

Book Clubs, Video, and Meetups



Integrating Nature Into the City
 December 10, 2014 | 7:00 - 9 P.M. | Doors open at 6:30 P.M.
 Joe C. Thompson Conference Center at UT Campus
 2405 Robert Dedman Drive | Austin, Texas 78712
 Parking Entrance off Red River Street, Lot 40 (see map)

Limited parking is available; please also consider walking, biking or taking transit (CapMetro trip planner: www.capmetro.org/planner).

What are the benefits of Green Infrastructure?

The Imagine Austin Speakers Series continues on December 10th with presentations and a panel discussion on the topic of “integrating nature into the City”. This event will be held at the Joe C. Thompson Conference Center at the UT campus (TCC on map). Integrating nature into the City is one of the guiding principles of the Imagine Austin Comprehensive Plan and is seen as essential to the Imagine Austin vision of a more compact, connected, livable and healthy community. Join us and learn more about:

- ♦ Why integrating nature into the city is important
- ♦ How valuable is green infrastructure in developing a compact and connected city
- ♦ Environmental policy in Austin: Its history and future challenges
- ♦ Innovative approach: Washington D.C. and their Green Area Ratio Program

Featured Panelists:

Dr. Ming (Frances) E. Kuo | Director of the Landscape and Human Health Laboratory (LHHL) at the University of Illinois at Urbana-Champaign. Dr. Kuo founded the LHHL in 2006, to focus on the relationship between human health and greenspace.

Patrick Murphy | Formerly the City of Austin’s Environmental Officer and Assistant Director of the Watershed Protection Department. Successfully implemented the multidisciplinary review of land development projects to ensure conformity with the City of Austin’s tree, landscape and watershed regulations.

Laine Cidlowski | Project manager for the Sustainable (Washington) DC initiative for the District’s Office of Planning, which is a plan to make Washington DC the healthiest, greenest and most livable city in America. She is responsible for sustainability planning issues for the District of Columbia such as green infrastructure and the built environment.



Logos: RECA REAL ESTATE COUNCIL OF AUSTIN, APA TX, CNU CTX, TREEFOLKS, SIERRA CLUB, AUSTIN PARKS FOUNDATION, aia austin, ASLA TEXAS AUSTIN.

The Imagine Austin Speaker Series | A series of annual talks presented by nationally known experts in the fields of land use, transportation, development, the economy, education, workforce development, the built and natural environment, green infrastructure, social equity, community leadership, and sustainability to promote and implement Austin’s vision for the future, the Imagine Austin Comprehensive Plan. This event is co-hosted by the City of Austin’s Planning & Development Review Department.

For More Information | Kathleen.Fox@austintexas.gov or (512) 974-7877

IMAGINEAUSTON SPEAKER SERIES

Austin used a promotional poster for the “Integrating Nature Into the City” panel discussion that drew more than 100 attendees.

PLANNING TOOLS

A book club is just one of the imaginative approaches that Austin, Texas’s planning department has used to engage and educate city residents about planning. Videos and lectures are other outreach programs that also are attracting followers.

While community leaders understand the importance of implementing their comprehensive plan through capital budgets, regulations, and partnerships, one important approach should also be considered: outreach activities that educate and engage residents. Outreach is certainly an important factor when developing a comprehensive plan, and the same is true to make the plan a reality. To move the *Imagine Austin Comprehensive Plan* forward, Austin is using creative outreach activities. The goal of these efforts is threefold: to educate residents and city officials; create a large, diverse audience; and get

more people involved in their community, both in their neighborhood and citywide initiatives.

Facebook and city hall meetings were just not enough. To meet our three goals, the Planning and Development Review Department and Communications and Public Information Office staff realized we had to go beyond the usual methods to engage our large, diverse community. While Austin is widely known as a vibrant city, reflected in the “Keep Austin Weird” ethos, Austinites are diverse and attracted to a wide range of activities that are fun, enjoyable, and welcoming, but they are also busy, like everyone else, and we wanted them to know we value that.

A toolbox of outreach activities educates and engages members of our community interested in aspects of *Imagine Austin*. Communities big and small can use these tools, particularly since most of them can be done for little or no cost. These tools help implement *Imagine Austin*, which was adopted in 2012, to address three aspects of sustainability: environment, equity, and economy. The plan consolidates these three themes into the term “complete community,” which is a community where our daily needs are a short trip away from where we live, work, or play (see more at <http://austintexas.gov/imagineaustin>).

Outreach toolbox

MEETUP. The essence of Austin was the focus of a 2014 panel at South by Southwest Interactive called “Austin, a City with a Soul.” Building off of this panel, the *Imagine Austin* Meetup was launched to create a fun, social atmosphere that allows people with similar interests to meet and connect. A meetup is a network of local groups where people get to know others with similar interests. The *Imagine Austin* Meetup is made up of nearly 250 members with varying interests but with broad community interests in common. With that in mind, each *Imagine Austin*

Meetup has a different focus, such as transportation, homelessness, climate change, and Austin's uniqueness. At each event, we invite organizations related to that topic to meet interested participants, who might engage with their program and be inspired to take action. An average get-together draws about 50 people.

BOOK CLUB. Many important and insightful books about planning, architecture, and design are great educational resources. The *Imagine Austin* Book Club was developed to showcase these books. Participants can learn about the principles of planning, design, and architecture as well as the principles of *Imagine Austin*. Books have ranged from the classics like E. F. Schumacher's *Small is Beautiful* to contemporary works like Charles Montgomery's *Happy City*. Book club groups are limited to 15 members to ensure everyone in the group has the opportunity to participate in the discussion. To make the club convenient and affordable, we strive to read books that are available at the Austin Public Library. The library has been a wonderful partner, and has purchased some of the books that were not in their inventory.

SPEAKERS SERIES. The Speakers Series brings nationally known speakers to Austin to educate both the public and staff about issues related to *Imagine Austin*. As this is a relatively costly endeavor, the city frequently partners with nonprofits and other city departments to bring in

Austin is using creative outreach activities . . . to educate residents and city officials; create a large, diverse audience; and get more people involved in their community.

planning notables such as Jeff Speck, AICP (author of *Walkable City*); Ellen Dunham-Jones (coauthor of *Retrofitting Suburbia*); and metropolitan land-use strategist Christopher Leinberger. Many of the events, particularly those with these marquee speakers, have drawn over 100

attendees. All of these events have been recorded by the city's ATXN network and made available on the *Imagine Austin* website. We have also hosted local speakers to expand this educational series at little or no cost.

VIDEO SERIES. Anyone with a smartphone can make their own videos. Watching videos on a smartphone, tablet, or laptop is a way many people get information. Through coordination with our Communications and Public Information Office, we will be launching a video series to find out why people live where they live. The videos can be recorded on a smartphone and then made available on the *Imagine Austin* website. We will also launch a video series that focuses on complete communities. This series will be recorded by ATXN and posted on the *Imagine Austin* website.

VIDEO NIGHT. Next we will be launching a Video Night series that we hope will be coordinated with several city and other local initiatives. Video Night would include TED Talks or YouTube videos related to a local initiative. The videos would be combined with local speakers to create an interactive event. This low-cost program will use existing videos rather than paid outside speakers. Beyond education, the goal is to connect interested people with an initiative that carries out the provisions of *Imagine Austin*.

We hope Austin's active community engagement will lead to more diverse participation and, most importantly, good activities in Austin. We intend to keep creating innovative ways to educate and engage interested residents.

—Paul DiGiuseppe

DiGiuseppe is a principal planner for the Imagine Austin team in the Austin Planning and Development Review Department.



Nearly 60 people attended the *Imagine Austin* Meetup event at the downtown Whole Foods to discuss what makes the city unique.

Breathe Better Air, Breathe Easier

BEST PRACTICES

This year marks the 45th anniversary of the 1970 Clean Air Act. Under the Act, the U.S. Environmental Protection Agency safeguards public health by setting national standards for six “criteria” pollutants: particulates, ozone, lead, sulfur dioxide, nitrogen oxides, and carbon monoxide.

In 2007, the U.S. Supreme Court ruled that greenhouse gases were also air pollutants, so to comply with the Clean Air Act the EPA must now regulate greenhouse gas emissions (see *Massachusetts v. EPA*, 549 U.S. 497 (2007)).

The Obama administration has made reducing greenhouse gases a centerpiece of its environmental agenda. In 2009, the federal government called for reducing greenhouse gas emissions by 80 percent below 2005 levels, with a short-term goal of a 17 percent reduction below 2005 levels by 2020. As of today, the U.S. appears to be on track toward meeting this short-term goal. In June 2014, the EPA proposed the so-called Clean Power Plan rule aimed at reducing carbon dioxide emissions from power plants by 30 percent from 2005 levels by 2030. The rule will be finalized in June of this year and then the states will have a year or more to draft plans to comply with the rule. It is important to note that reducing the emissions of the original six criteria pollutants will also lower greenhouse gas levels.

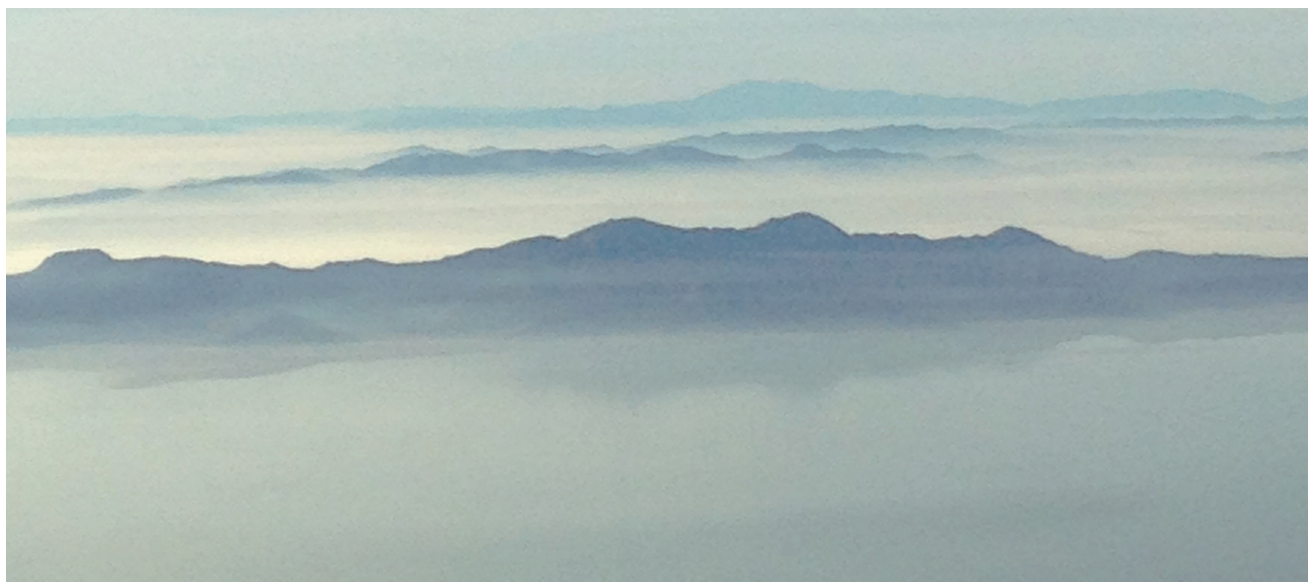
Think globally, act locally

It may be tempting for local elected officials, planning commissioners, and planners to assume that the federal government will take care of air pollution. But local government planning efforts to cut air pollution are an excellent example of the old saying, “Think globally, act locally.” Clean air should be a goal in any comprehensive plan. Planning commissioners can influence air quality by promoting more compact development in plans and zoning codes, investments in mass transit, mixed use development made possible by mixed use zoning districts and form-based codes, and bicycle lanes and sidewalks for pedestrians. Planning commission recommendations on proposed development projects can reinforce these objectives to achieve and maintain local and regional air quality.

Under the Clean Air Act, the EPA regulates emissions from mobile sources (cars and trucks). The states have authority over emissions from stationary direct (power plants) and indirect sources (such as regional shopping malls). States must also adopt plans to

meet and maintain air quality standards. If your community is located in a metropolitan area, your regional MPO must draft transportation plans and list transportation projects that are consistent with the state’s implementation plan to bring that metro region into compliance or to maintain compliance with the national air quality standards. Today, about 400 counties do not meet the standards of all six original criteria pollutants. Remarkably, since 1970, only one metro area—greater Denver—has improved its air quality enough to come into compliance with the Clean Air Act.

The 1990 Clean Air Act Amendments added several important elements to control air pollution. These include pollution control technologies, air pollution permits for existing large stationary sources of pollution, air pollution offsets for businesses that want to expand in areas out of compliance with the national air quality standards, and a cap-and-trade program of tradable pollution credits—which resulted in a successful reduction of sulfur dioxide emissions, the main ingredient in acid rain. The 1990 Amendments allow the EPA to withhold highway funds from metro areas that do not comply with the national air quality standards. But this



An inversion happens when cold air and pollution are trapped under warm air, as in this valley in the Wasatch Mountains in Utah.

sanction has only been used once, in 1998–99 in greater Atlanta.

Good progress, but air quality still a concern

The Clean Air Act and subsequent amendments have greatly improved America's air quality. According to the federal government, from 1970 to 2010, the total amount of air pollution caused by the six common pollutants declined by 72 percent. Over that same time period, America's GDP increased by 219 percent, demonstrating that environmental improvement and economic growth can coexist. The benefits of improved air quality are enormous. From 1970 to 1990, the EPA estimated the value of lower mortality and fewer illnesses, asthma attacks, trips to the hospital, and lost work days at \$13.7 to \$21.7 trillion. In a follow-up study, the EPA projected that the total benefits of the 1990 Amendments would reach \$12 trillion over the 30 years from 1990 to 2020.

Yet, according to the American Lung Association's *State of the Air 2014* report, almost half of all Americans live in counties where ozone or particulate pollution levels make the air unhealthy to breathe. You can go to stateoftheair.org to find out the rating of the air quality in your community or state. My home county, Lancaster, Pennsylvania, received an F for both ozone and particulate pollution.

Air quality is closely linked to quality of life. Each year, air pollution accounts for more than 100,000 premature deaths in the U.S., according to the EPA. In addition, dirty air can increase the frequency and effects of asthma attacks, chronic bronchitis, emphysema, lung cancer, and circulatory problems. Poor air quality can also hinder economic development. The Clean Air Act makes it more difficult to develop in areas that are out of compliance with the national air quality standards than in areas that meet the standards.

Local energy planning

If there are coal-fired power plants in your community, you should be aware of their

age and condition. The proposed Clean Air Act regulations will make upgrades of old coal-fired power plants less likely. Coal-fired power plants built before 1970 were exempted from the Clean Air Act standards. These old power plants contribute more than their fair share of air pollution and greenhouse gases.

Even though there will be more pressure on coal-fired power plants to cut their emissions, the EPA is estimating that about 30 percent of U.S. electricity



Bruner Island Steam Electric Station, a coal-fired plant in York County, Pennsylvania.

will still come from coal in 2030, down from just under 40 percent today. Some critics charge that the new rule will force up electricity prices. On the other hand, solar and wind power have been growing at a rapid pace in recent years, signaling a shift away from large power plants to many smaller plants and power generation for single buildings. Local governments can encourage solar power through a solar access ordinance and wind power through siting standards. In states rich in natural gas—such as Pennsylvania—there will likely be a strong push to build new combined-cycle natural gas-fired power plants. Siting these plants and the pipelines that feed them is already stirring local debate.

Observations

AIR POLLUTION FACTORS

Several factors contribute to the air quality or degree of pollution in a locality or region. These include:

1. The amount and rate of **pollutants** released by local stationary sources and mobile sources.
2. The prevailing **wind direction and speed**: The stronger the upper level and surface winds, the faster and farther pollutants are dispersed.
3. **Climate**: Warm, humid air holds more pollutants than cold, dry air. Air pollution concentrations normally

ON A RELATED TOPIC

increase with warmer air and dissipate with wind. In humid areas, climate change will produce higher temperatures and more smog.

4. **Topography**: Thermal inversions are common in the western U.S., where cities such as Los Angeles and Salt Lake City were built close to mountain ranges (see photo on previous page). A thermal inversion occurs when cooler air close to the ground is trapped under a ceiling of warmer air. Polluted air cannot rise to disperse, and smog, in particular, can become dangerously concentrated. There is a risk of severe health effects if dense population, industrial areas, valleys, fog, and thermal inversions converge.
5. **Vegetative cover**: Interestingly, the scientific data on whether vegetative cover reduces air pollution is mixed. Some scientists have found that trees do little to filter air pollutants. Urban street trees sequester less carbon than rural forests. On the other hand, several cities, such as New York and Philadelphia, have embarked on massive tree planting programs in part to absorb air pollutants.

—Tom Daniels

Daniels is a professor in the Department of City and Regional Planning at the University of Pennsylvania. He is the author of The Environmental Planning Handbook, 2nd edition, published by APA Planners Press in 2014.

Findings of Fact for Planning Commissions

LAW

Picture this scene: A typical planning commission is meeting to consider a controversial zone change—it could be anywhere in the country. The meeting is crowded and emotions run high. The planning staff presents their staff report with its exhaustive analysis. The applicant makes a long and detailed presentation complete with appearances by an attorney, architect, engineer, landscape architect, and traffic engineer. A parade of citizens speak, voicing a wide range of statements and opinions, some on point, some not relevant to the case at hand, almost all in opposition. The commission is attentive and diligent, and the information is substantial and complicated. After many hours of testimony, the planning commission deliberates extensively. Finally a motion is made to approve the project; it is voted on and approved. The announcement is simple: “Motion to recommend approval of the project.”

What, if anything, is wrong with this familiar picture? By all accounts, commission members ran a fair meeting and were dedicated to making the best decision for their community. Isn't that their job?

Understanding the answer is a key to understanding the nature of planning commission decisions. Yes, it is the job of planning commissions to make decisions in the best interest of the community. However, they must do so by making the critical connection between facts and standards in order to avoid being arbitrary and unfair. The problem with our scenario is that the planning commission did not explain the basis or rationale for its decision. It did not make a connection between facts and standards.

Planning commissions are hardworking groups that have the best interests of their communities at heart. However, it is not enough to work hard and have your heart in the right place. Planning commissions should do more than decide whether they “like” the project that is before them or whether it is a good thing for the community. *Planning commission decisions should be based on a careful consideration of facts and whether those facts allow the planning commission to conclude whether applicable community policies and standards are met.* Those facts should be site- and neighborhood-based; the policies and standards should be grounded in the community's plans and in their land-use regulations. In short, decisions should be based on a sound basis and rationale.

This article focuses on findings of fact as a tool to communicate how and why planning commissions make a decision. First, there are several important caveats: The laws that govern planning commissions, and how they are required to document their decisions, vary from state to state and community to community. Some states and communities require that planning commissions document the basis of their decisions; others do not. Each commission and their staff should become familiar with the unique requirements of their jurisdiction. However, regardless of what the law requires, planning commissions should clearly communicate the basis of their action as a simple matter of good government. The public has a right to know why decisions are made the way they are.

“Findings of fact” are specific facts about the application that the planning commission finds to be true and which lead to its conclusion that the application conforms or fails to conform to applicable policies and regulations. Findings of fact are the “footprints” that show the connection between the decision of the planning commission, the factual basis for the decision, and the community's policies and regulations.

The following are some principles that can guide planning commissions as they think through the best way to make findings of fact.

PLANNING COMMISSIONS ARE NOT COMMITTEES OF COMPASSION. While planning commissions can and should exhibit compassion for applicants and other citizens, it is ultimately the job of the commission to make fact-based determinations and not be influenced by emotions or personal stories.

DECISIONS MUST BE BASED ON FACTS.

Zoning decisions involve physical places. Decisions related to planning and zoning cases should be based on the facts associated with the property and the physical issues in the surrounding areas.

FACTS MUST ADDRESS THE STANDARDS.

When reviewing an application, a planning commission must have the applicable policies and standards in front of them. The thought process of the planning commission should focus on fact-based information relevant to community policies and standards.

THE BURDEN OF PROOF IS ON THE

APPLICANT. While the planning commission can and should have user-friendly procedures and meetings, ultimately it is up to the applicants to demonstrate that they meet the community standards.

INFORMATION IS NOT THE SAME AS

‘FACTS.’ It is up to the planning commission to sort through what it determines to be relevant facts. Planning commissions typically hear a wide range of information and testimony during the course of an application, and it is the commission's responsibility to sift through it. Not all facts are equal. It is the commission's job to weigh the applicability and credibility of information.

OPINIONS WITHOUT A FACTUAL BASIS ARE WITHOUT MERIT. Experts and citizens alike are entitled to their opinions. However, when people present opinions at meetings, the planning commission has a right and an obligation to request and determine the basis of that opinion.

There are many ways for a planning commission to structure findings of fact. One is to include facts, reasons, and rationale as part of motions for each proposal. Another is to make a provisional decision to approve or deny an application, providing staff with guidance in drafting a resolution detailing the findings for action at a subsequent meeting. Yet another is to structure staff reports as templates for

proposed findings, subject to modifications by the commission. Commissions should work closely with their planning staff and legal counsel to determine the best mechanism for each community depending upon its own legal requirements.

The following are some options that a planning staff or commission can review as they think through what would work best for its community:

- ▶ Use the initial application to require an applicant to explain how their proposal meets the community's standards.
- ▶ Use the planning staff report to present proposed findings of fact based upon the standards.
- ▶ Encourage speakers at meetings to present factual testimony related to standards.
- ▶ Have the actual standards in front of the commission when hearing cases.
- ▶ Encourage the planning commission to ask specific questions designed to elicit evidence related to the standards.
- ▶ At meetings, explicitly deliberate the facts and relationship to the standards after the public comment period is complete.
- ▶ State the basis and reasons when making motions.
- ▶ Use minutes to clearly reflect the conclusions of the commission related to the basis and rationale for the decision.

Findings of fact are an effective tool to make sure that a planning commission stays focused on their mission: making fact-based decisions based upon community policies and standards. It is an effective way for a commission to provide discipline in its decision making. It also provides the public with a better understanding of how and why planning commissions come to their conclusions.

—C. Gregory Dale, FAICP

Dale is a founding principal with McBride Dale Clarion, the Cincinnati office of Clarion Associates, and frequent trainer of commissions.



HISTORY

THE NEW DEAL GOES SWIMMING. “Give a man a dole and you save his body and destroy his spirit. Give him a job and you save both body and spirit.” (Harry Hopkins, President Franklin D. Roosevelt’s Federal Relief administrator during the New Deal era of the 1930s.)

During the Depression, the Works Progress Administration put thousands of unemployed New Yorkers to work building public pools to improve the health and well-being of city residents. Eleven of the nation’s most technologically advanced pools were opened in quick succession in 1936, bringing residents a refreshing respite from a hot New York City summer. Prior to the WPA pools, many New Yorkers braved cold water, swift currents, and pollution by swimming in the East and Hudson rivers. Pictured above is the Astoria Pool in Queens, the largest of the WPA pools.

—Ben Leitschuh

Leitschuh is APA’s education associate.

RESOURCE FINDER

IS YOUR COMMUNITY CONCERNED ABOUT AIR QUALITY? See how your air stacks up against other cities around the country and learn about potential legal pitfalls when addressing the issue of clean air through ordinances.

APA PUBLICATIONS

Clean Air Act Precludes Nuisance Claim

Molly Stuart
Planning, January 2013
planning.org/planning/2013/jan/legalnews.htm

Texas Clean Air Act Preempts Houston Ordinance

Molly Stuart
Planning, May/June 2013
planning.org/planning/2013/may/legalnews.htm

Peer Review Clarifies Lots of Things, Including the Relationship of Sprawl and Air Pollution

Reid Ewing
Planning, July 2010
planning.org/planning/2010/jul/research.htm

How Cities Use Parks to Improve Health City Parks Forum

planning.org/cityparks/briefingpapers/physicalactivity.htm

WEB RESOURCES

American Lung Association’s State of the Air 2014

Find out your city’s or county’s air quality grade
stateoftheair.org

California Environmental Protection Agency: Air Resources Board

arb.ca.gov

EPA National Air Toxics Program: The Second Integrated Urban Air Toxics Report to Congress

www2.epa.gov/sites/production/files/2014-08/documents/082114-urban-air-toxics-report-congress.pdf

—Ben Leitschuh