

NEWSBRIEF



American Planning Association
Virginia Chapter

Making Great Communities Happen

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Deadline
for spring issue is
March 17, 2012.

Virginia's Legislative & Policy Outlook, 2012

*By George Homewood, AICP
Vice President for Legislative & Policy Affairs*

The 2012 Session of the General Assembly is a long session in which the Commonwealth's budget for the next biennium will be debated and ultimately adopted. Virginia's governors get a single 4-year term and budgeting is done on a biennial basis. This will be the first time that Governor McDonnell will propose a budget that is developed entirely by his administration as the previous biennial budget was developed by Governor Kaine's administration as it prepared to leave office. It should also be noted that the substantial degree of economic uncertainty this year makes budgeting very difficult.

Virginia is heavily dependent on federal spending in the Commonwealth, much of it related to defense installations and contractors concentrated in Northern Virginia and Hampton Roads, but significant additional federal spending occurs in Virginia as well. Overall, the federal government accounts for one-third of the Commonwealth's gross state product as well as being a significant employer of Virginians. Thus federal spending reductions likely will be magnified by job losses providing additional drag on the economic climate. The political stalemate in DC compounds the uncertainty because while everyone expects something to happen, no one can predict with any clarity what that "something" will be. Some choices made in Washington, D.C. would hurt far more than others. In response to the unsettled situation, businesses in particular and consumers to a lesser extent are increasing their cash reserves and saving instead of spending. This has slowed the modest recovery over the past year to near stagnation.

Total revenues have increased slightly year-over-year and are ahead of the conservative projections used to build the current budget. This is the good news. Looking carefully at the components begins to deliver the bad news. The growth rates for both sales tax and personal income tax withholdings is below last year. Unemployment is beginning to creep upward again and if federal actions increase unemployment further, revenues from both sales taxes and personal income taxes will decline.

On the other side of the ledger, in spite of unprecedented budget cuts, the total amount of state spending increased each year through the Great Recession. And many of the actions used to close the budget gap and

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Above: Virginia Capitol Building. Photo by
Taber Andrew Bain.

Humpback Rocks.
Photo by Michael Grogan.



President's Message *By Jeryl Rose Phillips, AICP*

Greetings!

Lead. Inspire. Innovate. That is the message we as planners are being encouraged to consider as we face new challenges to and within our profession. In a recent message to members, APA's Executive Director, Paul Farmer, FAICP, remarked on the recent passing of Apple founder, Steve Jobs. He noted Jobs did not hesitate to lead the way toward creating a whole new generation of technology by daring to be innovative and inspiring his creative team to think of the possibilities. In doing so, he left our world with tools that brought new abilities to our workplace, new ways in which we communicate, and countless other quality of life improvements through technological advances. Mr. Farmer encourages us to ponder that—how we as planners can model Jobs' relentless energy as leaders, as inspiration to others, and as innovators as we go about making great communities happen.

At the Fall 2011 APA Leadership Meeting, APA President, Mitchell Silver, AICP, echoed what we heard him tell us during his keynote presentation during at chapter Conference in Wintergreen: that the people and places we plan for are changing, and we as a profession need to be ever-mindful of this and not stagnate in our learning and approach in order to remain optimally responsive to the needs of our communities. Twenty-first century trends are forcing us to rethink how we plan. He reminded us that we, as planners, are guardians of our future. We protect the public interest. As AICP members, our Code of Ethics beholds us to

having special concern for the long-term consequences of our present actions. Planners have a purpose—our communities need us! If you think you add value to the places you plan for, you must show yourself as being valuable. We must reclaim our rightful role as thought leaders and the profession of big ideas.

AICP Commission President, Anna Breinich, AICP, continued these thoughts: As planners, we shouldn't have to defend what we do; rather, we should be proud of it.

As we end this year and start anew, commit yourself in the new year to giving regular thought to how you can lead, inspire, and innovate. Let that challenge you to create value and, in doing so, be seen as valuable. I am inspired by the interest in leadership demonstrated by those who have submitted their credentials for consideration as future chapter leaders. I hope that our present and past chapter leadership has, in part, inspired such interest. I look forward to the innovation the new chapter leadership team will bring come July, building upon that which has come before.

In closing, I count my year-end blessings for good employment, my family and good friends. I ask that you keep in mind our colleagues and friends who have lost jobs during this past year and who are presently seeking employment. Help how you can. Again, our communities need us.

Best wishes for the New Year 2012!

Jeryl

Lead. Inspire. Innovate.

APA Virginia Board of Directors

President

Jeryl Rose Phillips, AICP
president@apavirginia.org

Past President

Denise M. Harris, AICP
pastpresident@apavirginia.org

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for Chapter Affairs
Earl Anderson, AICP
vpchapteraffairs@apavirginia.org

Vice President

for External Affairs
Elizabeth R. Friel, AICP
vpexternalaffairs@apavirginia.org

Vice President for

Legislative and Policy Affairs
George Homewood, AICP
legislation@apavirginia.org

Vice President for Sections

Will Cockrell, AICP
vpsections@apavirginia.org

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secretary@apavirginia.org

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treasurer@apavirginia.org

AICP Professional

Development Officer
Glenn Larson, AICP
pdo@apavirginia.org

Membership Director

Andrew V. Sorrell, AICP, CZA
membership@apavirginia.org

Student Representative

Allison Heck, Virginia Tech
vtstudentrep@apavirginia.org

Ethnic and Cultural Diversity

Committee Chair
Nicole Thompson, Interim Chair
ecdc@apavirginia.org

Planning Directors

Committee Chair
Wayne Cilimberg
planningdirector@apavirginia.org

Editors

Claire Jones, AICP
Susan McCulloch, CZO
newsbriefeditor@apavirginia.org

Graphic Designer

Anthony M. Nesossis
anthonymark@nesossis.com

Chapter Administrator

Robin Morrison
office@apavirginia.org

Virginia's Legislative & Policy Outlook, 2012 (continued)

sustain those spending levels over the past two years have been one-time savings or borrowing from future budgets plus the use of federal stimulus funds. The one-time savings and Federal stimulus dollars are gone and the borrowing, especially from the now significantly underfunded state retirement system, must be repaid along with the money borrowed for road projects in the Commonwealth. To this must be added the increased spending requirements for Medicaid which grow through both inflation and the poor economy increasing the number of citizens who require Medicaid to meet basic health care needs. The largest two programmatic cuts during the current biennium have been K-12 and Higher Education; both have been promised increases in state funding during the next biennium.

So where is all of this leading us to? Given that tax increases are not any part of the equation, Virginians likely will see an even more austere state budget in some areas with even more cost shifting away from the state onto the backs of localities, students and their parents, doctors, and the mentally ill. One of the cost shifting measures being discussed is devolution of the secondary roads in counties from the state to local responsibility for construction and maintenance. Since the existing gas tax produces insufficient revenue to maintain the roads on a statewide basis (which presumably is the most efficient way to maintain roads because of the economies of scale) and zero serious consideration will be given to raising the gas tax (which really is nothing more than a user fee), if the local streets become a county responsibility, at least some—and perhaps a lot of—local revenues will have to be dedicated to their maintenance just to keep these local roads at their current level (which are viewed by many as substandard already).

Localities are, if anything, worse off fiscally than the Commonwealth. Because localities are highly dependent on the real estate tax, in an era of economic downturn with high foreclosure rates and reduced assessed values, localities in the Commonwealth are significantly stressed fiscally and will take longer recovering than will the Commonwealth. So, shifting funding responsibilities for anything to localities means that either service levels will be reduced or local real estate taxes will increase or both.

The APA Virginia Chapter will continue to remind members of the General Assembly that planning for the future is not something that can be sacrificed because budgets are stressed; indeed, the very type of planning the Commonwealth and communities do can improve the economic condition and promote job growth. Not to mention that good planning leads to more efficient spending decisions.

Beyond the budget, the Chapter's legislative agenda notes seven topics of particular interest this year. The one that

has stirred some controversy among chapter members is the call to make the Urban Development Areas mandate an option. The Chapter Board adopted a position paper in support of the optional approach to the UDA and all members are encouraged to read it (see sidebar). The Chapter is NOT stepping away from the concepts of compact mixed-use, mixed-income development that is walkable, bikeable, as environmentally-benign as possible and provides the option to live, work and play in close proximity without the need to drive from place-to-place. APA Virginia stands ready to work with all interested parties in an open and inclusive process to provide *Code of Virginia* language that works for all of Virginia's localities.

Policy & Legislative Committee Report

Over the past 5-7 years, the APA Virginia Chapter's policy and legislative program has grown substantially in scope and—hopefully—effectiveness. We have gone from agitated and frustrated outsiders looking in to a resource invited to participate. It has not been easy, requiring commitment of both volunteer time and chapter financial resources.

Over the past 3 years, the Chapter has had invited representation as a part of the following:

- Joint Subcommittee Studying Land Use Tools in Virginia (Athey-Vogel Subcommittee)
- Rural Economic Opportunities Task Force
- Secondary Street Acceptance Requirements (VDOT)
- Access Management Regulations (VDOT)
- V-Trans 2035 (VDOT)
- Blueprint for Livable Communities (DRS)
- Chapter 870 Stakeholder Advisory Group (VDOT—this was the rollback of some of the TIA and SSAR provisions as mandated by the 2011 Session)
- Intermodal Facilities Design (VDRPT/VDOT)
- Bicycle Policy Advisory Committee (VDOT)
- Alternative Energy Local Outreach Group (DEQ)

Additionally, the Chapter has had informal participation around the issues of farm wineries and oyster harvesting.

During this period, APA Virginia has been ably assisted by our contracted legislative consultant, Eldon James & Associates, which allows the Chapter to be both represented and kept aware of what is occurring in the General Assembly. Among other responsibilities, the consultant group

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Virginia's Legislative & Policy Outlook, 2012 (continued)

maintains the Chapter's legislative website. During recent General Assembly sessions the website has been updated at least daily and any chapter member can obtain the status of bills of interest as well as see all of the bills that the Policy & Legislative Committee is tracking.

In 2011, APA Virginia published the *Key Bills for Planners* document in the late spring documenting legislation adopted during the 2011 Session of the General Assembly that might impact planning and planners in the Commonwealth, and then published the most recent edition of the *Planners Toolbox* in October. The latter document contains a compendium of all of the planning authorities available in the Commonwealth under state law from the perspective of planners.

The Policy & Legislative Committee met this summer at Wintergreen prior to the chapter conference to develop the Chapter's legislative agenda which ultimately was adopted by the Board and became the basis for our legislative outreach efforts this fall before the General Assembly session and our advocacy efforts during the session itself. This year's legislative agenda contains eight specific areas of interest to the Chapter and is posted on the APA Virginia website.

The Chapter will again conduct a weekly status update conference call between the members of the Policy & Legislative Committee during the General Assembly Session.

Any chapter member with an interest in serving on the Policy & Legislative Committee or being on our e-mail distribution list for legislative information need only call or e-mail me. Thank you for giving me the opportunity to serve the Chapter and our members.

APA Virginia Chapter Position on Urban Development Area Mandate

The APA Virginia Chapter 2012 Legislative Agenda proposes to make Urban Development Areas (UDA) as found in § 15.2-2223.1 of the Code of Virginia optional.

The Chapter and the individuals who comprise the Policy & Legislation Committee strongly support planning and the principles of smart and sustainable development. The Chapter invested nearly two years during the Athey-Vogel Subcommittee process in trying to amend the Code of Virginia to make the UDA comprehensive plan mandate a true planning process as befits inclusion into comprehensive plans. We presented several proposals—fully vetted by the Policy & Legislation Committee and Chapter Board—that would have set a series of aspirational goals for all localities in the Commonwealth, and required communities to engage in a planning process that would have achieved and incorporated specific strategies for compact, mixed-use, mixed-income, walkable, bikeable, environmentally- and economically-sustainable development options that reduced the strain of infrastructure and the natural environment as well as improved tax base and jobs-to-housing balance. Moreover, our proposal would have provided an easy path to implementation through zoning. It was not adopted—and probably was not even seriously considered—because both the development lobby and the environmental community insisted on absolute numerical mandates.

Having numerical density and intensity mandates in the comprehensive plan enabling statute places them in the

wrong place in the Code of Virginia because comprehensive plans are developed through a locally-guided community and participatory process in order to reflect the values and goals of a locality over the long term. While mandating what must be considered is appropriate, mandating the outcome is not. Moreover, the statute is essentially one-size-fits-all legislation assuming that all fast growing localities in the Commonwealth are so similar that virtually the same solution will succeed in all. Finally, the statute contains mandated numbers that even the developments held up as the examples of what is intended (see New Town in James City County and Port Warwick in Newport News) do not meet at least one of the numerical mandates. Both the Policy & Legislation Committee and Chapter Board strongly support vibrant community-based planning where the outcomes are based on a public process empowering the citizens of each community to choose a vision that best fits the future of their community. The Chapter continues to support a mandated planning process (e.g.: the comprehensive plan and the required components/analyses that apply statewide); however, what is not supported is a mandated predetermined outcome. Given facts and by doing scenario-based analyses of the range of possible future outcomes derived from different choices, citizens will make the smart planning choice on their own without being told what density levels must be achieved.

The adopted 2012 APA Virginia Chapter Legislative Agenda position to make UDAs optional for all localities in the Commonwealth also comports with two of the Chapter's overarching positions—planning authorities

Continued on next page

APA Virginia Chapter Position (continued)

and requirements should be available equally to all localities and they should be optional rather than mandates. However, APA Virginia's position is also to preserve the UDA as a viable, albeit optional, planning technique and to validate any existing adopted UDA.

Further, the Chapter takes the position that UDAs should not be subjected to any more strenuous or frequent review than any other component of a local comprehensive plan. To do so could make those UDAs that have been adopted in communities that support them untenable from a financing standpoint.

APA Virginia would welcome the opportunity to discuss again with the General Assembly how the UDA concept can be improved and offer a robust planning process that will allow the citizens of localities across the Commonwealth to envision and choose the outcomes that

work best for their community while making the most economically efficient use of the public investment in infrastructure. The Chapter likely would begin with the proposal made during the Athey-Vogel deliberations two years ago.

The Chapter Board continues to value planning and the expansion of planning authorities for all communities in the Commonwealth and the development principles that the UDA attempts to achieve in an imperfect manner. The Chapter is committed to working with the General Assembly, communities, allied groups and interested parties to improve and enhance the comprehensive planning provisions in the Code of Virginia.

Adopted unanimously by the Chapter Board of Directors,
18 November 2011



2012 Legislative Agenda

Approved by APA Virginia Chapter Board of Directors,
16 September 2011

Planning & Zoning Issues

Urban Development Areas

The chapter supports making the use of the Urban Development Area as defined and set forth in the Code of Virginia optional for all localities in the Commonwealth. While the Chapter strongly supports the concepts contained in the UDA provisions in the Code, the Chapter believes that the mandated density and intensity factors are inappropriate "one size fits all" standards that do not work well in all localities to which they apply. The Chapter also opposes establishing any review requirements for adopted UDA designations that differ from the existing review requirements applicable to the comprehensive plan as a whole under the Code of Virginia.

Aquaculture

The chapter supports the expansion of aquaculture options and opportunities in the Commonwealth; however, the seafood processing often associated with aquaculture is an industrial operation that may be, and often is, incompatible with the peaceful enjoyment of nearby residential uses and the protection of private property values. Thus, localities must be vested with appropriate authority to protect residential communities (regardless of how they may be zoned) from encroachment from seafood processing associated with aquaculture.

Cash Proffers

The chapter opposes any effort to establish state-mandated caps on development fees and proffers, including caps on water and sewer fees, review fees, and existing or prospective proffers; however, the chapter would not oppose a requirement that fees be based on actual and anticipated costs in each locality and providing that the rational basis for the actual and anticipated costs used in setting the fees or proffers be established by each locality by ordinance.

Continued on next page

Legislative Agenda (continued)

Other Issues**Infrastructure Issues**

Universal Design	The chapter supports legislative and administrative actions to encourage the development and promotion of building standards to incorporate practices that are family-friendly, enhance "aging-in-place" and promote livability. Universal design and "visitability" design principles are two such practices.
Lifecycle Costing	The chapter supports extending the requirement to consider the lifecycle costs of public investments to all state agencies and institutions.
Eminent Domain	The chapter requests that the 2012 Session of the Virginia General Assembly define "lost profit" and "lost access" in the proposed amendment to the Virginia Constitution before the citizens of the Commonwealth are asked to vote on the proposal. The chapter urges that the definitions be drafted in a way that is fair to both property owners and taxpayers who pay for necessary public improvements and not apply to temporary conditions and situations.
Local Planning Authority	The Chapter strongly opposes any legislation that would reduce local government authorities for planning, zoning, subdivision, resource protection, neighborhood preservation and local redevelopment.
Further Budget Reductions to Planning	The Chapter opposes further budget reductions that impact the ability of the Commonwealth and its local governments to plan and prepare for a future when we return to a more robust economy. Planning for infrastructure and community development must continue so that when funding is again available to implement the plans we can efficiently proceed because plans are up-to-date.



VIRGINIA CHAPTER OF THE AMERICAN PLANNING ASSOCIATION

OUR MISSION:

We promote planning as the foundation for effectively addressing the physical, economic and social changes taking place in Virginia. The Virginia Chapter of the American Planning Association (APA Virginia) is committed to increasing awareness about planning's many benefits, and enhancing its practice throughout the Commonwealth.

WHO WE ARE:

APA Virginia is over 1,500 practicing professionals from the public and private sector, as well as academics and students. The American Planning Association (APA) is a nonprofit public interest and research organization committed to urban, suburban, regional, and rural planning. APA and its professional institute, the American Institute of Certified Planners (AICP), advance the art and science of planning to meet the needs of people and society.

MAKING GREAT COMMUNITIES HAPPEN:

APA Virginia will support state-level planning policies that make Virginia and its communities the best place to live, work and play. Sound planning offers a key to making Virginia the best place it can be for all Virginians. Every region requires planning that promotes good jobs in livable communities. Faster growing regions have the added need for planning that recognizes pressures that are unprecedented in Virginia's history. Good planning actively involves the people of a community in the process; it combines their input on what is "valuable" for a good community with the technical facts brought by professionals and scientists. Sound planning includes an understanding of the differences between technical and value judgments and blends both appropriately to recommend a direction that moves a community toward the best place it can be for its citizens.

Opportunity to Comment: AICP Commission's Tenured Faculty Program Proposal

By Jeryl Rose Phillips, AICP, Chapter President

In the November 11, 2011, issue of APA's *Interact* – AICP Edition, the AICP Commission presented a proposal to grant tenured faculty at Planning Accreditation Board (PAB)-accredited university planning programs the AICP credential in lieu of such sitting for and passing the AICP exam. AICP members were asked to consider the Commission's proposal and provide comment directly by December 1, 2011. I'll admit, I don't read all of *Interact's* details religiously, and probably should in the future. Original notice about this program proposal was also found at www.planning.org/aicp/faculty, but most of us don't go there. Furthermore, to my recollection, this proposal was not announced during either the plenary session or the Chapter Presidents Council Business Meetings at the Fall APA Leadership Meetings held in September, which I attended as your chapter's representative; I have since confirmed that I did not miss an announcement at those meetings. In general, this announcement seems to have been missed or overlooked by most I have talked with in both leadership and non-leadership positions, within and beyond our chapter, as well as by our university program faculty. Beyond the merits of the issue and proposal, I have expressed my concern about the vetting process to the Commission directly along with other chapter presidents, as this proposal represents a significant change in how our credential is awarded.

Despite the relatively brief comment period deadline having passed, I wanted to take the opportunity afforded by all-member communication with this issue of *Newsbrief* to make sure our Chapter AICP members are aware of this proposal. Below is the entirety of it as reprinted from *Interact*. It became my understanding, after becoming aware of it, that this is an initial draft proposal and that a final draft and additional comment period will be forthcoming. In the interim, I have begun discussions with the APA Virginia Chapter Board of Directors and the university program chairs at each of our three planning schools to gain their perspective and input on this proposal. Their response has been in sync with comments I have been reading from around the country. **Despite the deadline having passed, please do read and consider this proposal carefully for the issues it attempts to present and the recommendations offered to address them and the pros and cons of such. More importantly, provide your constructive comments and suggestions directly to the Commission at:** getinvolved@planning.org. I would also welcome your thoughts on it at president@apavirginia.org.

Following the first round of feedback from members, it was announced by APA Leadership on December 20th that Anna Breinich, AICP, has appointed a task force to examine and study all of the concerns raised about the proposal. The group is tasked with developing substantive and thoughtful suggestions to engage faculty, as recommended by members through their feedback. The task force will review all comments to date. **Additional comments received that can inform the task force's deliberations and discussions are encouraged. Again, please take the time to send your comments to the above contact.** In early February 2012, the task force will develop initial recommendations. Following this, the AICP Commission will then request comments from members for the task force's use in developing a full list of recommendations. By March 2012, the task force plans to prepare a full list of recommendations and provide them to the AICP Commission for further review and comment by the membership. After another round of member review in late March 2012, the recommendation will be revised and a proposal offered for review by the membership, Chapter Presidents Council, Divisions Council, and Association of Collegiate Schools of Planning, then consideration given by the AICP Commission during the National Planning Conference meetings in April 2012. Therefore, it is clearly apparent that this will be an iterative process and there will be several more periods of member feedback along the way to April.



Tenured Faculty Membership Program

Under the terms of the Tenured Faculty Membership Program, AICP will invite currently tenured faculty in planning programs accredited by the Planning Accreditation Board (PAB) to apply to join if they are not already AICP members. In the future, faculty who are granted tenure at PAB-accredited programs will be invited to apply for AICP membership. As with individuals who pass the Comprehensive Planning Examination, their membership in AICP will take effect when they pay APA, chapter, and AICP dues in full.

Responding to changes in the planning academy

AICP developed the Tenured Faculty Membership Program in response to extensive changes in U.S. planning programs. Thirty-five years ago, academic planning departments were “recognized” by the American Institute of Planners. Today, planning programs are accredited by the Planning Accreditation Board, a body established by APA and its professional institute, AICP, in concert with the Association of Collegiate Schools of Planning. Increasingly, the PAB considers outcomes such as pass rates on the AICP exam when it evaluates a program.

In the early 1970s, many planning faculty were recruited directly from the field of practice and arrived on campus with an AICP credential awarded after an oral interview that served as the threshold exam. Few had doctorates. In 2011, doctoral degrees are common among individuals who join planning faculties at accredited university programs. Research and publication are expected and are key criteria for the grant of tenure. Achieving tenure typically requires an extensive, written application that must be approved at several academic levels such as department, school, and university.

The AICP Commission invites feedback

The AICP Commission would like to hear from members before finalizing the program. Please read the questions and answers below and use the “Contact Us” section that follows to submit additional comments or questions about the Tenured Faculty Membership Program, no later than December 1, 2011.

Q: Who is eligible for the Tenured Faculty Membership Program?

A: Faculty of planning programs accredited by the Planning Accreditation Board are eligible. Any faculty member in a PAB-accredited planning program may apply once he or she is granted tenure. Faculty members of non PAB-accredited programs are not eligible at this time.

Q: Is passing the Comprehensive Planning Examination required?

A: No. A university’s grant of tenure requires an extensive written application that must be approved through a rigorous process that includes votes of approval at several stages. This will be considered as an alternative that is a written examination.

Q: Do these members have to pay AICP dues?

A: Yes. Like all AICP members, they must pay APA, chapter, and AICP dues.

Q: Do these members have to fulfill Certification Maintenance requirements?

A: Yes. Like all AICP members, they must fulfill CM requirements: 32 CM credits every two years, 1.5 of which meet the law requirement and 1.5 of which meet the ethics requirement.

Q: Is the reinstatement process any different/or these members?

A: No. Like all AICP members, they must comply with AICP’s reinstatement policy. If an individual’s membership lapses for more than four years, he or she must follow the application procedures for new AICP membership, which includes passing the Comprehensive Planning Exam.

Restoring Ethical Transportation Practices

Article and Photos by Andy Boenau, AICP, Transportation Planning Manager, AECOM

The state of the planning practice has gone through periods of dramatic shifts in focus and priority over the years as our body of knowledge increases and we better understand the public interest. The transportation planning profession is an exception. It has remained fairly stagnant—an obstacle of sorts for city planners, economic development strategists, and average citizens expressing their opinions and desires to the experts. So what keeps the transportation practice from moving forward? Trust by stakeholders in the post-WWII traffic engineering culture, that's what.

Traffic engineering assumptions developed during the 1950s are still the foundation for analysis in today's planning studies. Transportation professionals have been trained to perform operational analysis on intersections and roadway segments where success ("good" Level of Service) is defined by the fast and easy movement of automobile traffic. Planners are routinely told to make their plans fit whatever results the traffic engineers provide (additional through lanes, double left-turn lanes, signals instead of roundabouts, etc.).

Whether by accident or by design, traffic engineering dictates future road and intersection design in most states across the country. So-called "improvements" are presented as the only option because the fundamental assumptions are flawed. Specifically, the federal government requires planning efforts consider all users of the road network, yet traffic engineering success is measured by fast and unobstructed vehicular traffic. It is difficult and unnerving to oppose a professional engineer who makes statements like "this corridor will be improved by increasing capacity in order to maintain safe and efficient flow of people and goods." In fact, in many jurisdictions, planning departments are expected to accept the recommendations of the post-WWII traffic engineering culture without any debate.

Before going further, it seems appropriate to interrupt this train of thought with a personal disclosure statement: I am a recovering traffic engineering lemming.

Lem•ming (noun)

Doomed conformist; a member of a large group of people who blindly follow one another on a course of action that will lead to destruction for all of them.

-Encarta Dictionary

I was trained in the traditional school of engineering where wider is safer, faster is better, and multimodal means "many car types." A series of project experiences and open-minded mentors helped me change course, and I

hope some of my observations will challenge my fellow planners to pay close attention to the transportation planning process and to maintain the spirit of open and candid debate that keeps us honest. If you don't, you just might be violating the code of ethics you commit to upholding. Don't believe me? Read on!

Is this really about ethics?

Consider this fact: during the 10-year period from 2001 to 2010, over 400,000 people were killed in vehicular crashes in the United States. That is an average of 110 deaths on our roads every day for 10 years. It should go without saying that if something could be done by planners to save lives, then it is our obligation to take action. Members of AICP are held to a specific Code of Ethics and Professional Conduct, but any individual who participates in planning—with or without AICP certification—is expected to follow the Ethical Principles in Planning adopted by APA in 1992. Additionally, planners who are members of the Institute of Transportation Engineers (ITE) are bound to ITE's Canons of Ethics.

For more on ethics...

www.planning.org/ethics/ethicalprinciples.htm
www.planning.org/ethics/ethicscode.htm
www.ite.org/aboutite/ethics.pdf
www.nspe.org/Ethics/CodeofEthics/index.html

Regardless of your specific role in the planning and/or engineering profession, each of the above mentioned ethical standards are very similar and the responsibilities held in high esteem can be categorized as follows: (a) the public, (b) employers and clients, and (c) the profession and our colleagues.

Responsibility to the public

Pattern recognition

The average person can find a set of design guidelines for virtually any profession. Transportation networks are no exception, although an uninformed researcher may be overwhelmed by the sheer volume of data that transportation professionals must know. In a typical suburban county, design guidelines may be used in any number of settings, including major highways, neighborhood streets, commercial corridors, alleys, school districts, and rural corridors. It is important for designers to have a scientific approach to their work, and guidelines are therefore very practical. But on a very basic level, the average person can spot good design from bad design by using their ordinary pattern recognition skills. Continued on next page

Restoring Practices (continued)



Pedestrians feel comfortable crossing busy intersections in Arlington (pictured above), and it is unlikely that they have reviewed peak hour traffic analyses or measured lane widths and turning radii before choosing to live and work in this busy area. If they had, they might come to the conclusion that it is impossible for vehicular traffic and pedestrians to coexist. A trained eye is not required to observe an area that has a sense of place. The same untrained eye can identify the danger and distinct lack of comfort on the high-speed U.S. Route 1 (pictured below) in Henrico County, despite the presence of a sidewalk.



Language of traffic engineers

The APA and AICP ethics statements focus on the public interest; professional engineers focus on the health, safety, and welfare of the public. In terms of transportation planning, these are directly related. Keeping pedestrians, cyclists, and drivers safe is serving the public interest. However, over the past few decades, many transportation professionals have been guilty of putting the general public in significant danger, ironically using terms like “improvement” as an excuse. Compare the following two statements from a hypothetical traffic engineer. The message is the same, but spoken in different languages. One person’s improvement could be another’s death sentence.

Subjective Language

“The improvements to the intersections and the upgrading of the road to four lanes will not only enhance the capacity to meet future traffic demands, but the Level of Service will improve from D to B.”

Objective Language

“The changes to the intersections and adding two automobile lanes will accommodate the additional automobile traffic that we forecasted.

The Level of Service for automobile users will increase from D to B during the weekday peak hour of automobile use.”



Even without an engineering degree, a safety deficiency can be identified. Maneuvering a wheelchair out into the street and back up onto the sidewalk in order to pass by a traffic signal pole is less than ideal. Little does the layperson know, this is an example of a typical “traffic safety improvement to enhance non-motorized mobility around a fixed, immovable object”.

An entire book could be written on the language of traffic engineers. Potential titles may include *Tongue Twisters—a Guide for Traffic Engineers* and *Dr. Arterialove: Or How I Learned to Stop Worrying and Love Bad Design*.

Responsibility to employers and clients

Federal Highway Administration (FHWA) has established a national safety program called “Toward Zero Deaths”. Here is one example of how planners can help reduce the death toll on our nation’s roads at the local and regional level: fight against the default use of traffic signals instead of modern roundabouts.

According to the FHWA, traffic signals have a much higher fatality rate than roundabouts. And yet many local planning and engineering departments avoid roundabouts as mitigation solutions for safety and operational deficiencies because of real or perceived backlash from politicians and the

Continued on next page

Restoring Practices (continued)

general public. And why is there backlash? Because we haven't been having enough debate on how Option A is more dangerous than Option B—the public doesn't yet understand why roundabouts serve their interest. Thus, there is an opportunity to initiate the discussion of alternative traffic solutions like roundabouts and to provide all available information to allow for more informed decisions.

Context Sensitive Solutions

It took several years, but transportation planners and engineers have adopted the popular phrase “context sensitive” and use it quite often. Context sensitive solutions (CSS) is defined by the FHWA as a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will exist. Application of (CSS) has substantial room for improvement.

The photo below shows a marvelous pedestrian refuge—a “refuge” with no safe place to navigate. Landscaping does go a long way to calm traffic and enhance corridors when used appropriately, but installing an ADA ramp to an island of plants does little to help pedestrians.



It appears from examples like this that transportation professionals often overlook the definition of context. CSS is not about adding greenery to a poorly designed road or refusing to consider sidewalks where engineers want to discourage foot traffic. The two photos on this page illustrate how roads are designed (and re-designed) when the immediate surroundings are not properly understood. The context in both consists of an elementary school and several single family homes. These two photos were taken just a few hundred feet from each other—one segment of the road is somewhat consistent with its context in terms of lane and total pavement width; the other is an out-of-place speedway.

Responsibility to the profession and our colleagues

There are many nuances to civil engineering design that continue year after year to make conditions more hazardous for people, regardless of their mode of travel. I do not suggest that the industry is intentionally trying to harm the traveling public, but we have to acknowledge that, regardless of the intentions, is unacceptable. A sense of urgency is needed in the planning profession to help motivate our colleagues who specialize in transportation.



The picture above illustrates a few common features of the post-WWII design culture. This principal arterial, designed to accommodate very high speeds, is posted at 35 miles per hour. As you might expect, police officers patrol this corridor due to the routine and excessive speeding.

A sidewalk was never constructed along the corridor because engineers suggested that having pedestrians on a fast and busy corridor like this would be dangerous. It is true the conditions are dangerous, but the well-worn dirt path is a reminder that if people have no choice but to walk, they will walk.

It is also worth noting that pedestrians must sprint across the 10-lane speedway to get to the bus stop on the opposite side. How can we transportation professionals take ourselves seriously when these types of corridors are the norm?

Engineers are inclined to adhere to design guides (guides, not to be confused with laws) and planners are inclined to trust everything designed by professionally trained engineers.

Continued on next page

Restoring Practices (continued)

The process of designing transportation “improvement” projects is as follows:

- Engineers verify that they have the latest editions of standards that were developed to favor vehicles at the expense of people;
- Engineers design roads that meet or exceed minimum thresholds in their standards, thereby “improving” the safety of motorists;
- Drivers are able to move faster even while distracted by modern conveniences like smart phones;
- Pedestrian and bicycle accommodations are avoided because engineers point out that roads are too dangerous for anyone outside of a car or truck;
- High-speed crashes occur, causing property damage, incapacitating injuries, and death;
- Engineers go back to standards to design more (and wider) lanes so that drivers can maintain their comfort level while driving at high speeds;
- Engineers are presented with praise, recognition, and awards for properly designing roads that pump higher volumes of traffic at higher rates of speed.

Our industry is numb to this process. Driver behavior is not the only cause of crashes if drivers are made to feel comfortable behaving badly behind the wheel. And a dramatic reduction in fatalities cannot be realized as long as we pretend that all roads designed to modern U.S. standards are as safe as they can be given the current state of practice and the number of alternatives available that have been shown to be safer.

Politicians, government agencies, and professional engineers cannot continue to hide behind fundamentally flawed application of design standards. My challenge to the reader is to uphold your ethical standards and codes of conduct by serving the interest of the public. Serve by planning and designing transportation projects that maintain the health, safety, and welfare of the public.

You convinced me, now what?

So if we believe that there are better options for transportation design, what can we do about it? When grassroots organizations are educated about the proven benefits of human-scale planning and design and then presented with real world case studies, the energy is contagious. Whether you're a planner, an engineer, or a hybrid “plangineer”, you have an obligation to ethically serve the public, your clients and employers, and your profession as a whole. Here are a few homework assignments for my fellow Virginia planners:

1. Read (or at least skim) one or two of the documents referenced below.
2. Keep your ears open for traffic engineering language and consider whether or not it is truly objective and honest.
3. Stay alert for capital improvement projects that are promoted to improve public safety and welfare, but conflict with the known interests of the local public.
4. Continuously and openly debate the practical issues related to serving the public interest.

Read more about good, competent design...

Flexibility in Highway Design,
Federal Highway Administration

A Guide for Achieving Flexibility in Highway Design,
American Association of State Highway and
Transportation Officials

*Designing Walkable Urban Thoroughfares:
A Context Sensitive Approach,*
Institute of Transportation Engineers and Congress for
New Urbanism

Smart Transportation Guidebook,
New Jersey Department of Transportation and
Pennsylvania Department of Transportation

Smart Mobility 2010: Call to Action for the New Decade,
California Department of Transportation

*Livability in Transportation Guidebook: Planning
Approaches that Promote Livability,*
Federal Highway Administration and Federal Transit
Administration



APA Virginia Chapter Board of Directors Election

Last fall, APA Virginia issued a call for statements of interest for the upcoming Board of Director elections. Statements of interest were due to the Past President by November 30, 2011. In accordance with the chapter bylaws, a nominating committee appointed by the President slated the following candidates for election:

Slate of Candidates

President – George M. Homewood, AICP

Vice President Legislative & Policy Affairs – Emily J. Gibson

Vice President Chapter Affairs – Earl W. Anderson, AICP

Vice President External Affairs – Stephen J. White, Ph.D., AICP

Vice President Sections – William Cockrell, AICP and Tracey Shiflett, AICP

AICP Professional Development Officer – Elizabeth R. Friel, AICP

Treasurer – Joseph L. Curtis, Jr., AICP

Secretary – Ben I. Wales, AICP

Membership Director – Andrew V. Sorrell, AICP

Call for Petition Candidates

As stated in the chapter bylaws, interested chapter members not slated may be placed on the election ballot as a petition candidate.

In order to become a petition candidate interested members must submit their statement of interest with a petition signed by no less than thirty (30) chapter members who are eligible to vote to the Chapter Secretary (secretary@apavirginia.org) no later than February 23, 2012.

For more information on chapter elections, please review the bylaws at <http://apavirginia.org/documents/pdf/By-Laws-approved-11-17-07.pdf>.



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Members on the Move and Other News



Satyendra S. Huja, AICP, was chosen as the next mayor of Charlottesville after a unanimous city council vote on January 3, 2012. A long-time planner for the city of Charlottesville, Huja is also known for being one of the architects of the Downtown Mall. He formerly served as director of strategic planning for the city of Charlottesville from 1998 to 2004. Prior to that, he was director of planning and community development for the city of Charlottesville for 25 years. Huja originally came to America from India at the age of 19 to attend college. He was first elected to council in 2007.

John G. Cooley, AICP, CZA, has been named the director of the Community Development Department for the Town of Orange. John began his new job on November 7, 2011. His department is responsible for current and long-range planning, administration and enforcement of the town's zoning and subdivision ordinances, and updating the town's comprehensive and capital improvements plans. John formerly served Culpeper County as their transportation planner and the Virginia Department of Transportation as a transportation planner in the Culpeper Residency. John has also worked in the private sector for Earth Tech, now a part of AECOM, Anderson & Associates in their Blacksburg office, and he was a full time parent for four years to his two daughters. John holds a Master's of Urban and Regional Planning from Virginia Tech and a Bachelor of Arts in Land Use Planning and Analysis from Emory and Henry College.

Peter Katz, a nationally recognized proponent of New Urbanism who played a key role in shaping the movement, has been named director of planning for Arlington County's Department of Community Planning, Housing and Development. Katz holds a bachelor's degree from The Cooper Union for the Advancement of Science and Art, New York.

Since 1990, Katz has been a planning consultant, working on a range of complex projects incorporating the principles of New Urbanism and Smart Growth. Katz lived in the Washington DC region from 1999 to 2004. During that time he was professor in practice in the Department of Urban Affairs and Planning at Virginia Tech's Alexandria Campus. Since 2008, he has been the director of Smart Growth/Urban Planning for Sarasota County, in southwest Florida. He started work in Arlington in October 2011.

Got any news you'd like to share?

Email us at newsbriefeditor@apavirginia.org.

Membership Report

Andy Sorrell, AICP, Membership Director

APA Virginia's chapter membership has remained stable in 2011, with a yearly average of 1,510 members for the period of November 2010 through November 2011. Chapter membership currently stands at 1,546 (our highest membership was in December 2008 with 1,693 members). Below is the yearly average (November to November) by membership type:

- Regular members (i.e. not of the types below): 1,088
- Faculty and student membership: 223
- Group Planning Board Members (i.e. Planning Commissioners, Board of Zoning Appeals and etc.): 108
- New Professionals: 46
- Retired: 18
- Life members: 28

Forty-five percent (45%), or 701, of the chapter's current membership have AICP credentials; nine are Fellows of AICP (FAICP).

Since July 1, 2011, welcome letters have been sent to 86 new members joining our chapter for the first time. In 2012, the chapter will be developing and distributing the biannual membership survey. We hope to gather feedback on improvements made since the last survey as well as additional input on areas the chapter can better serve its members. The feedback we receive from the chapter's membership informs the Board as the chapter's work plan is developed.

ECDC Update

Nicole J. Thompson, Chair

Having been reinvigorated by the overwhelming response from the Diversity Summit that took place during the APA Virginia Conference, the ECDC has been working hard to expand its reach across the Commonwealth. In late October, Chair Nicole Thompson and Joseph Curtis traveled to Blacksburg to meet with Mr. Mark Chang, a recent graduate from Virginia Tech. Chang was inspired by the keynote speech given by APA President Mitchell Silver at the Diversity Summit and offered to help the ECDC in any way. The meeting also included Ray Williams, Director of Multicultural Programs and Services at Virginia Tech, and several current students. After a productive discussion, the group is eager to start ECDC events in the Roanoke/New River Valley. Because of Mr. Chang's enthusiasm, energy and ideas, the ECDC is proud to announce Mark Chang is its newest member. Welcome Mark, you are a great addition to the Committee and we all look forward to working with you. Congratulations!



Above: ECDC Planners Breakfast. Photo by Joseph Curtis.

Also taking place in October was an ECDC Planners Network Diversity Breakfast. Held at the offices of Parsons Brinckerhoff in Norfolk, the breakfast welcomed Mr. Steven Wright and Ms. Angela Barber from the City of Chesapeake's Department of Economic Development. Wright, who serves as director of the department, and Barber, the marketing research specialist/SWaM coordinator, addressed issues related to small, women, and minority-owned businesses in Chesapeake. Both spoke of the disconnect between the many qualified small businesses within the City and the requirements of

contracts offered by the city. In many cases, the city's contracts were so large that only large companies are able to bid on such projects due to the significant bonding costs. In some cases, the city was able to separate some large contracts into smaller ones to draw in a larger pool of bids. In addition, the Department of Economic

Development offers classes and services to small businesses free of charge. The office stresses these free services and classes because many times small companies will pay consultants for these same services. Finally, the success of small businesses in Chesapeake and elsewhere depend not only on their getting contract work from the city but from other localities within Hampton Roads as well. How this is encouraged and what steps have been put in place to

assist SWaM businesses in Hampton Roads to pursue city contracts will be explored in more detail when ECDC holds its half day symposium on regional SWaM initiatives in Hampton Roads in mid-2012.

Please stay tuned for an updated (not to mention overdue) ECDC webpage in the next few months. We've been busy trying to catch our breath from the great success and interest generated by the Diversity Summit. If you reached out to us at the Diversity Summit and haven't heard from us yet, we apologize for the delay and will certainly contact you in early 2012! And if you didn't reach out to us then, but want to do so now, you may contact Nicole Thompson and Joseph Curtis at ecdc@apavirginia.org.

Hampton Roads Section Update

Joseph L. Curtis, Jr., AICP

In November, the Hampton Roads Section of APA Virginia was invited on an exclusive tour of Fort Monroe. The former military installation was recently declared a national monument by President Obama. The new national monument is run by the Fort Monroe Authority, headed by former Virginia Delegate Glenn Oder. The

event included a presentation, a tour, and a reception at the Oder's residence on the Fort. The former officer's home was built for entertaining guests with porches that run the length of the front of the house on both levels.

Continued on next page

Hampton Roads Section Update (continued)



The section event started with a tour of the Chamberlin Hotel, which was built in the 1920s during the era of the grand hotel. The Chamberlin Hotel that stands today is the third hotel built on the site, after the original Hygeia Hotel was torn down and a second hotel took its place. The Chamberlin served as a destination for those wanting sweeping views of the Chesapeake Bay and a unique experience. However, by the early 2000s travel to the hotel declined and the increased security at Fort Monroe after September 11, 2001, all but cut off access to the hotel by non-military patrons. Several stakeholders joined forces to purchase the building, negotiate a land lease (the Army owned the land), and renovate the historic components of the building. The Chamberlin was reopened in the summer of 2008 as a senior residence.

A brief history of the hotel was given by Sue Moniak with the Chamberlin and Josh Gillespie from the Fort Monroe Authority. Attendees learned how historic tax credits were applied during the building restoration and walked through the grand ball room and storied lobby with high ceilings and ornate fixtures. Areas such as the Officers Club and the café are open to the public, as well as to private events. Attendees were also able to look into several models of the senior living apartments available for rent, the fitness center, and large indoor original tile pool, which was part of the extensive restoration. Many attendees mentioned the innovative designs and breathtaking views.

Attendees received a special treat as Kirsten Talken-Spaulling was in attendance for the tour and the

reception. Ms. Talken-Spaulling is the newly appointed NPS Park Superintendent for the Fort Monroe National Monument.

The Fort Monroe tour continued outside as the group led by Josh Gillespie of the Fort Monroe Authority ventured across one of the moat bridges to the historic fortress and was led through an abbreviated tour of the Casemate Museum. The museum features a robust history of Fort Monroe, an explanation of its strategic location, famous and infamous people who have passed through the Fort (including Robert E. Lee and Jefferson Davis), and much more. The tour continued with a walking tour of the parade grounds and the fortress and concluded with a reception at the Oder residence. Section directors Amy Jordan and Joseph Curtis would like to thank the speakers who made this section meeting one of the biggest events the Hampton Roads Section has held. Most of all, Amy and Joseph would like to thank all of those who came out to Fort Monroe to take part in this exclusive event.



Board of Directors Meeting Highlights

The Board of Directors held their quarterly meeting on December 9, 2011. Here are the highlights of actions taken or items under discussion:



- APA Virginia endorsed 3 FAICP nominations for the 2012 AICP College of Fellows for the following members: Elaine Echols, AICP, Glenn Larson, AICP, and James Zook, AICP.
- The President appointed the following to serve on a nominating committee to consider nominations received for the Board of Directors 2012-2014 term and to slate candidates: Denise Harris, AICP, Nicole Byrum, and Glenn Larson, AICP.
- Marketing for the Chapter's low-cost job ad placements on the website will be done to planning directors and private sector.
- A shop will be set up for members to order chapter-logoed apparel – show your chapter spirit!
- A bill drafted by the Chapter pertaining to aquaculture will be introduced during the 2012 General Assembly Session pending obtaining a patron.
- A report on the APA Fall 2011 Leadership Meetings was presented.
- An updated APA Policy Guide on Smart Growth is being drafted and will be considered at the APA Delegate Assembly at the APA National Conference in April. Virginia will need to send 4 delegates. Contact George Homewood, AICP, if you plan to attend and are interested in being a delegate at legislation@apavirginia.org.
- The merits of the AICP Commission's Tenured Faculty Program proposal, announced in November, were discussed at great length. A chapter position in opposition to the proposal was taken, and a letter to that effect will be forwarded to the Commission along with the Board's constructive recommendations for addressing the perceived problems presented by the Commission in their proposal.
- The APA Small Town and Rural Division will be participating in the chapter's 2012 Conference.
- VP-Sections will be meeting with all section directors in January to develop an action plan for section activities.
- The Virginia Housing Development Authority will be partnering with all 9 Sections to present a luncheon workshop on accessibility and livability.
- All new chapter members are receiving welcome letters. Membership marketing will be conducted for planning faculty and students. Non-renewing members will receive a survey regarding reasons for non-renewal.
- Volunteers needed! Anyone interested in leading a webcast on a topic of their choice for CM credit on 9/28/12 should contact Glenn Larson, AICP, AICP Professional Development Officer at pdo@apavirginia.org. Anyone interested in coordinating the chapter's social networking sites should contact Elizabeth Friel, AICP, VP External Affairs at vpexternalaffairs@apavirginia.org
- The Ethnic and Cultural Diversity Committee is bustling with renewed and new interest following the Chapter's Diversity Summit in Wintergreen. An updated committee action plan is in the works.

Continued on next page

Board Highlights (continued)

- A discussion was begun on collaboration opportunities with adjacent chapters in the areas of Ethnic and Cultural Diversity, training, conferences, and Section activities, and will continue at the March Board meeting.
- A discussion on leadership transition and capacity needs was begun and will continue at the March Board meeting.
- The next Board meeting will be held on March 11, 2012. All members are welcome to attend.
- The Board transition retreat with incoming elected Board members will be held July 20-21 at Wintergreen immediately following the close of the Chapter Conference.



Belvidere Bridge, Richmond, Virginia. Photo by Anthony M. Nesossis.

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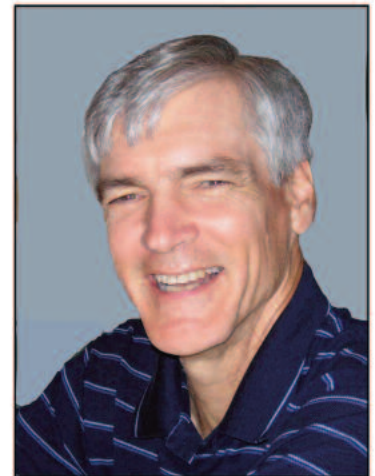
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Celebrating 20 years in business this October, I want to thank all of my clients and colleagues for your support throughout my years of planning consulting.

It's been an honor and a privilege to have served more than 70 local governments in Virginia, preparing and facilitating comprehensive plans, land use regulations, and other projects - and I'm hoping for another 20 years! **Thank you all!**



Milt Herd, AICP
Leesburg, Virginia



milton@herdplanning.com
www.herdplanning.com



Blue Ridge. Photo by Aldon Hynes.



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Making Great Communities Happen

2231 Oak Bay Lane
Richmond, VA 23233

Phone: 804-754-4120
Fax: 804-754-0801
E-mail: office@apavirginia.org
Web: www.apavirginia.org

**NEWSBRIEF
Editorial Team**

Elizabeth Friel, AICP, Vice President of External Affairs
vpexternalaffairs@apavirginia.org

Claire Jones, AICP, Editor
newsbriefeditor@apavirginia.org

Susan McCulloch, CZO, Editor
newsbriefeditor@apavirginia.org

Robin Morrison, Chapter Administrator
office@apavirginia.org

Anthony M. Nesossis, Graphic Designer
anthonymark@nesossis.com

Assistant Editors

Bernadette Bettard, AICP, Fairfax County
Bernadette.Bettard@fairfaxcounty.gov

Diane Zahm, PhD, AICP, VA Tech
dzahm@vt.edu

Andrew V. Sorrell, MPA, AICP, Albemarle County
asorrell@albemarle.org

Brandie Schaeffer, Brick Institute
brandieschaeffer05@yahoo.com

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