orleans - Vieux Carré Commission in 1937 to maintain the French Quarter
- **Federal:** National Historic Preservation Act (1966) – National Register of Historic Places, Section 106 process; Tax Reform Act of 1986
- **State:** State Historic Preservation Office (SHPO), enabled through NHPA
- Local
- APA Policy Guide: Historic & Cultural Resources



Link to...

Case law (Penn Central v New York, 1978 for example)

Areas of Practice

Institutional planning and siting

e.g., schools, universities/colleges, hospitals, jails and prisons, military bases, religious facilities

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



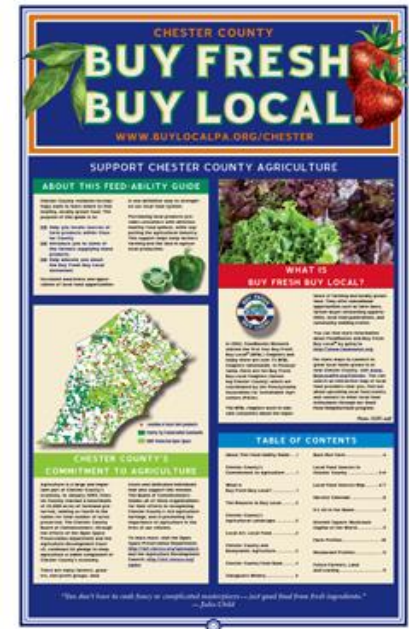
Consider impacts on education levels, labor force skill sets, employment, income levels, stability (or lack) of the labor force, demographics, etc.

Areas of Practice

Food planning

e.g., food security, access and justice, food production, food economies, food governance

- ❖ 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



Areas of Practice

Health planning

e.g., active living, aging in place, environmental justice, health districts and service distribution, health impact assessment

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.

Areas of Practice

Rural and small town planning

e.g., rural economic development, main streets, natural resource protection, tourism, multi-jurisdictional relations, rural character and scale

❖ 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



10 minute break

AICP Code of Ethics & Professional Conduct - 10%

- ❖ Most recent version 4/1/16
- ❖ 5 sections to the Code now
- ❖ Aspirational Principles and Rules of Conduct- UNCHANGED
- ❖ Five parts:
 - A. Principles to Which We Aspire
 - B. Our Rules of Conduct
 - C. Advisory Opinions
 - D. Adjudication of Complaints of Misconduct
 - E. Discipline of Members
- ❖ Available on the APA website

AICP Code of Ethics & Professional Conduct - 10%

❖ Five parts:

- A. Principles to Which We Aspire - UNCHANGED
- B. Our Rules of Conduct - UNCHANGED
- C. Advisory Opinions - How one may obtain either a formal or informal advisory ruling, as well as requirements for an annual report
- D. Adjudication of Complaints of Misconduct - How a complaint of misconduct can be filed, and how complaints are investigated and adjudicated
- E. Discipline of Members - Forms of disciplinary actions

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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**“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.

Code Procedures

❖ *C: Advisory Opinions*

- Informal Advice – anyone can request from the Ethics Officer, not binding
- Formal Advisory Opinion – members only can request, to the Ethics Committee, written, binding, may be published
- Annual Report – Ethics Officer to the AICP Commission (to include all Formal Advisory Opinions and interpretations of the Code), AICP Commission to the membership (contents not specified)

Code Procedures

❖ D: *Adjudication of Complaints of Misconduct*

- Filing
- Review
- Determination
 - Appeal by complainant if dismissed
- Fact Finding
- Decision/Dismissal
- Potential Outcomes: 1) confidential letter of admonition, 2) public reprimand, 3) suspension of AICP membership, or 4) expulsion from AICP
- Appeals – to the Ethics Committee

This level with
the Ethics Officer

Can negotiate a settlement

Code Procedures

❖ E: *Discipline of Members*

- Discipline for Code violations plus: serious crimes, crimes, loss/restrictions of other licenses/certifications, failure to notify AICP
- Same potential outcomes, potentially with conditions
- Serious crime/crime– fraud, failure to pay taxes
- “other conduct inconsistent”
- Reinstatement process
- May publish information

Sample Question

An AICP member charged with misconduct under the AICP Code of Ethics and Professional Conduct can appeal the initial determination to 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? 2015 Activity

❖ Ethics Cases - 12 Total

- 7 Cases Resolved (4 dismissed, 3 settled)
- 5 Cases Pending (2 under review, 3 in abeyance – members dropped AICP during process)

❖ Ethics Committee Actions

- Prepared revisions to Code and passed onto the AICP Commission for consideration (Sections C and D)
- Reversed dismissal of case by Ethics Officer (EO issued revised complaint)

❖ Requests for Informal Advice: 40

Another FYI ... Case Activity Trends

❖ Ethics Cases

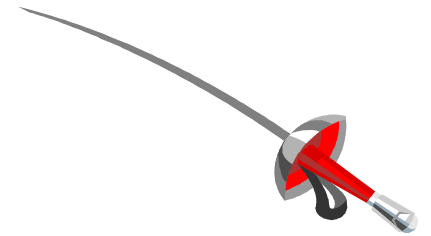
- 2005: 7
- 2006: 9
- 2007: 12
- 2008: 15
- 2009: 11
- 2010: 4
- 2011: 4
- 2012: 2
- 2013: 6
- 2014: 13
- 2015: 12



- ❖ Ethics Committee Actions from 2005 – 2015: 2005, 2009, 2014, 2015
- ❖ Requests for Formal Advice from 2005 – 2015: none identified
- ❖ Requests for Informal Advice ranging between 15 – 40 annually in recent years

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 and Ethics Committee



Resources for Scenarios

❖ *The Ethical Planning Practitioner*, 2016 – Jerry Weitz

❖ 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

Scenario 13: Potential Conflict With Public and Nonprofit Roles

You are the planning director for a local government and have been asked to join the board of directors of a nonprofit organization that seeks to create more affordable housing in the region. If you serve in a leadership role for the nonprofit organization, might those responsibilities cause an ethical conflict with your responsibilities as planning director?

- Relevant portions of the Code:
 - Aspirational Principles: 1.f, 2, 2.c, 3, 3.b, 3.j
 - Rules of Conduct: 4, 7

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PA Chapter of the APA

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American Planning Association
Pennsylvania Chapter

Making Great Communities Happen