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Excerpts and Summary of the 64<sup>th</sup> Community Hunger and Nutrition Forum

Wednesday, March 8th, 2006 12:00PM –4:30PM

Trinity Lutheran Church, Fresno

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Supported by:

California Dept. of Health, Cancer & Nutrition Section, CA Nutrition Network

MAZON: A Jewish Response to Hunger

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the health and nutrition of CA consumers

Fresno County Economic Opportunities Commission Refugee Rural Initiative

## Forum & Training: **Building Healthy Environments**

Lisa Feldstein on the role of the public health professional in city & county land use decisions for better nutrition, food access, & physical activity

The following is a summary of the reports made at the forum compiled by Jeremy Hofer and Carey Berend.

### **Hunger and Nutrition Forum Wednesday, March 8, 2006**

**Lisa Feldstein** directs the **Land Use and Nutrition Education Program** which seeks to engage public health leadership working with food stamp populations to change the built environment in order to ensure greater access to healthy food, and increase opportunities for physical activity. The goal of the project is to ensure that low-income communities have access to healthy foods and physical activity opportunities to prevent obesity and related chronic diseases. The Program is developing tools for and providing technical assistance to health advocates that will give them the tools to ensure that public health concerns related to obesity are included in decisions related to the built environment especially in low-income neighborhoods. The Program is focusing on three land use planning mechanisms to achieve these objectives: General Plans, Zoning, and Redevelopment.

### **General Plans**

**Lisa Feldstein:** What we're going to do is just build your vocabulary today. We're going to start by talking about General Plans. **A General Plan is most often described and is described in law as the constitution for future development. I think that it's more accurately a blueprint for a community.** It's a long-term policy guide. It talks about how a community is going to grow and change over a period of decades. It talks about the physical growth, economic growth, environmental, and it talks about how a jurisdiction might renew itself and change. The policies of development that are stated in there are stated broadly and there are things in there that are called objectives, there are principles, there are standards. The important thing about this in California, and this is not true in every state, is that all land use decisions must under law be consistent with the language in the General Plan, which means that if you get language into your General Plan that says we as a community believe that everyone should have access to healthy, fresh, affordable food, then the development decisions that follow must reflect that. You can't then say, oh, you can't build any supermarkets in low-income neighborhoods, because you've said that this is an important value.

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Resources from this training are available at [www.fresnometmin.org](http://www.fresnometmin.org)

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The reason that I recommend that if you're engaging in land use change that you start with the General Plan is that it's not as intimidating to people. The language tends to be very general, it's broad, it's grand, but once you've got it there you can go back and say, now wait a minute, you've got this in your General Plan. The development that follows must be consistent with the General Plan. General Plans cover long periods of time. They cover 10- to 30-year periods, sometimes a little less, sometimes a little more. I've looked at General Plans that haven't been updated in more than 40 years. I've looked at some that were all newly updated just a year or two ago.

In terms of legal requirements, **California requires that General Plans have seven sections or chapters, and these are called elements. They're in no particular order and there's no hierarchy. There's a land use element, a circulation element, which is roads and transportation, and there's a housing element.** The housing element is really different and we're not going to spend much time on it because it's so very different. It's the only one that the state actually certifies. It has to be updated every five years. There's a whole set of requirements that are attached to housing elements. I'm more than happy to talk to you about them. I used to write them for a living, so I know a lot about them, but for our purposes today they're different enough that we're not going to spend a lot of time on them. **There's a conservation element, which is about the conservation of land and resources, there's an open space element, a noise element, and a safety element.** It's okay to combine these elements as long as these topics are covered, so you'll find a lot of jurisdictions have combined noise and safety, for example. The safety element is often called the health and safety element, but don't be fooled. There is nothing about health in there other than what happens in a catastrophic incident like an earthquake or a flood, levees breaking, stuff like that, the health impacts of those things. **It's not about health like you and I think about health, but there's no reason why it can't be.** The noise element is about the noise levels of various uses. You've got roads, industry, and other things, and it talks about how noisy those things are and how the community is going to make sure that that noise doesn't negatively impact the people who live there. Noise elements don't get updated very often. Things don't change that much in terms of noise generation. Land use elements can get updated fairly often. Housing elements have to be updated frequently.

You're not going to want to read your whole General Plan. For one thing, it's very, very long and most of it is very, very boring, but most of it is not stuff that's going to concern you. You're probably not going to care a whole lot about the safety element, for example, but **if you're talking about food access or physical activity you might care a lot about the land use element. You might want the circulation element to focus more on bikes and walking trails and not just how people in cars are going to get from one place to another. The housing element would be good to look at because it does talk in depth about low-income populations in your community.** The housing element requires that the community plan for creating affordable housing for low-income people. It doesn't require that it get built, just that they plan for it, that they say it could be built on this parcel of land over here, and so in terms of the City's thinking about where low-income growth might happen, it can be useful. Cities and counties can also have other elements. There is no limitation. There was a southern California community that's now rewriting its General Plan, but it had like 36 elements in its General Plan. It was completely out of control. No one could read it. There was just too much there. That's probably too many, but it's not unusual for communities to have more than these seven elements. You might have an agricultural element, for example, in an agricultural community. Where I live there is a business and tourism element that looks at those things. So General Plans, as long as you cover these things, are very customizable. Communities can take their General Plans and make them really reflective of the vision of that community. But health isn't there and food is generally not there either.

**Helda Perez:** I am asking about your experience in relationship to General Plans that are protective of the health of the people in regards to pollution. We have, as everybody knows here, a major issue related to pollution. I was just reviewing a document in which we are doing a self-analysis of how we are doing in Fresno County and several different counties in relationship to the Healthy People 2010

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objectives, and it's really scary how many days we are having high pollution levels here in Fresno as compared to the Environmental Protection Agency regulations, so if you or someone in the audience could share how this General Plan in Fresno is reflective of that need, of that concern that we have.

**Lisa Feldstein:** Many communities have air quality elements in their General Plans. That's actually one of the most common of the optional elements that you see. Fresno does have an air quality element, and that's absolutely something that can be there. The City of Benicia actually has health language. I looked at about 300 General Plans in the last ten months or so for California and what I was looking for was health and food access. **Benicia is the only city in California I found that actually talked about food and its connection to health.** It's in their General Plan. There's no reason why it can't be in yours. As we've talked about, there is some revision work going on. There are opportunities to put this there. All it requires is someone advocating for it.

In addition to requiring these seven elements, the state has content requirements and procedural requirements for General Plans. **One of those requirements in terms of content is that the General Plan has to be comprehensive.** It's a General Plan for the development of the whole community, so it has to think comprehensively about the community. **Now, to my mind health is part of a comprehensive look at a community. To my mind food access is part of a comprehensive look at a community,** so I think it's perfectly appropriate to want those things and to advocate for those things in your General Plan. Just because it hasn't traditionally been there doesn't mean that it can't be there. The elements have to be consistent one with another. This is really an important point. I mentioned that the housing element has to identify land that could be developed as low-income housing, so if there was a parcel of land that in the housing element had been identified as potentially developable for low-income housing, the open space element could not say that that same parcel of land was supposed to be kept as open space forever. Clearly it can't be both. So if a piece of land is identified for one use in one element, it has to be identified the same way in all of the elements.

In order to amend a General Plan or to adopt a new General Plan public hearings are required, so here's an opportunity for you. They have to listen to you. They're required under law to hold at least one public hearing. That's a place for you to show up and talk and explain what you want. The other thing that's important is that all zoning has to be consistent with the General Plan, so if the General Plan states that there is certain land that's going to be held, it's an important value, that Fresno retain the agricultural capacity that it has, let's say that that was a statement in your General Plan. Then your zoning would need to keep that land zoned as agricultural.

**Jeff Roberts:** We have a charter city here and there is a consistency requirement today, which wasn't always there. There are still quite a few parcels out there that are not consistent with the General Plan in terms of their zoning, but as every year goes by it becomes closer.

**Lisa Feldstein:** That's a common problem. We see that everywhere. The lofty ideals and what actually happens on the ground are often different. The consistency requirement actually flows from the state, so charter cities can't override the consistency requirement. There are other things that they can disregard the state on, but consistency is not one of them.

**Communities use General Plans to guide development.** They use them to put forth a vision for how the community should grow and change. Where do you find this amazing document? You find it at your Planning Department. It's available to you in many libraries. It's something that's worth just sort of getting a sense of and you can usually get on a mailing list to find out when and how the General Plan is going to be amended.

**Rachel Carpenter:** Jeff brought up charter city as though that was some kind of an exemption. Can you explain what the difference is with being a charter city?

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**Lisa Feldstein:** **There are two kinds of cities in the State of California. There are charter cities and there are general law cities.** Charter cities have charters and have a lot more independence than general law cities. Within the state code there is a whole set of laws for local governance and if you are a general law city, if you do not have a charter, then your laws flow from the state. The state says this is the set of laws that you use to govern yourself. With a charter city the city itself makes decisions about how to govern itself. It writes its own laws. In many cases charter cities take a lot of their laws from the general laws and so there's not a significant difference, but they have a tremendous amount of flexibility that general law cities do not have. Fresno is a charter city. **Pretty much any city of any size in California is a charter city.**

## Amending a General Plan

**There are really two ways to think about amendments. There are comprehensive General Plan amendments,** and within that there are two ways to do it. One is where you actually amend the entire General Plan, all of the elements. This is a very expensive process. It routinely costs upwards of half a million dollars, it takes several years, and there's usually litigation. A lot of people have a vested interest in what land use looks like in a community and so there's a lot of high feelings about the outcome. It's something that a community is required to do whenever their General Plan is no longer current, but it's a long and difficult and involved process. Sometimes a community will say, you know, these four elements really need updating but these two or three over here are okay. That's still a comprehensive update. That's a pretty big process. Jeff mentioned that when the General Plan was updated in 2002 he was on the citizens' committee that guided that process. That's very, very common to set up a committee of citizens to work on the General Plan update to make sure that the public's views are accurately reflected in this vision for the community going forward. **In the interim, in between these big updates, you will find periodically that there are small, incremental changes that need to be made in the General Plan.** Often it has to do with land uses changing in a rapidly growing city, so in a community like Fresno where you have a lot of agricultural land that's being turned over for residential use you may find that there are incremental changes that need to happen in the General Plan to keep pace with that. They can be in response to a specific development or they can be just sort of looking forward, well, that whole part of the city looks like it's ripe for a different kind of development. These interim changes can be to reflect new policy goals. **For example, if you wanted food access to show up in your General Plan you don't need to wait for the whole General Plan to be revised to make that kind of a change.** The tricky thing about these interim changes is that the consistency requirement still applies, so if you target one element of the General Plan for a change, you need to make sure that the change doesn't make that element inconsistent with all the other elements.

**Rachel Carpenter:** I've seen legislation because I'm with the Childcare Planning Council where the state has been entertaining the idea of mandating that childcare be put into planning, and I didn't know if that along with the whole charter city question, if it was added to the original seven elements or if was just for a general law city.

**Lisa Feldstein:** The element requirements are the same for charter cities and for general law cities. What I'm familiar with is that childcare under state law is an allowable use in residential districts. It depends on how the legislation is written. The state when it changes land use laws will either say that this applies to all cities, general law or charter, or they won't, so you can look to the state legislation to determine whether or not it applies to a charter city or not. In the case of requiring childcare in residential areas I think that does also apply to charter cities, but I'm not 100 percent sure about that.

This next point, that some jurisdictions are limited to four amendments a year, is actually a general law/charter city issue. Under general law a city cannot amend its General Plan more than four times a year.

**Jeff Roberts:** In Fresno it's three times a year.

**Lisa Feldstein:** Three times a year, so you have actually a more stringent requirement here than the state requirement.

**This is the process that the state has a community go through to amend its General Plan.** There can be little tweaks in this. Sometimes steps get switched or gone back to, but in general this is what you can expect. **First of all, an amendment is drafted. There is some model language in the tool kit, so if you're interested in how to incorporate physical activity or food access or farmers' markets or things like that into your General Plan, that language is available to you. It's introduced as a resolution and it may be referred to other agencies for comments.** For example, if the resolution as proposed might affect schools then the school district might be given the opportunity to comment. If you had a water district that was potentially affected, the proposed amendment would be referred to that water district for comment. Then there's a comment period that begins and environmental review is initiated. The law in California requires that any change to land requires environmental review. There are different levels of environmental review, but this is one of the ones that requires environmental review. The Planning Commission under law must hold at least one public meeting. In many communities if you're talking about a substantial revision there will be multiple hearings, not just one. If it's a minor technicality, maybe only one. The law says there has to be at least one. **The Planning Commission then votes on whether or not to recommend the amendment and forwards it to the jurisdiction's legislative body. In a city that would be the City Council and in a county that would be the Board of Supervisors.** They're only recommending. The Planning Commission does not have the power to adopt this. They could say they think it's a terrible idea and the legislative body could still vote to adopt it or they could say it's a great idea and the legislative body could vote it down. It's a recommendation. **The legislative body, like the Planning Commission, must hold at least one public meeting. Then they vote to adopt.** If they vote to adopt, after that vote there's a 30-day period before it takes effect. That 30 days is so that lawsuits can be filed if someone objects. If nothing happens in those 30 days to stay that adoption then that becomes part of the General Plan. There's an alternative to this, which is that General Plans can be amended through the initiative process. Occasionally you see this in communities. It's a hard thing to do because you're talking about something very, very technical and you're putting it to the voters, but it's absolutely part of California law. You can amend General Plans through the initiative process.

**Sarah Hedgepeth-Harris:** Let's assume for the moment that we're able to get something in the General Plan for the City of Fresno that says that our goal in the next five years is to have four areas of physical activity or so many bike paths or increase the sidewalk sizes in 25 percent of the jurisdiction, whatever it might be, and let's assume that that isn't done, that it's there in the General Plan but it isn't done. **What can you do as members of the community in terms of taking some kind of action to make sure that the things that are in the General Plan are actually acted upon?**

**Lisa Feldstein:** That's the million dollar question. **It's really a question of how much advocacy you're willing to engage in.** If you show up every week demanding this stuff they'll start to listen. If they think that no one is paying attention they won't. In an extreme case you could file a lawsuit to compel that they actually do what they say they're going to do, but that's slow, expensive, and not very efficient. I wouldn't recommend that as a way to get what you want done. **I think the way to do it is to be there to make sure that your zoning actually allows what the General Plan says.** We see communities that say they think walkability is important that do not allow sidewalks, where sidewalks are prohibited in the zoning code. Well, you've got a problem there. If you want bike paths you have to make sure that the land is actually available for bike paths and that there are people who are funded to build those bike paths. Money is often a really big issue. You can have it down on paper as a policy, but if there's no money to pay for it and the voters aren't willing to tax themselves to pay for it you're not going to get it.

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**Rebecca Carabez:** You've looked over some of those 300 General Plans, which have a mixture of low-density, high-density, for communities that are low-density how do they address promoting public transportation, and where there is more sprawl how do they address decreasing that sprawl and creating more public transportation?

**Lisa Feldstein:** Inherent in your question is an assumption that they want to, and that's not always true. **There are lots of low-density communities that don't want public transportation. Frankly, I think sometimes it's a class issue.** We all have cars and those people who need public transportation aren't the people we want in our community, so in wealthier, low-density communities you tend to see not a lot of attention to public transportation. This is actually a much more involved question than I can give you a short answer to, but **the answer is it really depends on the priorities of the community and how they address it.**

What I want to do right now is stop talking at you for a little while. I want you to look in your folders. You have something there that says Activity: Reading A General Plan. What you've got besides a cover sheet are four pages from the General Plan from the City of Davis. I chose Davis for two reasons. One is they have a lovely summary section in the beginning of their General Plan before the elements that talks about their guiding principles, so it was nice and easy to summarize. The second reason is I figured that Davis is this really liberal community, they're very progressive, everybody rides bikes, so they must have great language in there. I want you to read this with two things in mind. The first one is whether or not the topic of food is addressed in these principles either directly or indirectly, and if food is addressed, is food access addressed or is it some other food-related topic that's addressed. Think about whether or not the needs of low-income residents are addressed in this language. The second thing is if you were rewriting Davis' General Plan what might you add to this vision statement?

**Lisa Feldstein:** Okay, what did you find? Did you find food in here?

**Dr. Todd:** I only see it addressed indirectly through agricultural, that it wanted to sustain healthy agricultural around the community.

**Lori Cherry:** Also broad range of services, so providing a broad range of services and businesses to meet the daily needs, and I would think food is a daily need.

**Connie Schneider:** I would also echo that about daily needs because it does list shopping, and food shopping can be under that, and recreation. There are a lot of indirect areas promoting physical activity also.

**Participant comment:** Under "Quality of Life," promoting wellness where basic human needs are met.

**Sophia DeWitt:** This can fit under low-income as well in terms of this comment. Under the Diversity Section, Section #3, to promote changes of those social structures which limit equal access or participation on the basis of race, ethnicity, and all those other factors can indirectly tie to food access and it can also address the needs of lower-income folks as can later in the vision statement it talks about a diversity of housing options.

**Rachel Carpenter:** I think that the small-town character, because for a lot of the small towns the grocery store was the center of the town.

**Lisa Feldstein:** Terrific. So you've now read General Plan language and survived. You can all give yourselves a pat. It gets a little harder than this, but not much, and I hope that this very quick exercise will give you the confidence to tackle your own General Plan and to see what's in there and to see what's missing. I think that this is a lovely statement, but I think that it's missing a lot. There is some

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general stuff about all people, but not everyone who lives in Davis is wealthy and I don't see their needs necessarily reflected in here. I would like to see some more direct language about food access. Agriculture is discussed directly and that's great, but most of us don't travel to farms to buy our food and most of us even if we do can't buy all of the food that will meet our needs by traveling to farms. So I really want you to take this and know that you can go and read your own General Plan

**Nicole Mosqueda:** Being that a lot of this is very indirect, it seems like it leaves a lot of room for you to do things because it's so broad and it's open-ended. Is there any reason why having so many indirect things would limit being able to do more?

**Lisa Feldstein:** Interpretation is always a tricky thing. We sat here and we read all kinds of stuff into this language that the decision-makers in Davis didn't necessarily mean to have read into it, so I think indirect can give you a door opening but may not be what you want to pin all of your hopes on. This is also not the heart of the Davis General Plan. There are hundreds of pages that discuss these topics in much more detail in their General Plan. I just wanted to give you a little taste of the kinds of aspirational language that tends to be used in General Plans.

**Hannah Burton:** When I read this language what immediately pops out to me is that **there is a potential contradiction between the aspirational language and the reality of how neighborhoods function and intersect in particular with grocery stores.** This plan lays out a vision for a very pedestrian-friendly neighborhood where people are walking with perhaps little baskets to shop for fresh food, and the reality is that most of us shop in grocery stores which are typically not located within neighborhoods. Can you talk a little bit to how the kinds of aspirational language intersects with the reality of how our retail sector is organized?

## Zoning

**Lisa Feldstein: Where they intersect is with zoning.** You're absolutely right that often the picture that's painted with the aspirational language in the General Plan is not reflective of the reality of getting to a grocery store or some other necessity of life. In Davis this is a huge conflict. They really want to have very residential neighborhoods and they don't want a lot of commercial traffic in them because it's such a bike-dependent community and they're concerned that if they have trucks delivering groceries to grocery stores and they have people driving to the grocery store that it's going to be less hospitable for cyclists, so this is a very real conflict in Davis right now. There has been a huge battle over a big box store that's been going on there for quite some time. So these conflicts are real. I can't give you an easy yes, this is the way it works. We're going to move to zoning after one more question and I think that that's really where this stuff gets writ a little bit more firmly.

**Sarah Hedgepeth Harris:** It depends on zoning but it also depends on the willingness of a merchant to go into the neighborhood and provide the supermarket because you can have communities where it's zoned for retail and it is hoped that a grocery store would go in there but there's no one that wants to make the investment in the neighborhood for whatever reason that may be, maybe because they don't think they're going to make enough of a profit in that particular neighborhood, so there has to be something else besides zoning in the way of what the city intends to do and states that it will do in the General Plan in terms of encouraging investment in the neighborhoods that need the investment to provide retail.

**Lisa Feldstein:** I absolutely agree with you. Thank you for raising that important issue. It's critical, and as I said at the beginning, we are not going to talk about the economic development piece of it. **What we're talking about today is how you create the land use infrastructure so that the economic development work can happen, but that's another training.** You have to talk to Hannah about that. I'm not the economic development person. But you're absolutely right. **Just because you zone it doesn't necessarily mean they're going to come.**

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We're going to move on to zoning now. Just to review, **what zoning does is it divides a community into districts and it determines what can and cannot be built on the parcels of land in those districts.** That's what zoning is. Zoning regulations typically address two issues contained within the "what" of what can be built. **One of the things that zoning addresses is the height, the bulk, sometimes even the design of buildings.** Not everywhere, but in some places. So zoning talks about how big buildings can be and what they look like as well as potentially where they're placed on a parcel of land. **The other thing that zoning describes is how those buildings can be used, what activities can take place within the buildings.** I'm going to continue to talk about buildings, but I just want to put a caveat on that. **This also applies to agricultural land, so if it's zoned agricultural it means you can plant things or raise livestock or do all of those things that may not necessarily involve activities inside of buildings, but it's still zoning.** For the purposes of simplicity I'm going to keep talking about activities in buildings, but you should translate that and know that it also applies to outdoor activities. **Traditionally, we zone this way. We have our stores in one place and we live over here, we go to school and we play and we have our industrial uses and we keep all of those uses really, really separate from one another. This decision was made for public health reasons.** It was determined that it was healthiest for people to live with these uses separated, but there's a really big problem with this, which is that you have to drive everywhere, you can't get anywhere without a car. So why is that a problem? Well, it's because if you live here you may not have a way to get there. We talked about people who don't drive either because they can't afford a car, they choose not to drive, they can't drive, they don't know how to drive. Whatever the reasons are, **not everybody can live in a car-dependent way, but we have built an environment that requires car dependency.**

The legal requirements for zoning are that it must be reasonably related to the public welfare. We're back to the police power. Remember the police power? Public welfare. You can describe uses for land if you can demonstrate that those descriptions promote the public welfare. **Zoning in California must be consistent with the General Plan.** We've talked about that. **The other thing is that the standards have to be clear.** You can't be vague. You can't say the building should kind of be maybe big. Well, my idea of big and your idea of big may be radically different. You can't say the sidewalks should be wide enough for people. Who? Where? When? Doing what? **So zoning has to be very descriptive. Unlike General Plans where the language is big and broad brush and aspirational, zoning language is very, very specific.**

Fresno has something like ten different residential zoning categories. It's really kind of out of control. It makes it very, very difficult to figure out what you can build where and there's very little flexibility in that.

**Zoned districts commonly include these things: public space, open space, agricultural, residential, commercial, industrial, and in some places, not Fresno, mixed use where you can combine some of these uses.** How this is described really varies from community to community, so **in some communities they have fairly broad categories that lump a lot of things in together. In other places you have extremely fine-grained categories.** In some places you can combine uses that are okay to go together. You probably aren't going to put a refinery next to a residential

neighborhood. They actually do that in Contra Costa County. I don't think it's really great zoning, but that's what they do. **But it's not uncommon to have, for example, residential and commercial adjacent or even mixed where you have stores at the ground floor and you have housing above or those upstairs units can be used for housing or offices maybe.** Those are very common. **Fresno does not allow mixed-use zoning. You have an opportunity to change that.** If you're changing your zoning code I would encourage you to think about that because if you live near the places that you work and play then you have better opportunities to create walkable neighborhoods where people will be physically active. **People walk when there's some place to walk to.** They don't walk generally just to walk. So within your zoning code you will see some of these designations. You will see lots of additional designations. You've got some designations here I've never seen anywhere before. You will also find that some of this isn't exactly descriptive of

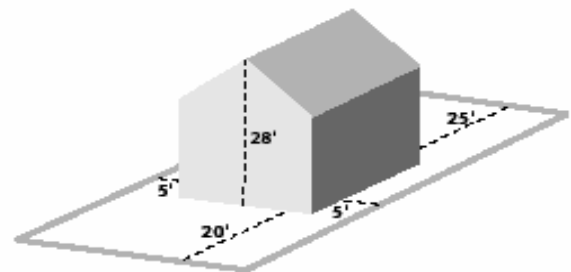
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Fresno. You really have to look at your own zoning code to understand how zoning is used in your community.

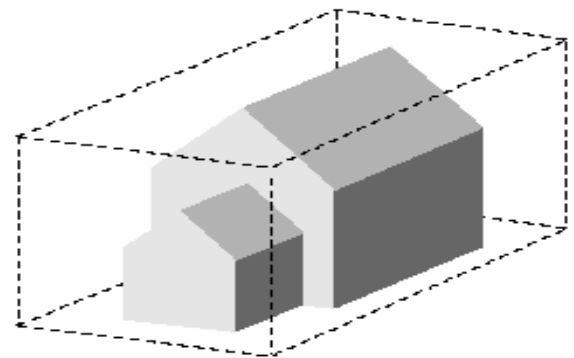
**Participant comment:** In our Tower District area we do have houses and commercial and offices mixed together so even though you're saying that you didn't notice that we have a mixed zone area...

**Lisa Feldstein:** You have a civic center designation that allows some mixed uses, but it's not really a traditional mixed-use zone.

**The other things that are described in zoning codes are where buildings can be on parcels and how big they can be. That's what we call the building envelope.** The building that's built on that parcel of land has to fit inside of that box. It doesn't have to be a rectangle, but the whole building has to fit inside of that box, and that will be described in your zoning. It will also describe where on the parcel the building can be. In residential neighborhoods it's very common to have what we call setbacks where you'll say the building has to be 20 feet back from the street and it has to be 10 feet from its neighbors on the side, so you are limited in where on the parcel you can actually place that building. This is important for some uses. If you were trying to build a community that was a little bit more walkable, for example, and you wanted to cluster your houses and create some open space over here, zoning with really stringent setback requirements might not let you achieve that goal. So setback requirements and building envelope are important issues.



**Building Setback**



**Building Envelope**

Someone was asking about heights earlier. If your building envelope says you can't go up more than 20 feet then that's how tall your buildings are going to be.

This diagram on the right shows four different ways of laying out the same amount of square footage on the same size parcel, and this is something that is more commonly an issue with commercial buildings than residential buildings. All of those buildings would end up being the same size, they're just laid out differently, so one is a donut, one is two stories that have a big amount of floor area, one of them is a lot of stories that have little tiny floor areas, and one of them is stepped. **So this is another thing that you may see described in your zoning code. It will talk about how much of the land area a building can cover. Zoning documentation usually has two parts.** Fresno, again, it does, but you can't really get a whole zoning map for the entire city, but there are codes and there are maps and we're going to talk about both. **There are two parts to the code. There are charts within the codes and there is text within the codes,** so the text in this example describes neighborhood commercial as retail centers located within residential neighborhoods which provide everyday goods and services. Then there's a little chart at the bottom and you don't really need to be able to read this chart. It's up there so that you can get a sense of what they look like. Across the top are different zones and then down the left are different uses. The first one is restaurants and bars, which are not allowed in any of those districts. Then bars are allowed in some places subject to conditional use. **These charts tell you within a given kind of zone what's allowed,** so if you had a zone that was a single-family house zone, duplexes and triplexes and multifamily buildings would not be an allowable use there. You would read the description of a single-family zone, you would look at the little chart to see what uses are permitted in that zone, and then you would look at the map to figure out where those zones are located in the city. You can do it the other way around. You can look at the map. There's an area you're interested in. I want to see what can be built in this

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neighborhood. It's zoned a particular way. You go to the code and you read the text and you look at the charts and that helps you understand what exactly is allowed to be built there.

## How is zoning amended?

**Comprehensive amendments are relatively uncommon. Fresno is undertaking a comprehensive zoning amendment. We don't see this very often. This is a huge opportunity.** When comprehensive amendments are undertaken they're very rarely for the entire city. They're more often for like a downtown or a relatively compact area but not the whole city, so you have a really unique opportunity here. Incremental rezoning is very common. **Cities tinker with their zoning all the time, and unlike General Plans, there aren't limits on how often they can do it that come down from the state, so unless they've imposed the limitation on themselves they can tinker with their zoning all the time, and they do, usually in response to specific development proposals.** The amendment process for zoning looks a lot like the amendment process for General Plans. An amendment is drafted. It's introduced as an ordinance instead of a resolution. This is a difference because it becomes part of the municipal code so it's an ordinance. That's a technical difference. You don't really need to worry about it, but it is a difference. Once again, it's referred to the Planning Commission and environmental review is initiated. This should all sound pretty familiar from the General Plan process. The Planning Commission has to hold a hearing. The Planning Commission votes on whether or not to recommend the amendment and forwards it to the Board of Supervisors or the City Council depending on whether it's city or county land, and the legislative body, the Board of Supervisors or the City Council, has to hold at least one public hearing. They can do one of three things. They can vote to approve the ordinance and make it part of the law, they can vote to disapprove, or they can vote to modify it. Because it's an ordinance, if they vote to modify it goes back to the Planning Commission, so this is another difference. The Planning Commission then has 40 days in which to hold a hearing and make a new recommendation based on that change. If they don't do anything in that 40-day period then that's deemed to be their consent, that they're saying it's okay. They can send it back and say we recommend that you don't approve this now, we don't like the change you made, but obviously, since the legislative body sent it to them in the first place, the chance at that point that they're going to get heard is relatively small. The legislative body votes. If it has gone back to the Planning Commission it comes back to the City Council or Board of Supervisors, they vote again, and then there's that 30-day period before it takes effect so that any lawsuits can be filed if anyone wants to file a lawsuit. **Like the General Plan, zoning can be changed by the initiative process, so voters can change zoning.** You see this occasionally. Like with General Plans, zoning is highly technical, so it can be very complicated to communicate to voters what exactly it is that they're voting on, so I don't think it's an ideal mechanism for amending zoning, but it certainly has been done.

**Jeremy Hofer:** The City of Fresno's website you can see a GIS map. You have to download a program on your computer but you can zoom in very close and it's very readable right there at your desktop. If you want information on how to do that I can get that information to you.

Fresno's Land Use Map is located online at:  
[www.fresno.gov/development/landusemap.asp](http://www.fresno.gov/development/landusemap.asp)

**Lisa Feldstein:** I'm going to run very quickly through a number of other land use concepts that I want you to know exist. We are not going to talk about any of them in detail. Then we're going to spend some time talking about how you get engaged in this process, what you can do to be effective in working in changing land use in your community. Then we're going to do one last exercise and then we're all going to go home.

## Specific Plans

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**Specific Plans are focused on a geographically limited area.** It's a plan for a relatively small area. An example that I found on the city website was the Tower District Specific Plan. Specific Plans are sort of a hybrid. **They are not part of the General Plan. They implement the General Plan. However, they talk about policy.** With the General Plan normally policy and zoning is the implementation tool. Specific Plans are kind of a hybrid because they're not part of the General Plan. They implement it like zoning does but they also discuss policy. **Some jurisdictions use Specific Plans instead of zoning so they just create Specific Plans for individual areas.** San Jose does this a lot. Fresno does use Specific Plans but they don't use them instead of zoning.

## Area Plans

**Area Plans, like Specific Plans, focus on a geographically limited area. However, they are part of the General Plan, so think of it as a little mini General Plan for an area,** so they're more fine grained, they provide a little more detail about that area, and the policies are very area specific. **You see this a lot with downtowns where you have a very crystalized vision for your downtown and you're not necessarily zoning specific parcels but you have a very clear idea of what that downtown should look like.** It's more specific than your General Plan. You use an Area Plan for that.

## Conditional Use

In the materials you just looked through you saw a lot of references to Conditional Use. I left those in there on purpose. **Conditional Use is an incredibly powerful tool. It's very closely related to zoning and it's different from things that you are allowed to build as of right.** As of right is something that in those code sections it says you're allowed to build this and the following uses are permitted. **If it's permitted subject to Conditional Use that means it's allowed but we want to make sure in each particular instance that it's okay at this location, so there has to be a public hearing before the Planning Commission where you can talk about whether or not that use is appropriate. The Planning Commission has to grant explicit permission to allow that use at that location.** Conditional Use is often used for things that there might be community concern about. Things like massage parlors may be subject to Conditional Use. Churches are often subject to Conditional Use. It may also be that you're allowed to build housing at a certain density level automatically as of right but if you want to build more densely that requires Conditional Use. That requires a public hearing and a special permit. **The permission that's granted is called a Conditional Use Permit or a CUP.** In some neighborhood commercial districts you have restrictions by square footage. You might have a neighborhood commercial district that says stores over 10,000 square feet are not allowed in our neighborhood commercial district. We want little cute stores in our neighborhood commercial district. **Alternatively, you could have code that says stores over 10,000 square feet are not allowed in our neighborhood commercial district except grocery stores are allowed as of right. We think that grocery stores are such an important use that we will allow them without a Conditional Use Permit, but no other use of that size is permitted.** Or you could have uses that are subject to a Conditional Use Permit. Stores over 10,000 square feet are subject to Conditional Use, so you can have any kind of business that's over 10,000 square feet in that district as long as there's a public hearing and the Planning Commission grants permission. These are three alternatives. They are mutually exclusive in this case. They are just examples. **Conditional Use is powerful because you can eliminate a whole set of uses and really fine grain what you want to have in specific places by subjecting those uses to Conditional Use. Let's say you were trying to get farmers' markets. You don't want them just popping up anywhere so you can say farmers' markets are permissible subject to Conditional Use and Conditional Use can have conditions attached to it. When that permit is granted it can be granted with conditions attached to it.** For example, if it's a carry-out restaurant you can say that they have to do something about the litter that's generated, they have to keep the area clean. That might be a condition that's attached. The conditions have to have a rational relationship to the use. They can't be, oh, you're a fast food restaurant and so we want you to buy animals for the zoo. No relationship. It has to have a rational relationship to the use. For example, very often with new

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convenience stores there may be a requirement for keeping the street clean or for security, various things. You can apply these conditions that are not applied to other businesses as a condition and if they violate those conditions their permit can be revoked and then the business has to close.

## Redevelopment Agencies

**Redevelopment Agencies are separate agencies that are state agencies that operate at a local level. They revitalize blighted or deteriorating urban neighborhoods.** Redevelopment law in California specifically says urban. It doesn't work in rural areas. It's only an urban tool. **Fresno does have a Redevelopment Agency. One of the interesting things to me is that in the Redevelopment state statute an example of blight is the lack of a grocery store, so if you're trying to determine if a neighborhood is blighted, the lack of a grocery store can be evidence of blight. The strength of redevelopment is that it creates a special financing mechanism and generates something called tax increment financing.** I'm not going to talk about this in detail. There's lots of information about it that I can provide to you if you want to know more. This financing mechanism encourages improvements. It encourages businesses and housing development. It's been conceived of and is supposed to be a community-driven process. In practice it often is not. There's a lot of history in California communities of people being displaced in redevelopment either because their homes are seized by eminent domain and torn down or because the property values go up so much that they end up being displaced, so it's always really a struggle to do good redevelopment that revitalizes a neighborhood and provides benefits to the people who actually live in that community. It's a challenge. It's something that our communities continue to struggle with how to do well. **The City of Fresno has several redevelopment areas including Mariposa and Jefferson and there's a Chinatown Redevelopment Plan that's in process. Redevelopment districts have a lot of control over the redevelopment district that's designated.** That's separate from planning, so if you're looking at land use in a redevelopment area then you have an extra agency to deal with, so that's the bad news. The good news is there's money attached to that and so you have a public process where you can help direct what kind of development is going to happen there and there's money that may be attached to that. Earlier it was mentioned that it's really hard to necessarily attract a grocery store to a low-income neighborhood. A Redevelopment Agency may be able to provide some financial incentives for that.

**Jeremy Hofer:** Can a Redevelopment Agency also help with permit costs, costs for rezoning that the city charges? Does that happen?

**Lisa Feldstein:** Only in a redevelopment area, is the short answer to that. There's a much longer answer to that, but the short answer is in a redevelopment area.

**Monica Chavez:** What about repairs and improvements in downtrodden urban areas?

**Lisa Feldstein:** What you're talking about are sort of evidence of blight, and Redevelopment Agencies can make money available for those kinds of property improvements to revitalize an area.

**Monica Chavez:** When you say evidence does that mean like having to show that 30 kids got run over by a car coming by because there was no stop sign or no light or because they couldn't use the sidewalk because the sidewalk was too bumpy or whatever?

**Lisa Feldstein:** **There's a whole process described in the legislation about the process of defining a redevelopment area and declaring that area blighted. It's a very complex and extremely political process.** Redevelopment is not always used because if your property is declared blighted suddenly your property values go down, so very often property owners don't want an area to become a redevelopment area because of what it will do to their property values in the short run. In the long run, if that process is successful, their property ends up being worth much more. So that process is codified but extremely political.

**Rachel Carpenter:** I have a question about the Redevelopment Agency in comparison to the city agencies. Do they have an equal standing or are they above them, below them? The reason I'm asking is that **I've noticed some areas of town have been purposely blighted and then individuals have not been able to go in to do redevelopment because it's been set aside for developers only, which causes even further falling of property values until it's cheap enough for a developer to buy the whole thing.** That really causes severe blight as opposed to what might be a mild blight that can be brought up easily.

**Lisa Feldstein:** The Redevelopment Agency can't come in until the area is found to be blighted, so occasionally I hear this, that communities are intentionally letting areas become blighted, but what you're talking about is a political issue and how it's handled from community to community is something I can't really address. I don't know enough about the politics of Fresno to really give you an answer, but it's something I'm happy to talk to you more about.

**Edie Jessup:** Isn't it true that the Redevelopment Agency is the City Council?

**Lisa Feldstein:** **That's the Redevelopment Commission. In some cities the Redevelopment Commission and the City Council are the same body,** but the agency is a state-inaugurated agency. It may be a little department within a Community Development Department, but its power comes from the state, not from your local charter. This is something that we could talk about all day long. People always want to talk a lot about this. It's very, very complicated. At some point I may do more on it. I'm developing a whole separate tool kit on just this topic, but we're going to move on now.

## **The California Environmental Quality Act**

**CEQA is a state law that requires environmental review and it plays a role in virtually every land-use decision that's made in the State of California.** It says that the potential environmental impact of all proposed projects and land-use policies have to be considered. Now, **the term 'environmental impacts' generally has not been interpreted to mean impacts on human health. There is one paragraph in CEQA about human health. Nobody really looks at it except for things like particulate matter and air.** CEQA is generally used to look at the impacts on the natural environment, on native plants and animals, on archeological resources if you live somewhere with a rich archeological history. CEQA does apply to zoning and General Plan amendments, so if a zoning or a General Plan amendment is proposed then an environmental review must be conducted to determine what the potential environmental impacts of those changes might be.

## **Activity**

An activity was conducted utilizing a low-income industrial area of Oakland where a big-box retail store is being proposed (one that would not serve the local residents). What follows are some of the responses and discussion from participants:

**Lori Cherry:** Just to address some mitigation things that we could consider, one is pedestrian access, so asking them to provide some sort of pedestrian access from the neighborhood. Another one we thought about was maybe waiving the membership fee for low-income families in the area. Then a third one would be, I'm not sure how to do this, but creating an empowerment zone so they would draw a certain number of employees from the lower-income neighborhood closest to it.

**Lisa Feldstein:** Talk about the connection between this development proposal and public health, especially food access, the concern that this big box store might make it more difficult for the local grocery stores that are in the area to compete and it would drive them out of business and make it more difficult for those neighborhoods to have access to non-bulk food.

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**Table representative:** One of the ideas that we came up with if this was a real hypothetical and not something so much in the real world, if we could do anything, is to ask the City to put an RFP, a Request for Proposal on the site so you would have more than the one option that's proposed in the piece that we read for people to consider in terms of land use.

**Table representative:** One of the other things that we had discussed was surveying the community because the community really hasn't been represented in this particular scenario.

**Dr. Edward Moreno:** I just have a few thoughts. In the description that you gave we haven't seen whether or not the General Plan accounts for conversion of this site from military use to non-military use. If there wasn't a plan, is there an amendment to the plan? What are the longterm plans? I assume it's going to be urban because it's a development zone so they've already decided it's urban. It qualifies as a redevelopment zone. If it's urban are they looking at commercial and office space along the shore front in this part of Oakland? Because it's shore front I would imagine if they're going to go residential it's probably going to be high-end residential along with a view of the bay. That is some information we don't have. I'm imagining that since this is a proposal that's maybe supported for a warehouse type of food facility and other merchandise that there is a plan and that once this is placed in this location the development will occur around it. If it goes residential it's going to be hard to put a place like this in someone's backyard, so they want to put it in first and then they'll probably build around it. In terms of your specific questions, number one, I don't think this is healthy food access at a place like this. It's high bulk food and there are limited choices at a place like this. As far as the public health impact there's going to be more exhaust because you can only drive to a place like this and buses really aren't going to help, so it would be more noise and more traffic. In order to mitigate it you'd probably have to build freeway off ramps directly off the freeway to this site and the community shouldn't have to pay for that. I don't know that the opponents concerns could be addressed by locating the business elsewhere.

**Table representative:** We had a lot of overlap with some of these, but one of the ones that we were thinking about was the transit issue. I'd just point out that the nearest stop was a half mile away. If it was made affordable for the residents around those neighborhoods to participate in that store, then maybe they could increase the access by creating another transit stop. Maybe also having that business work with the Transit Authority to make the transit more accessible and available to the residents by either discounting the rides or increasing the frequency of those routes that go to it.

**Table representative:** One of the things we were talking about is maybe having the proposed vendor come in and maybe use some of their funds to be able to help out with the transportation issue.

**Table representative:** One of the additional pieces of information we'd really like to have was actually related to the first paragraph where it talks about the significant toxic waste problem and the plan that was underway to perform the necessary environmental cleanup. We'd really like to know more about what that means and what exactly the significant toxic waste problem is and what kind of impact there would be by putting a store there where there's going to be increased traffic and increased people flow. How many years are we talking about before it's really safe for people to be there on a regular basis?

**Table representative:** Related to that, this goes back to also the safety issue. If you look at the map where it has a yellow dot, some of the grocery stores are pretty far from the site where the bulk store is going to be built. There are safety issues involved for people trying to go to this store because it's farther away from all the residential areas.

**Table representative:** As an inveterate big box shopper I have to say that having pedestrian access and public transportation access is not feasible. It just doesn't work. You cannot carry food and 15 rolls of toilet paper onto a bus to get yourself home when you have six kids in tow. The other thing, too, is that there is a very strong pull probably in the area because I'm making an assumption that

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previous employment was base-related in that area and these people then are left without income and they're isolated by these freeways around them. Their air quality has to be impacted by all the traffic they already have. This would add to it. Their need for a job would be high level. I know one of these warehouse type stores pays a decent wage, but it probably would not solve the employment issue in the area and so it really seems that they need to be looking at a much greater array of options and I don't think that it would improve access to food.

**Table representative:** All of the above, and I would want to also mention the fact that I believe, if it's the store I think it is, they don't take EBT and they don't think they should, and so that does not help things at all. The other thing that we thought about if they were going to go in anyway was to require that they provide a shuttle to get people home for free or at least to get the groceries home, but I don't think it's a real good idea.

**Table representative:** We decided we would want to learn about examples of where this store or similar type stores have gone into similar type neighborhoods to find out what kind of impact it had on food access and health of the community and employment, too. If there are promises of them increasing economic wealth of the community whether or not that was pie in the sky or whether that was something that actually happened.

**Table representative:** In order to move the food to the neighborhood, would they be willing to fund or to stock something like a food bank or a co-op or something in a partnership with the big box store so people would have easier access to food? In other words, moving the food to the neighborhood that needed it.

## How to be effective in Building Healthy Environments

**Lisa Feldstein:** We're going to switch modes now and we're going to talk about how you do this stuff, **how you actually get out there and show up at your council meetings and you're effective.** We're going to talk about stakeholder involvement and we're going to talk about decision makers. There are a lot of people in this room who are extremely skilled in this. This is a room full of very talented advocates. A lot of this is going to be review for you. I want to try to put this in the context of land use, but you know this stuff already so I'm not teaching you anything you don't know already. You know how to be good advocates. I want you to think about this for the next few minutes in the context of land use.

**The first thing you need to do is you need to identify who you work with, who your allies are, who you can collaborate with, and who your stakeholders are.** Some of these are going to be really obvious to you. You have people who you have worked with for years. You have a very strong interfaith community here that's very effective in advocacy. You have great advocates. **Residents of the communities** that are being affected are an obvious place to go. **People who own businesses in those communities** have a vested interest in what happens. You want to talk to them. They may not be your allies, they may want something different, but you need to kind of assess them out. **Developers** are also important stakeholders to consider. Some may not be so obvious. There are **people who participate in the shadow economy** who are going to be affected by the work that you do to change land use. You need to think about the impact on them. They have a lot to say. **Merchants who are mobile** may have a lot to say about land use decisions. **Children know their communities better than grownups** do usually because they spend more time in their environments. **Seniors.** Walkability experts say that if 8-year-olds and 80-year-olds can get around then you've got a good neighborhood. **People who have lived in a place for a long time** and have watched it change know what works and what doesn't work. Talk to them. There are other people who I can't even conceive of in your community. You know who they are. It's important to think about being as inclusive as possible because the reality is that your opponents are going to show up whether or not you approach them, so it's worth seeing if you've got any common ground. As an example, if you're thinking about where you want to put a park it's obvious to talk to people who live in

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the neighborhood. Where do they want the park? **You have park advocates in most communities**, people who care deeply about parks. You're going to talk to them. They may actually be the people who approach you. There are other people who may be obvious to you, but there may be people who are not so obvious like dog activists. **People who are passionate about dogs care a lot about parks** because they walk their dogs in parks so they want parks that are dog friendly and if there's a park considered then they're going to be interested. You may be able to work with them even if there's no other part of your advocacy life that intersects with dog advocates. **Sports leagues**, same thing. You may not work with sports leagues or the **police activities league**. These may not be the advocates that you go to first thought when you're starting a new initiative, but if you're trying to site a park these may be the people that you want to work with to be successful. **A farmers' market. The people in this room, food security activists. You care a lot about it. Residents who want that food. WIC and EBT recipients, farmers, but who else could you talk to? Food systems activists, people who use community gardens or who create community gardens.** Maybe they want a place to sell some of their extra tomatoes. Maybe they're going to feel that there's some competition. It's important to think as broadly as you can about who is going to care about this issue because all of these people have the potential to interact with decision makers and if you can be a unified front, that's wonderful. If they're your opponents, it's important to understand who your opponents are. So the basics on involving stakeholders are to ensure your process is as inclusive as possible and establish ground rules so that nobody dominates and takes over. Stakeholders may hold very different views than the initiators and they may even be opposed to your hoped-for outcome. There is a rezoning process that's going on in San Francisco that's been going on for several years and it has the potential to displace a lot of people from a relatively low-income Latino neighborhood. The activists in that neighborhood saw this coming and went to the community and the community said, you know what? We're not so worried about that. **What we're worried about is the fact that we don't have a safe place for our kids to play, that we don't have clinics, that we don't have all of these other things, and the activists said, oh, you know what? Those are all land use issues.** Where to put these things are land use concerns. And so they worked with this very low-income, monolingual Spanish-speaking community and helped them understand how the concerns that they had were actually related to planning decisions that were being made in the city. This all happened while I was on the Planning Commission. These folks who had never set foot in City Hall before started showing up at Planning Commission hearings and testifying and talking about what they needed to see in their neighborhood and they really weren't terribly interested in how the Planning Department wanted to rezone their neighborhood. That process is still going on, but the plan that they came up with, they actually developed their own rezoning plan, is now one of the alternatives that's being considered. So it is possible to do this. The activists who started that process were thinking about housing and the people in the neighborhood weren't terribly concerned about housing. Their concerns were very different.

**It's important to identify some intermediate and achievable goals.** One of the things we haven't talked about at all today is how long this stuff takes. I know from talking to Jeff at the break that **the director of the Planning Department is hoping that this rezoning process is going to be done by November 2007, which is a fabulous, fabulous goal, but it may not be realistic. Rezoning and General Plan amendments can take five years, and actually seeing a difference on the ground, what's actually built, can take decades because you've got built up neighborhoods.** When you rezone them you haven't waved a magic wand and they're totally different the next day. You have incremental change that happens going forward, but what's there is still there. So it's really important to identify some whens so that you don't get discouraged and feel like you've put all this energy into this and you've gone to 400 night meetings and you haven't seen your kid in three months and nothing has happened. It's important to figure out some things that you can pat yourself on the back for and say, hey, look, we did that. **Report out often. Make sure everybody knows what's going on. Divide up the work in a way that utilizes the strengths of your participants and celebrate the things that you do well. Use data.** Data is extremely persuasive. Do low-income people have access to healthy food? You're not going to know until you audit the situation. You've

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done food audits in Fresno. You have some of that information. You can link it to obesity and other health problems.

**People over time can become very distrustful of the visions that are put forth by planners because it doesn't match the reality. What does match the reality is that Uncle Ed has diabetes or my kid has asthma and can't go to school on days when the air quality is really bad.**

**Thing about planning is planning is really squishy.** Developers show up and they've got these beautiful renderings. They've got these gorgeous illustrations of what this place is going to look like after it's been built and it's always a lovely watercolor and you want to live there. Of course, it's not going to look like that. They're not going to build a water color. It's going to look like a real place. **If you can take your planning vision and tie it to what you know about health and about nutrition and about physical activity, that's extremely compelling.** It's compelling to the public and it's

compelling to decision makers. You all have opportunities to work with the public in your advocacy work, in your professional lives. Everything that I have talked to you about today, everything that you're taking home today is absolutely transferable. Think about the folks that I was telling you about in San Francisco who were working with this one community. There is a connection between land use decisions and the health of the public and the people who are affected by this, especially in low-income neighborhoods, get it, and they're your best ambassadors. They can think about their neighborhoods differently and they can tell personal stories, which are extremely powerful. Decision makers hear those stories. It's not an abstraction. It's not a beautiful rendering of the community. It's real people living in a place and how these decisions affect their lives.

You all know that there's a political landscape to this stuff. I believe very strongly **that if you were to take planners and put them in one room and you were to take public health professionals and put them in another room and say design your ideal community they would design the same community but for entirely different reasons.** Planning's roots are in public health. **The early planning codes were made for public health reasons, to provide clean water, to prevent the spread of disease. These got separated, but there's no reason why we can't bring them back together and why planners can't utilize the strengths of public health professionals and public health professionals can't utilize the strengths of planners.** Planners gain from this. **Health impact arguments are powerful tools for furthering their agenda.** However, and we all know this, there are often tens of millions of dollars at stake in land use decisions, and money talks, so you need to think about who the decision makers are. There are usually three official decision makers and one unofficial. There's local government staff and there's line staff. There are people who work in planning departments, not the commissioners who are appointed decision makers and elected officials. But then unofficially there's the public, and the elected and the appointed people are responsive to what they feel the public is asking for and so if you can sway the public you have a much better chance of swaying the decision makers, and if you're nice to your planning staff they'll work with you. Take a planner to lunch, a healthy lunch, of course. Here's the other thing that's really, really important. **Nobody is neutral.** I don't care what they tell you. Nobody is neutral. Everyone comes to everything with a world view, with preconceived notions and with opinions, and all of that influences the decisions that they make. If you ignore that, you're in peril. If you go in thinking that the people who are making decisions have had the same life experience that you have and are thinking the same way that you do then you're probably not going to be successful. You will be as effective as you are able to work in this context. This is really, really important. In the Planning Commission that I sat on I was kind of the extreme left of the commission and we had a dentist who was the extreme right of the commission and it took very different messages to communicate with the two of us, very different messages, because we held very different values.

## Power Mapping

I'm going to show you two different power maps very quickly. **This is a way of thinking about the people who you need to influence.** On this map down towards the bottom is someone with less power and up towards the top is someone with more power. Over towards the left-hand side is someone who is more supportive of your agenda and someone who is over to the right is less supportive of your agenda. So your most challenging person is in that upper right hand corner. They're very powerful and they don't support your position. Imagine on any City Council all council members are not created equal. There's somebody who people pay more deference to, who has more sway, who is better able to recruit votes. If that's that person in the upper right-hand corner you've got a problem and you've got two choices. You can either try to make them more supportive or you can try to make them less powerful. If you've got someone who is in the lower left hand corner you've got someone who is really supportive of your agenda but unfortunately they don't have a lot of sway. With them what you want to try to do is help them boost their power in that decision-making process so that they are more persuasive and they can bring other people with them. It's important when you start something. If you were trying to get a change in the General Plan to reflect food, then it's important to look at your council members or your planning commissioners and say who are our potential allies here. Who is our potential opposition, and is there anything we can do to sway them? It's helpful to map it out this way. Sometimes in order to do that you discover that you don't actually have a direct connection to that decision maker, so if you follow the little arrows you'll find that you go through a few other people and you have someone who gets to the decision maker and so that person may be more persuasive than you can be because they have a personal relationship. It's important to think about who you've got connections to and how you can utilize those relationships. A lot of decisions are made on the basis of relationships. For every decision maker you need to figure out their level of interest in your issue, where they stand. They may be very interested. But on the other side, how much power they have and what might influence them? You've got somebody who says no more land for parks. Parks are too expensive for the city. They cost us money. We don't have the money for upkeep. But it turns out that their twin daughters are Little League stars and they could use more ball fields because they don't get to play enough because there aren't enough ball fields. That's a potential way to influence that person.

### On Speaking to Public Officials

When you're working with public officials be professional, be prepared, be patient. They often run behind schedule. Be concise. They're busy. Be persuasive. Be accurate. Don't stretch the truth because then you lose credibility. When they find that one thing that you said wasn't true they're not going to believe anything you say. Be passionate, be polite, be respectful, be appreciative, and be ready to tell a story. Everybody loves stories. Don't be argumentative, don't be long-winded, don't be repetitive, and don't pretend to know things you don't know. If you don't know, say I don't know. Offer to find out and come back to them with the information. If you're in a public hearing don't go over your allotted time. Nobody wants to be there any later than they have to. And don't be rude. You may need to rethink the types of data that you use to fit your audience. Different people care about different things.

**Greg Gatzka:** Being a practicing planner (In Kings County) I'm really impressed, and Lisa, I think your insights and understanding were right on the mark. Being in the profession of the planning side, because **right now we're also in the process of going through a General Plan update, I would love to have people like you and your interest group to be able to come and participate in the visioning and ideas and formulation of where we need to go.** This is the first time I've been introduced to bringing in an idea of where obesity is happening, where are the grocery stores. **We don't really think along the health lines,** so it's been mind expanding.

There are four areas that I want to kind of go after real quick. **GIS is a big area that's really expanding.** We have a lot of resources, but the health industry is really starting to move that way too.

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A lot of the jurisdictions already have enough of that data in place to where you can take your database, or if you know where the people are that are having health issues with certain areas and you've got an address that can be input, basically what we call geo-coded to a GIS database, that is so important to the planners because now we can visually see where those problem areas in the communities are. If you've got obesity concentrated in one community area, is there a grocery store, an affordable one, in that area to accommodate it? There may not be that commercial designation in the General Plan or zoning. That would be very important, and seeing a resource like that or bit of information gives a planner like me the ability to communicate that fact to our supervisors or elected officials and say we really need this, this is why, this is what's going on in that part of the community. So if you do look to participate, look for GIS resources, look for professionals that know how to use it and where are the data resources to get your information across.

**Another area that is in the works right now is an eight-county regional plan. It's called the Blueprint Project.** If you're not aware of it, it probably hasn't hit the media yet, but there are state grant funds that have been devoted to the eight valley counties going from Kern I think all the way up to San Joaquin. **The Blueprint Project is modeled after Sacramento County where they take all the county areas and the development that's occurring, project it out 5, 10, 15, 20 years down the road to show where we're going with our development** and do we want to continue in growth and continue intruding upon all of our ag land and using it up for urban development with large lots or do we want to start concentrating it, and if we do, where do we want that to go. At that point that's where the discussion comes in. Do we need parks in those areas? Do we need commercial areas to support the residences? How do we integrate all of that? **For the Blueprint Project, around here I think Fresno Council of Governments is handling Fresno County. For Kings County it's Kings County Association of Governments.** But they just got authorized funding for this fiscal year to start those efforts and they're looking for community members, public participants to start discussing these issues and then they're going to draw on the GIS to project it out so you can kind of visualize where is all the growth happening in the valley and is that really where we want to go or do we want to start talking about more dense developments and mixed uses at this point so that we can plan for the future for the valley and not end up somewhere down the road to where all the ag land is gone.

**Another area is General Plan update. Like I mentioned, Kings County is in the process of doing our update, but a number of other communities are too. The State Attorney General has issued letters to a lot of them that they're out of compliance so you're going to start seeing a lot of new General Plan efforts going into the works.** Even though you may live in Fresno or live in a certain community that already has one, your profession may lend you to have insights to help other communities, so you may want to keep that in mind.

Another area, too, **that I just wanted to point out is the city annexation process. The city is going to annex territory and generally they'll have it planned in their General Plan, but what you'll find out is that developers will ask for a General Plan amendment before they go to the annexation.** At that time that's where thoughts and insights also may be added into that process because at that point then they change it and then they're going to do what's called a pre-zoning before it's annexed into the city. That's when it gets zoned. Those are opportunities to look for, too, because if you come in after it's already been annexed it may be too late because it's already been designated and it's already been pre-zoned by the city and now what they call LAFCO, Local Agency Formation Commission, is handling basically the administrative procedure to transfer that land from the county to the city.

**Lisa Feldstein:** I want to thank you so much for all of your time and your energy and your hard work today. I want to invite you to be in regular contact with me as you move through all of the processes that are going forward in your city. I want to thank Fresno Metro Ministry again for killing a few dozen forests so that you can take home all of this paper and for putting together this opportunity for me to work with you, so thank you all very much.