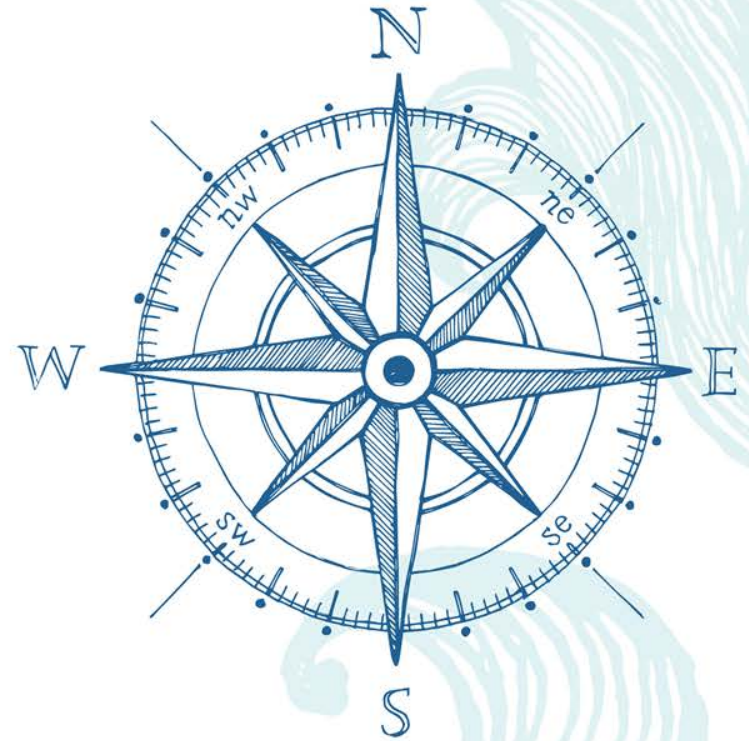


# BUILDING COLLABORATIVE COMMUNITIES

NAVIGATING CHALLENGES, CHARTING INNOVATIONS



wood.



SAN FRANCISCO  
STATE UNIVERSITY

CAL POLY

# Getting to Yes: Strategies for Engaging with Public Agencies and the Local Community in Campus Master Planning





## Getting to Yes: Strategies for Engaging with Public Agencies and the Local Community in Campus Master Planning

- Rita Bright, *CEQA-NEPA Senior Project Manager/Land Use Policy Specialist, Wood Environment & Infrastructure Solutions, Inc.*
- Wendy Bloom, *Director of Campus Planning, San Francisco State University*
- Anthony Palazzo, *Architect and Planner, Cal Poly San Luis Obispo*
- Dawn Theodora, *Assistant Vice Chancellor and Chief Counsel for Business and Finance, CSU Office of the Chancellor*

### Moderator

Martin Grant, *University Planner/Project Manager, CSU Office of the Chancellor*





## Getting to Yes: Strategies for Engaging with Public Agencies and the Local Community in Campus Master Planning

1. Best practices for commonly encountered situations; what has and has not worked.
2. Strategies that have been successful in overcoming challenges and resolving conflicts.
3. Understand the impacts and significance of CSU financial commitments to third parties.
4. Managing and understanding the on-campus time and effort required.



# Getting to Yes – Effective Collaborations with Local Agencies

Rita Bright, CEQA and Planning Manager  
Wood Infrastructure & Environment, Inc.



# Successful Strategies Collaborating with Local Agencies



# Introduction and Background

- Introduction & Background
  - Role of the Local Agency
  - Local Agency Stakeholders
    - Decision-makers
    - City Manager & County Executive Officer
    - City and County Planning and Resource Management
    - City and County Public Works
    - Special Districts
    - Informed by Special Interest Groups/Advocates



# UCSB LRDP 2010 Overview

- Overview of UCSB's Long Range Development Plan
  - Campus Plans through 2025
  - Projects annual student growth of 250, with a cap of 25,000
  - Provides housing development for student enrollment growth
  - Increases 220 existing faculty housing units to 1600 faculty and staff housing units
  - Proposes fair-share transportation improvement payments
  - Includes natural resource, sustainability policies







Existing Buildings	Planned Building Locations	Parking	Roadways
Academic & Support	Academic & Support	Existing Parking	Campus Boundary
Housing	Housing	Planned Parking	Open Space





Been Hall

# Focused Concerns of Local Agencies

- Fiscal Impacts related to Growth
- Transportation and Circulation
- Housing Demand and Local Housing Stock
- Public Services
- Natural Resources
- Emerging Issues (Climate Action Plans, GHG, Hazard Mitigation Plans, etc.)



# Effective Strategies

- Rules of Engagement – Public Outreach Planning
  - Early Identification of Key Stakeholders
  - Early Involvement of Stakeholders
  - Preparation before First Meeting(s)
    - Prepared Fiscal Impact Analysis - “It’s All About the Money”
    - Develop MOU Framework



# Strategies for Successful Collaboration – Lessons Learned

- Doing the Homework
  - ID Local Agency Concerns
  - CEQA Process
  - Understanding Local Agency Plans and Policies
- Stakeholder Involvement
  - Strategic Milestones
  - Refining Community Impacts
  - Refining the MOU



Thank you!



# A tale between two campus master plan EIRs

Wendy Bloom, *Director of Campus Planning,*  
*San Francisco State University*







SAN FRANCISCO

19th Ave / S.R. 1

DALY CITY







M LINE

BART

Bus Routes

DALY CITY  
BART STATION



**Stonestown Galleria**

**SF State**

**Parkmerced**



Architect: WRNS  
GC: CW Driver

Photo Credit: Jeremy Bitterman



Architect: Gould Evans  
GC: Build Group, Inc.



Architect: Mark Cavagnero Associates  
GC: McCarthy Building Companies





## PROPOSED CAMPUS SPACE

	NOW	+ NET NEW	= FUTURE
<b>ENROLLMENT</b>	25,000 FTE	5,000 FTE	30,000 FTE
<b>ACADEMIC</b>	1.5M GSF	400K GSF	1.9M GSF
<b>STUDENT LIFE AND SUPPORT</b>	625K GSF	650K GSF	1.3M GSF
<b>STUDENT HOUSING</b>	3,500 BEDS	9,000 BEDS	12,500 BEDS
<b>APARTMENTS</b>	600 UNITS	850 UNITS	1,450 UNITS
<b>SHARED USES</b>	55K GSF	550K GSF	605K GSF
<b>INDOOR ATHLETICS</b>	163K GSF	3K GSF	166K GSF
<b>OUTDOOR ATHLETICS</b>	15 AC	-2.5 AC	12.5 AC
<b>RECREATION</b>	4.8 AC	6.2 AC	11 AC
<b>PARKING SPACES</b>	3,500	-600	2,900



THE PACK  
1700  
1700  
1700  
1700  
1700



# CAL POLY

## Master Planning Evolution

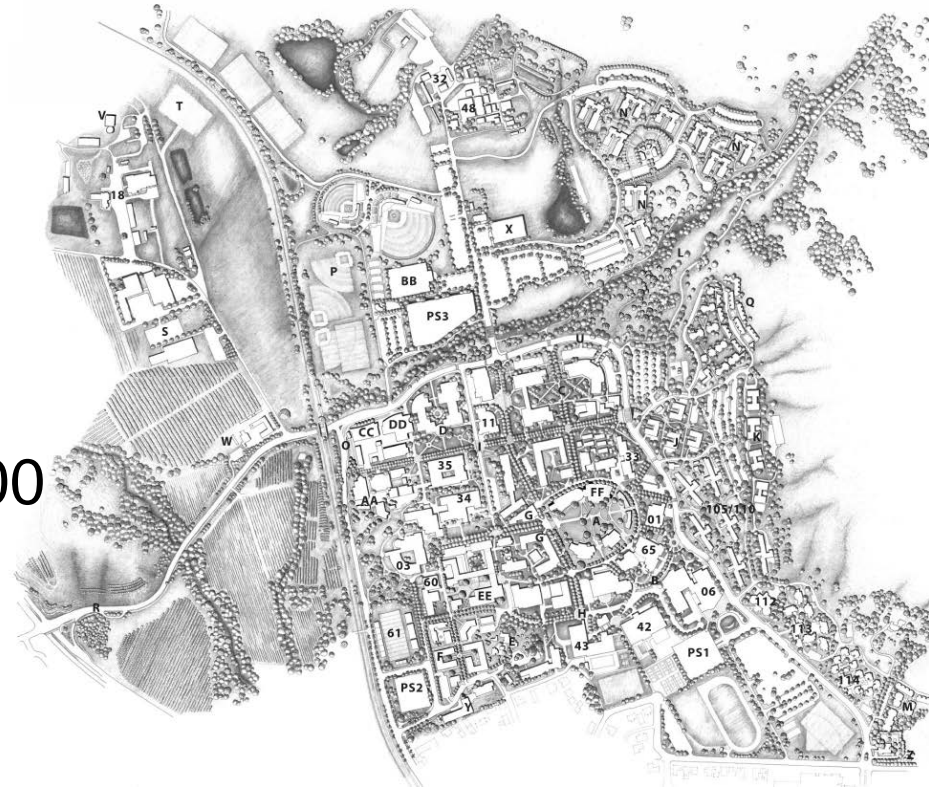
*Anthony Palazzo, Architect and Planner, Cal  
Poly San Luis Obispo*

**2018 CSU FACILITIES  
MANAGEMENT CONFERENCE**  
OCTOBER 28-31, 2018 | MONTEREY, CALIFORNIA



# Brief History

- Last Master Update in 2001
  - Enrollment grown to 21,500
  - Added 5000 beds
  - Added 500,000 sf of academic and auxiliary space
- Limiting Factors
  - Water and Sewer from City



2001 Campus Master Plan Map



# Steps We Took

- Planning Process
  - Wide stakeholder and community group
  - Multiple Meetings over a one year plus period
  - Wide campus outreach during process
  - Worked with multi disciplined EIR team

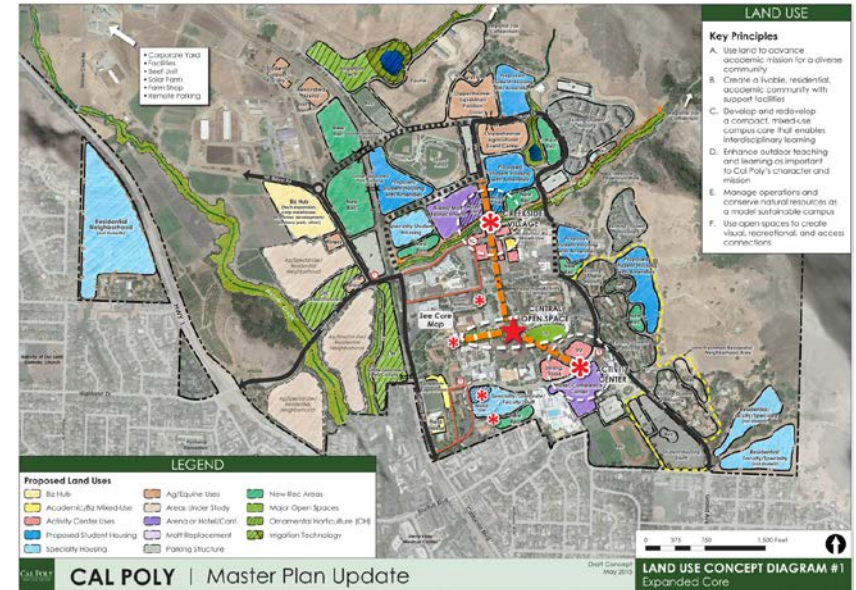


Planning  
and  
Outreach



# Steps We Took

- Planning Outcomes
  - Broad planning concepts emerged
  - Non-Academic projects, community venues
  - Non-Student housing projects
  - Public Private Partnership Opportunities
  - Revenue Generation

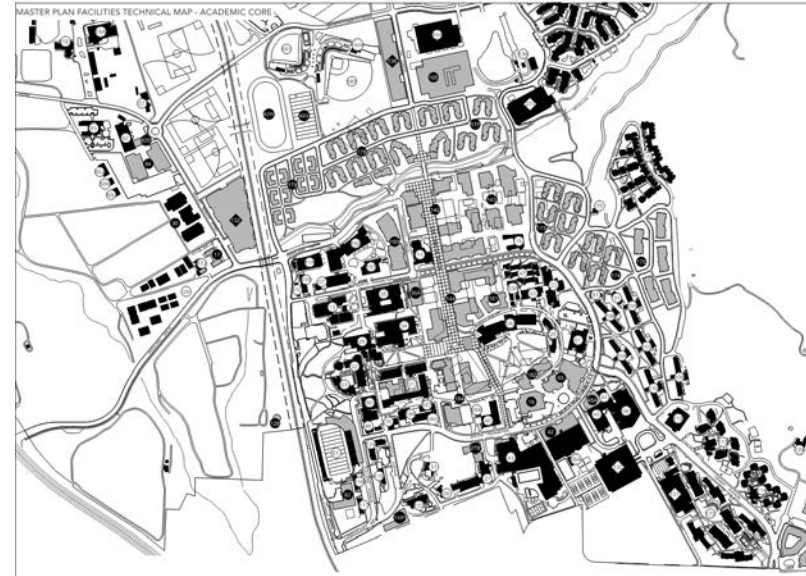


Early Concept Plan



# What Happened

- Extensive Input on EIR
  - Non-Student Housing concerns
  - Water/Waste Water Limits
  - Traffic Concerns
  - Encroachment into Ag lands
  - Public Safety Concerns
  - Public Services Concerns



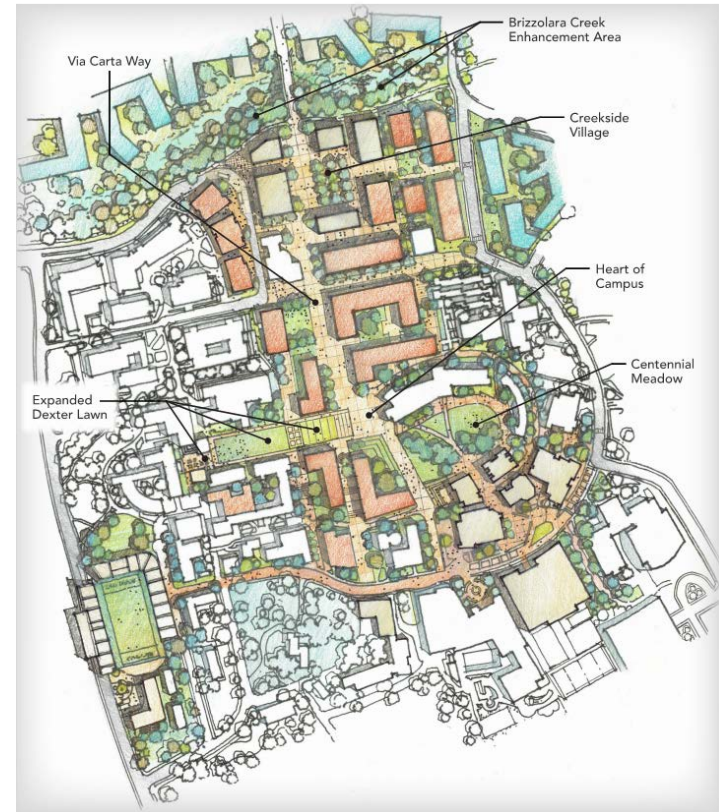
2017 Campus Core Plan





# What Next?

- Collaboration on EIR
  - Working with other Agencies on EIR issues
  - Clear delineation of scope of EIR consultants to other Agencies
  - Working with Campus Constituents on land uses
  - Reduction of projects not key to academic mission



Vision for Academic Core



# Lessons Learned

- Plan, Plan, Plan
  - Establish “rules of engagement” with CSU and other Agencies
  - Develop dialogue about meeting common goals of Agencies
  - Establish schedule and allow for float- stick to it
  - Clearly define roles of consultants and tie them contractually if more than one



Vision for Campus



# *Getting to Yes:* **CEQA Litigation and Strategies to Avoid Litigation**

*Dawn Theodora, Assistant Vice Chancellor and  
Chief Counsel for Business and Finance, CSU  
Office of the Chancellor*

**2018 CSU FACILITIES  
MANAGEMENT CONFERENCE**  
OCTOBER 28-31, 2018 | MONTEREY, CALIFORNIA



# CEQA Objectives

- Inform the public and decision-makers about the project and potential **ENVIRONMENTAL** impacts.
- Provide an opportunity for the public and agencies to comment on the **ENVIRONMENTAL** issues.
- Identify feasible ways to avoid or reduce **SIGNIFICANT** environmental impacts.
- Consider alternatives that reduce or avoid **SIGNIFICANT** impacts.
- Disclose **SIGNIFICANT** and **UNAVOIDABLE** impacts.





# CSU CEQA Litigation

- *City of Marina v. CSU*
  - 29 Cal. 4th 341 (2006)
- *City of San Diego v. CSU*
  - 61 Cal. 4th 945 (2015)



# CSU CEQA Litigation

- *City of Hayward v. CSU #1*
  - 242 Cal. App. 4th 833 (2015)
- *City of Hayward v. CSU #2*
  - Still trying to get to “YES”
- *Alliance of SLO Neighborhoods v. CSU*
  - Case No. 14CV0334 (2015)



# Scope of Judicial Review

- What does “substantial evidence” mean?
- What does “fair argument” mean?



# CEQA Litigation Statistics

1997 - 2012

- Environmental Impact Reports
  - 43% petitioners prevailed
- Negative Declarations
  - 56% petitioners prevailed
- Categorical Exemptions
  - 20% petitioners prevailed

Holland & Knight, *CEQA Judicial Outcomes: 15 Years of Reported California Appellate and Supreme Court Decisions*, by Jennifer L. Hernandez, Spencer B. Potter, Dan Golub, and Joanna Meldrum (2015). And, Thomas Law Group, *CEQA Litigation History* (2012).





# What does the law require?

- Fair share mitigation of **significant** impacts.
- Good faith effort to get to “yes.”
  - Local agencies, community groups, external labor unions.
  - Careful, strategic, and exhaustive planning and scheduling.
- What is required to be in the MOU?
  - Templates and examples.
- Efforts to resolve aren’t always successful.



# Early in the CEQA Process

- Coordination and communication are key!!
  - Campus, consultants, CPDC, and OGC
- Drawn from administrative draft EIR
  - Key topic/issue areas (e.g., traffic, water, sewer, etc.)
  - Mitigation measures
  - Develop negotiation strategy early
- Develop draft MOU for framework
- Calculate cost/fair share issues
- What about non-CEQA matters?
- Document the negotiations



# What if agreement cannot be reached?

- “Last and Final Letter”
  - Templates and examples
- Conclude well prior to BOT action
  - C.O. deadlines prior to targeted BOT meeting





# What can we do to prevail in litigation?

- Retain consultants with an excellent track record.
- OGC and CPDC should be involved at every step.
- Create and maintain a thorough and legally defensible administrative record.
- Peer review.
- Comply with all elements required by CEQA/Guidelines.
  - Clear and thorough project description.
  - Clear project objectives – fundamental project purpose.
  - Evaluate reasonable range of alternatives to meet most or all project objectives.



# Legally Defensible Administrative Record

- Specifically defined in CEQA/Guidelines.
- Also shows good faith negotiation efforts.
  - Especially when documenting Non-CEQA items.
- Understanding what to say and how to navigate.
  - Clear and precise.
- Critical to successful litigation outcome.





## Getting to Yes: Strategies for Engaging with Public Agencies and the Local Community in Campus Master Planning

1. Best practices for commonly encountered situations; what has and has not worked.
2. Strategies that have been successful in overcoming challenges and resolving conflicts.
3. Understand the impacts and significance of CSU financial commitments to third parties.
4. Managing and understanding the on-campus time and effort required.





# Please fill out session evaluation using Guidebook.



# BUILDING COLLABORATIVE COMMUNITIES

NAVIGATING CHALLENGES, CHARTING INNOVATIONS

