

# URBAN ACTION



1992

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*URBAN ACTION*, an annual publication produced by students in the Urban Studies Program at S.F.S.U. Students from a variety of disciplines have contributed to the journal, and we thank them for their time and effort. We hope that the articles presented in *URBAN ACTION* reflect the diverse nature of urban issues, both regionally and nationally. We trust that this edition will be interesting and informative to all who read it.

Celebrating its lucky thirteenth year, *URBAN ACTION* owes its success to the hard work of the students, professors, and university staff who continue to make this publication a reality. We would like to thank the Urban Studies faculty for their inspiration and encouragement, and San Francisco State University for the funding that enables us to publish. We would also like to thank Lila Babcock, Department and Program Secretary Extraordinaire, whose support has again been invaluable.

Special thanks to our faculty advisor, Debbie LeVeen, whose confidence in us never wavered.

The editors of *URBAN ACTION* '92



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# Justice in America

by Christina E. Ratcliffe

As *URBAN ACTION* goes to press there are 58 people dead in L.A.; killed in the riots following the acquittal of four LAPD officers accused of using excessive force in the arrest and beating of Rodney King. We all saw the evidence. The amateur video that caught the brutal beating of Rodney King was played and replayed on the T.V.s of America for the last year and a half. How then could twelve jurors, honest and true, find the officers not guilty? But I am omitting the important facts—the officers are white, the jury is white and Mr. King is African-American.

In the days following the now infamous verdict we witnessed the rage unleashed in Los Angeles, Atlanta, New Jersey, San Francisco, and in cities all over the country. T.V. footage with little or no analysis brought images of the burning and hate. I thought of the Serbs and Croats, of the Intifada, of South Africa, of the '60s, of the film *Blade Runner*, not believing that this was real, this was now, this was here.

I found on T.V. a peculiarly white suburban perspective. A perspective peppered with extremely white commercials (no different than an ordinary day), and a noticeable increase in the presence of African-American, Latino and Asian-

American reporters. A perspective that was removed from all that was happening "there." A perspective indicative of the segregation in America today. A perspective that, carried to the extreme by the jurors in Simi, could believe that brutally pounding a man on the ground in a fetal position 58 times was "not excessive."

The problem is not the verdict, the verdict is simply evidence of the problem. The problem is not the riots, the riots are evidence of the problem. Evidence of our country's effective isolation and repression of the African-American community. Evidence of the abandonment of the promises made in the civil rights movement of the '60s. Evidence of the deepening hatred and racism that divides this country.

The smoke from the fires in L.A. is dying now. Rodney King's plea to "just get along" is in the papers. Things seem to be calming down.

But 58 people are dead in L.A. We have two systems of justice. The President blames the social programs of the '60s for the riots. (The Reagan-Bush administration has effectively pummeled those programs in the past fifteen years, but it's an election year, so why talk technicalities?) There are demonstrations calling for justice and equality, with borrowed slogans from the '60s (still good after all these years). My hope is the same as Rodney King's, that "we are all

stuck here for a while...let's try to work it out..." My fear is that the alarm will go unheeded. That the country will slowly, methodically return to business as usual as we did after the Gulf War a year ago. (remember the War?)

Less than a week ago a reporter in L.A. asked a young African-American man what "all this" was. He answered, "This is noise, man. This is noise." Can you hear it? Are we listening? ♦

# Rethinking Oakland Planning Policy in the Wake of the East Bay Fire

by John Raymond

## Introduction

Over six months have passed since fire wrought tremendous destruction the East Bay hills. October 20, 1991 will long be remembered by both victims of and the witnesses to this disaster.

In the wake of the fire, city leaders from Oakland were faced with the task of aiding those victimized by the fire. The city must aid the residents with the rebuilding process. They must also address the need to amend and institute policies in order to mitigate potential damage, should another fire occur. Proposals have been offered, analyzed by Oakland City Manager Henry Gardner and his staff [Staff], and sent to the Oakland City Council for adoption.

*This article details those recommendations.*

## Background

Twenty-five lives were lost in the October 20th firestorm. The fire also destroyed 2,630 homes and 456 apartment units (Staff Report 10-29-91, p.1). Subsequently, several policy changes and innovations relating to fire safety and deterrence have been constructed and analyzed for expected implementation. The recommendations

range from bans on specific roofing materials to street widening.

The first course of action [Staff] carried out was to develop a preliminary action plan to insure public safety and initiate the rebuilding process. The plan recognized the fire area and outlined numerous targets for analysis with respect to fire safety. Building codes, zoning requirements, and infrastructure, were all reviewed and changes to these areas were deemed necessary to minimize the potential danger of another fire. Following are the mitigation measures for those problems recognized as contributing to the fire:

- fire resistant roofs, exterior sidings, and projections
- vegetative management plans for individual homes and open space
- side setbacks from at least one side of the house to allow firefighter access
- front setbacks and off-street parking requirements to facilitate future street widenings at critical locations to improve emergency access and evacuation

- undergrounding electrical service laterals (power lines) for improved safety and aesthetics (Staff Report 11-26-91, p.2)

It is important to note the difficulty [Staff] encountered with respect to these recommendations. While seeking to eliminate potential fire danger, [Staff] sought to avoid causing fire victims greater hardship with the increased financial obligations certain recommendations carried. This is exemplified by the action taken by the City Council during the March 17<sup>th</sup> council meeting, at which time the board moved to reject the requirement of sprinkler systems in the dwellings in the fire zone. Cost estimates for sprinkler systems ranged from \$2,000-7,000 per structure. This was seen as excessive and would have caused those targeted greater hardship. [Staff] now encourages (but does not require) the installation of sprinkler systems (Staff Report 1-14-92, p.3).

The Oakland Hills were primed for a fire. Five years of drought had increased the fire danger tremendously. Coupled with the extreme dryness of the vegetation were the rare wind patterns (from the South instead of the West) and the unseasonably high temperatures of the day. Speculation about a fire

near a construction site the previous day has been mentioned as the culminating factor in the cause of the blaze. What follows is a breakdown of the recommendations to mitigate the potential damage a recurrence of the October '91 firestorm would cause.

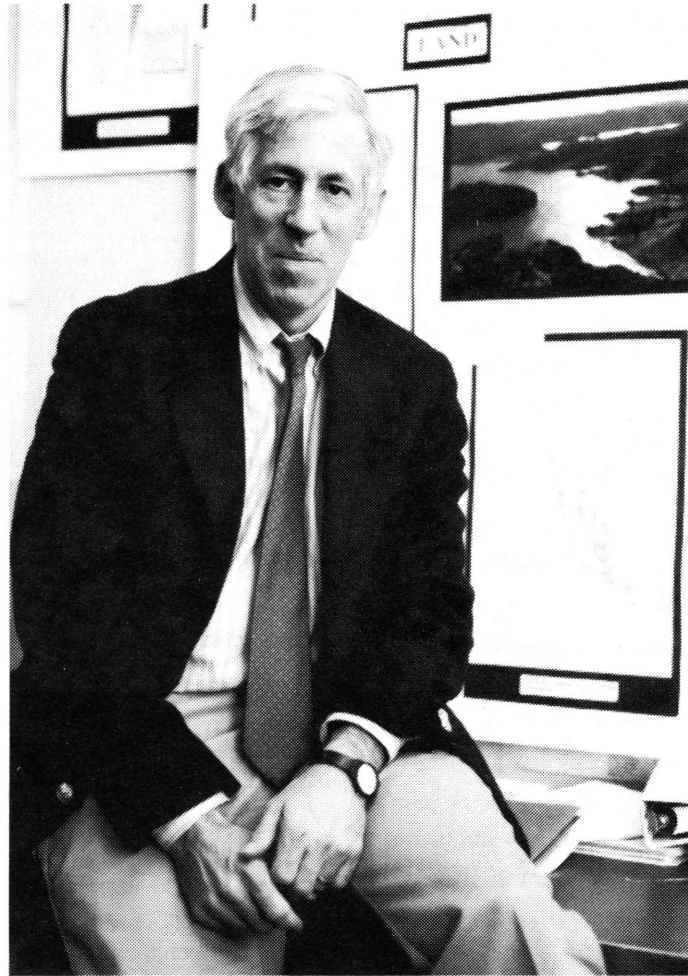
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*This article points out some changes taking place in Oakland's policies relating to fire prevention and safety. But what of those victimized?*

Professor Richard LeGates, Director of Urban Studies at SFSU is, like thousands of others, displaced. He too lost his home. I recently sat with Professor LeGates to discuss the events of the past six months and his continuing saga with his insurance carrier.

*"To begin," the professor joked, "I do not like the term fire-victim... I prefer residentially challenged."*

Professor LeGates had fire insurance from State Farm, a very reputable agency. His policy provided coverage to "replace" his home if it burned up to a "policy limit" specified in the policy. Based on discussions with his insurance agent, he believed he was adequately insured and that his policy would pay for rebuilding his home. However, like many other policy holders, he soon learned of a different kind of policy, a guaranteed replacement policy. This policy is identical to a replacement policy with the



*Professor Richard Legates "Residentially Challenged"*

important distinction the guaranteed policy has no policy limit—it will pay what it really takes to rebuild a similar house. This is a much safer policy for any buyer.

Professor LeGates discovered not only that his policy limit was less than 50% of rebuilding costs, but he also learned that the cost of a guaranteed replacement policy was only a few dollars a year more than the premium he had been paying for inferior coverage. He embarked on what he called two months of legalistic arguing."

As an attorney and housing expert, Professor LeGates crafted arguments explaining why he would not agree to accept the policy limits. His arguments forced State Farm to reconsider the policy. After a formal review and much anxiety, Professor LeGates was informed through a "very cold letter" that State Farm found his argument had no merit and that they would not change their position. This transpired on SFSU Advising Day.

A few days later State Farm called to say that the letter had gone out

*Cont'd page 6*

*LeGates Interview Cont'd*

prematurely and a week later they reversed their position and accepted his argument that he should be treated as if he had a guaranteed replacement policy.

What followed has not been the great emotional rollercoaster the two previous months were, but equally stressful.

Professor LeGates has had to recall the specific details of his home. This process has included consultations with an architect and a cost estimator, who works in conjunction with the architect.

This process, "scoping", has been tedious and demanding. As Professor LeGates states: "if you do not describe something, you do not get it replaced". This fact has caused the Professor to wake in the middle of the night as he suddenly recalls odd bits and pieces of his non-existent house he had forgotten to mention. For example, a large slab of concrete, part of his garage, had been inadvertently forgotten in the claims report. He phoned State Farm, described the slab, and their computer added funds to replace the slab. This scenario exemplifies a very important point. Professor LeGates has been very persistent throughout the claims process. He has made numerous phone calls notifying State Farm of omissions to the claim and he has been able to sort through the literature (30 single-spaced pages of numbers, descriptions and confusing material) he receives from them because of his

legal background. But not many of those victimized by the fire have been so fortunate and are now being doubly victimized by their insurance carrier. Elderly persons, less educated individuals, people who do not have the time nor energy to persevere, such as single-parent individuals, and those who are timid are at an extreme disadvantage, often settling for the "first offer".

Professor LeGates is now in the seventh month since the fire, still going through the scoping process. Ironically, he is actually further along the bewildering path than most fire victims. He adds that "scoping is an exercise in articulation and that insurance works only as well as individuals are able to articulate their losses".

"I sure haven't enjoyed the process", he said, "But it is a great learning experience for someone who teaches urban law and housing policy". The Professor positively asserts that "State Farm adjusters are pleasant people." A smile comes to his face when he adds, "eventually they seem to move closer to my terms". He has yet to see the final resolution, but he remains optimistic. Stay tuned.

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*Oakland Planning Cont'd**Building Codes*

The wildland fires were fueled by the high winds, the presence of dry combustible vegetation, and the numerous wood-shingled roofs. The fire was able to spread by

airborne embers which ignited neighboring structures. As a result, changes to the building codes eliminating wood-shingled roofs have been adopted.

The highly combustible wood-shingled roofs (class "C" roofing) are seen as extremely dangerous. A revised building code requires class "A" roofing materials to be used on those structures that are still standing, as well as on all new structures. Class "A" roofing is made of tile or composition shingle. This is a very effective means to prevent burning embers from igniting roofs. Class "A" roofing is more expensive, but ultimately is more cost effective due to its durability as well as its fire retardant qualities (ibid).

In addition to building materials, exterior siding materials pose a similar threat. New requirements for siding call for non-combustible material or 1/2 inch gypsum board underneath the siding. All wood sidings would still be permitted, except for non-treated wood shingles or wood shake siding materials (ibid, p.15).

[Staff] had originally proposed a ban on wooden decks in the rebuilding area. These decks acted as a fuel source as well as the wood shingle roofs. This recommendation, however, was attacked by residents who wanted to retain full enjoyment of views and to utilize their decks as functional living space. Further, prohibiting such decks in the fire zone would create an inequality with other non-fire



damaged homes. This, residents argued, would constitute a genuine inequality in conforming to the new standards of fire protection.

After further analysis, a policy was adopted allowing wooden decks with the condition that, at the attachment point with the home, the exterior wall conforms with the new policy of standard fire protection. This should provide adequate protection and, in the event of another fire, it is possible that the decks could burn without the fire spreading to the remainder of the dwelling (Leo, ).

### *Vegetative Management*

California's drought created an extreme fire hazard with respect to dry vegetation. Brush was the initial fuel for the fire. Located around homes and throughout the open spaces in the fire area, it was dry and quick to ignite. A new policy requires a setback on at least one side of a dwelling to allow access by fire fighters. New responsibilities will also include effective management of vegetative growth and the responsible replanting of fauna consistent with the goals of fire deterrence.

This latter proposal has yet to be adopted due to the costs that would be incurred. Oakland voters will decide in June whether or not to accept a General Obligation bond (G.O. bond) in order to finance a special unit responsible for vegetative management. If passed, the G.O. bond will also finance the purchase of additional fire equipment and the recruit-

ment of additional personnel (Staff Report 1-14-92, p.15).

### *Street Widening*

The greatest tragedy stemming from the fire was the loss of 25 lives. Thirteen of the 25 that died, did so while attempting to evacuate on Turn-Cross Road in the Hiller Highlands section of the hills. The narrow street widths (18 feet) could not possibly accommodate the volume of traffic exiting the fire's center. Fire fighting equipment and crews were also faced with the difficulties of trying to access the fires on narrow routes. Oakland zoning ordinances have been reassessed to create greater accessibility by all types of vehicles.

Gerry Leo, director of the Disaster Relief Center that aided fire victims, pointed to the obvious need of widening some hill routes, particularly Turn-Cross Road. "The cemetery of cars there speaks for itself." (Leo...) Mr. Leo added that those seeking to rebuild should consult the zoning department beforehand. Otherwise, any construction that does not conform to new zoning ordinances would have to be removed at the owner's expense. (Staff Report 1-14-92).

In addition to the physical widening of streets a moratorium of on-street parking may be instituted. This particular remedy may result in increased financial obligations of the homeowner. Garage and/or driveway supports can be erected (at moderate cost) for those with

homes below a street. But for those whose homes are above a street, the costs involved in creating adequate driveway costs are significant. Some estimates place the cost upwards of \$15,000 (Oakland Tribune 10-27-91, p.1). Oakland officials have been careful in their analysis of such an undertaking. Although certain streets have been targeted for widening, property owners are still awaiting the final decision on all streets.

### *Undergrounding Service Laterals*

The rebuilding of the fire zone creates a rare opportunity to make significant changes in the infrastructure. Such an opportunity exists in the Oakland Hills for the undergrounding of utility lines.

Oakland Hills residents have previously considered submerging powerlines below ground. In the past this has been considered for aesthetic reasons, and would have had to be done block by block in a patchwork style. Estimates for this proved to be very costly, both to the city of Oakland and the property owners.

New policies call for the undergrounding of new powerlines in the fire zone for safety reasons. Namely, undergrounding will lessen the chance of electrical-related injuries from livewires in the event of a fire or an earthquake. The cost of this undergrounding will be significantly less than if it would have

*Cont'd page 8*



*Oakland Planning Cont'd*

been, if done in the patchwork style (roughly \$500—2,000).

*Miscellaneous*

Another policy stemming from the fire was the move by the City Council to freeze prices on rental units indefinitely. This is a first in Oakland history. The proposal came on the heels of anecdotal evidence of rent gauging throughout Oakland.

A second policy adopted is the universal fitting of fire hydrants to accommodate a variety of hose attachments. This addresses the crucial problem out-of-town fire fighters faced when attempting to hook up with Oakland fire plugs. Some connections were inadequate and of no help.

Finally, the city streamlined the application process and issuance of building permits. This allowed for timely approval of the rebuilding by homeowners. The policy allows for a 10% increase in size from the previous standing unit. If the new design meets this criteria, only a "materials sign-off" is needed. For those seeking to rebuild even larger structures, greater evaluation will be required.

Oakland Council member Frank Ogowa recalls how, in 1970, he and the other council members had been in a similar position. In 1970, a fire in the same area levelled 37 homes. Many of the same policy questions came up then. "We talked about it, but it

was never voted on. Apparently, people just wanted to rebuild without delay" (Leo ).

In view of what happened (or didn't happen) in 1970, it appears that greater public participation in the planning process is necessary. Oakland is attempting to implement new participatory programs creating a greater awareness for safety. The community must do their part by seeking out this information and adhering to it. A fire of this magnitude should be avoided in the future. ♦

*Sources*

Staff Report to Oakland City Council, 10/29/91, pp.1

Staff Report to Oakland City Council, 11/26/91, pp.2

*San Francisco Chronicle*, 3/18/92, p. A15

Staff Report to Oakland City Council, 1/14/92, pp.6

Staff Report to Oakland City Council, 1/28/92, pp.5

Staff Report to Oakland City Council, 1/14/92, pp.12

Interview conducted with Gerry Leo, Director, Oakland School Volunteers

Staff Report to Oakland City Council, 11/26/91, pp.13

*Oakland Tribune*, 10/27/91, page 1

# SROs—A Key to the Prevention of Homelessness

by Miranda Kolbe

*Single-room occupancy (SRO) housing, those old residential hotels that for so many years have been the bane of redevelopment agencies and chambers of commerce, may be the long-term answer to housing our country's neediest citizens in a time of soaring costs and plummeting public funds. (Squier, 1988, p. 10))*

Residential hotels have traditionally provided the lowest cost private housing option available to single men living in U.S. cities. SROs fell into a state of much-deserved disrepute during the 1960s and early '70s, in part due to uninhabitable conditions and poor security. However, by the mid-eighties the confluence of rising homelessness and shrinking housing resources caused many policy makers and advocates for the poor to turn to SROs as a low-cost solution to the problem of housing affordability. This paper begins by describing general characteristics of SRO housing. It then discusses the reasons behind current support for SRO housing, and, particularly, for new development of SROs. Finally, measures instituted on the federal, state and local levels to create incentives for SRO development are reviewed. This last section focuses on the work of city planners in San

Diego, where over 10,000 new units of SRO housing have been constructed since 1985.

## *Characteristics of SRO Housing*

Single-room occupancy units (SROs) are one-room rental units, usually lacking kitchen facilities. A typical residential hotel room is approximately 10x15 feet, contains a bed, a dresser with a mirror, and a sink. In the better hotels, rooms have private bathrooms, microwaves, small refrigerators, and common areas equipped with furniture that invites residents to socialize with one another. In California, hotel management is required to provide bedding and towels.

SRO rooms can be rented by the night, the week, or on a month-to-month basis. Security deposits and other move-in fees are usually not required. In non-profit managed hotels applications are often required. For-profit hotels have traditionally rented to anyone with cash. Rents in these hotels (aside from those catering to Section 8 tenants) range from about \$200 to \$500 per month.

SROs are usually located in depressed neighborhoods in major

cities across the country. In San Francisco, for example, most residential hotels are located in the Tenderloin and Sixth Street neighborhoods. (Residential hotels are also located in the Mission, Chinatown and North Beach) They are surrounded by strip-tease bars and movie houses, pawnshops and soup kitchens. The hotels range from the Kinney, which is privately owned, dirty and dangerous and caters primarily to prostitutes, drug dealers and transients, to the Civic Center Residence, which is owned and managed by a nonprofit corporation, is newly renovated and rents exclusively to long-term tenants. The worst hotels have no lobbies, are painted olive or a similar, drab color throughout, (Siegal, p. 223-240) and are lit by bare, dim light bulbs. The hallways are thick with the scent of urine.

Residential hotels were first built in the United States toward the end of the Nineteenth Century. At that time, waves of single men were travelling to cities seeking jobs as casual laborers in the new industrial plants. The hotels were built in downtown neighborhoods, close to the centers of industry. Small businesses such as second-hand clothing stores, groceries, cheap restaurants, and bars catering to the SRO tenants filled out the neighborhoods. (*Down and Out in America*) As late as the 1950s, SROs played an important role in the economy of U.S. cities. At that time, the typical SRO resident was a single, white, middle-aged or older male, who

Cont'd page 10

*SRO's Cont'd*

was a chronic alcoholic in the late stages of the disease.  
(Raubeson, 1991, p.3)

Many of these men fulfilled businesses' need for a steady supply of casual laborers. Casual labor pools and contract labor hiring halls were often located near the SROs. (Raubeson, 1991, p.3)

By the Sixties and early Seventies, however, the SRO population had ceased to be vital to the inner city economy. The demographics of the hotels' residents had grown younger, more racially mixed, and, significantly, had more severe mental health as well as substance abuse problems.  
(Raubeson, 1991, p.5)

Deinstitutionalization of mental patients, along with increasing use of hard drugs such as PCP, amphetamines, heroine and crack, had seriously eroded the quality of life in SROs. Violence and death were and are commonplace occurrences for SRO residents.

As a consequence of the substance abuse and mental health problems of the residents, security is a major issue in residential hotels. A street definition of a "good hotel" can be one where security is either tight or loose, depending upon the resident's needs. The managers of some hotels will admit anyone willing to give them a few dollars. A drug dealer can thus be a desirable resident, because his or her many visitors provide a steady source of income to the hotel

manager. Hotels with tighter security often face tenants' complaints that their visitors cannot come in.

In addition to the threats of security noted above, additional issues of safety concern residents' use of hot plates, although illegal, as they have been known to cause many residential hotel fires. Also, bathroom facilities often don't have locks, and can be used as "shooting galleries" or bedrooms for those too drunk to weave their way back to their own rooms. Bathrooms often bear vivid evidence of residents' own inebriation or mental health problems. Residential hotel room sinks are commonly used as urinals, more often a result of the lack of security in the hotels, than a sign of the tenants' lack of personal hygiene.

*Changing Attitudes Toward SROs*

In the past few decades, attitudes toward residential hotels have changed dramatically. As late as the early eighties, in fact, many housing experts viewed residential hotels as substandard housing, and consequently did little to support their rehabilitation or development. (While the federal government disdained creating new residential hotels, local officials contributed to the hotels' downward spiral, using the hotels as transient housing for the homeless) In 1980, for example, the American Gerontological Society passed a resolution stating that it was "below the dignity of the elderly to live in old hotels." (Raubeson, 1991, p.5)

During that same year, the Undersecretary of Housing said that the Department of Housing and Urban Development (HUD) would accept SRO housing as standard "over [his] dead body." (Raubeson, 1991, p.3) However, ten years later, HUD has embraced SROs as vital components of its overall housing plan.

Andy Raubeson, the director of Central City East's SRO project, speculates that the general disregard for SRO housing in the seventies and early eighties was reflective of the relative availability of other housing: "Until the Reagan administration took office in 1981, there was an array of Federal programs to meet the housing needs of low-income people in the United States. The numbers and letters were impressive — 221(d)(3), Section 202, Section 312, Section 23, and most importantly Section 8." (Raubeson, 1991, p.3)

Between 1977 and 1980, HUD provided housing assistance to about 316,000 new households each year. (*Homelessness in Santa Clara County 1989: New Faces and Hidden Costs*, prepared by the Homeless Overview Study Task Force for the Santa Clara County board of Supervisors, San Jose, CA, November 1989, p.44)

As negative attitudes toward SROs in the late seventies were partly due to the availability of other housing options, positive attitudes toward SRO housing in the mid-eighties can be partly attributed to the relative lack of other housing

options. The pool of new subsidized housing shrank significantly during the 1980s. Between 1981 and 1988, the average number of households receiving new assistance from HUD declined from over 300,000 to 82,000 annually. (Ibid, p.44) Funding for low-income housing programs in 1980 was \$31 billion as opposed to only \$6.7 billion in 1990. (Dean, 1990, p.52)

HUD's priorities through the 1980s were to issue housing vouchers and to turn public housing units over to tenants. Both of these policies increased demand for low-income housing, without increasing the supply. In 1987, nonprofit community development corporations were responsible for the development of approximately 23,000 new units of housing; during that same year, HUD built only 19,000 new units. (Testimony of Jim Raisch, Hearing before the Subcommittee on Regulation, Business Opportunities, and Energy, August 9, 1989). In this context, President Bush's call for "a thousand point of light" can be clearly seen as a shifting of public responsibility onto the private sector.

The supply of new, subsidized housing, along with the supply of residential hotels shrank significantly during the 1980's. Between 1975 and 1985, approximately 100,000 residential hotels were destroyed or converted to other use in the U.S. (Finder, 1990, p.2). Gentrification, or neighborhood "revitalization," can account for much of this loss. In San

Francisco's Tenderloin, for example, 5,723 of the city's 32,214 SRO units were lost between 1975 and 1979. (New Jersey Department of Community Affairs, p.247) Much of this loss was due to conversion of residential hotels to tourist use.

As a result of these trends, and a growing realization of the connection between SRO loss and the rising numbers of homeless across the US, advocates for the poor began to work to protect remaining hotels. By the mid-eighties, San Francisco, Philadelphia, Seattle, Hartford, and New York all had written legislation protecting the remaining SROs from conversion and restricting their use to permanent rentals. In San Francisco, for example, residential hotel owners were required to count the number of rooms they had rented to transients and to permanent tenants in March of 1980. After that date, they were not allowed to exceed the number of transient rentals established at that time.

The most controversial legislation was written in New York, where landlords were required not only to rent exclusively to permanent residents, but were charged \$45,000 for every unit they converted or demolished. In an effort to prevent landlords setting aside residential hotel units in the hopes of later demolishing or converting them, owners were required to rent all of their rooms. New York's moratorium was in effect for approximately five years and successfully preserved many

units of SRO housing. However, in 1990, the Supreme Court agreed with New York's Court of Appeals in its view that this legislation was an unconstitutional "taking" of property from the owners of these hotels. (Editorial, July 11, 1989, p.A18)

Aware that enforcement of restricted use legislation was sporadic, and concerned that the supply not only be maintained but increased, advocates for the poor began to call for new development of SROs. In New York, the city government has sponsored the development of approximately 5,000 units of SRO housing since 1985. (Finder, 1991, p.2) Other local governments have also sponsored nonprofit acquisition and rehabilitation of SRO housing.

### *The Move Toward Development*

Perhaps the most dramatic new SRO development has come from the private sector. In San Diego, privately built SRO housing has created approximately 10,000 new units of low-cost housing since 1980. ("Affordable" housing is defined by HUD as costing one-third of 80 percent of the median income in an area. "Low-income" housing costs one-third of 60 percent of the median income in the area. In San Francisco, individuals with incomes of \$26,600 fit HUD's guidelines for low-income housing. Consequently, in San Francisco, "low-income" housing costs approximately \$660

*Cont'd page 12*



*SRO's Cont'd*

per month.) Many policy makers and advocates for the homeless and the poor have looked at San Diego's example and have embraced private development of SRO housing as a solution to the current housing crisis among very low-income adults in the U.S. Fiscal conservatives have been particularly enthusiastic in their acclaim for this market-based solution. One HUD official commented, "Profit-motivated and non-profit developers have shown us that [SRO housing] can be done with little or no government assistance. We at HUD are very excited about this potential for providing much needed housing alternatives for persons struggling to be self-sufficient." (*Hester and Young, 1990, p.30*)

A theory that guides conservatives' support for private development of SRO housing is that, over the years, government has created standards for housing that are above the reach of many Americans. Zoning regulations, impact fees, and guidelines for habitability all contribute to an increased price of housing to the extent that it is no longer affordable. If these costs could be reduced, and housing production could be freed from government constraints, the market would provide sufficient housing for (almost) everyone.

As government standards for habitability and zoning requirements have increased the cost of housing significantly, there are fewer housing options at present

than there were in the past. A policy that would provide more housing options is a policy that would have to be willingly supported by the United States. In his book, *Down and Out in America*, So N. So writes that many people who would be homeless today were previously housed in what the U.S. has since prohibited as substandard housing. The most dramatic example of such housing is tent cities — shantytowns located on the edges of urban areas where transients congregated. Another example is cubicle hotels. In cubicle hotels, people lived in

small, partitioned areas, often created by chicken wire. These "cubicles" were not much larger than the size of a cot. Because the cubicles had no walls and their tenants had little or no medical care, disease spread rapidly through these hotels. Public health officials sighed with relief when cubicle hotels were outlawed in the sixties. (*Down and Out in America*) This example may seem extreme. However, one should consider that many homeless people would prefer cubicles to today's armory shelters, used across the U.S. to "house" thousands of homeless adults each winter.



*Hotel Kinney, San Francisco*

The economics of private SRO development are fairly simple. SRO units are smaller than traditional apartments and have less facilities, therefore they are cheaper to produce. As a result, lower rents will need to be charged to cover production costs. In his article, "SRO Housing: A Long-Term Solution to Housing the Poor," Gary Squier elaborates on this principle:

If, for example, a 550-square foot apartment costs \$60 per square foot to build, the cost per unit will be \$33,000 plus a land cost of \$7,500. Add a structured parking space for \$6,000, fees of \$5,000, and soft costs of \$3,000, and before long, a one-bedroom unit will cost nearly \$55,000. If the fees and parking space are eliminated, a very low-income pensioner can be housed for \$44,000—a good savings, but still expensive. If the density can be increased, the cost can be brought down to \$42,000—still too expensive. But what if the unit size can be cut by one-third? one would save over \$13,000. And if the unit can be reduced to 250 square feet, one would save \$20,000 and the total development cost would drop to \$24,000. With units costing \$24,000, a city can start to establish a meaningful housing policy. Rents might carry \$6,000 of those costs and syndication of low-income housing tax credits might raise another \$8,000, leaving a subsidy requirement of only \$10,000. (Squier, 1988, p. 10-11)

### *Developing Incentives*

"The story of low-income housing has become largely one of state and local governments addressing the needs of a changing low-income population," stated Mary Nenno, the associate director of National Association of Housing and Redevelopment Officials. (Oppenheimer Dean, 1990, p. 54) Although several programs which encourage the development of low-income housing have originated with the federal government, states and localities have generally taken a more activist approach to low-income housing development over the past decade than the federal government has. According to a recent study by the New School for Social Research, 25 out of 51 of the nation's most populated cities are using locally generated revenues to stimulate the construction or rehabilitation of affordable housing. (Oppenheimer Dean, 1990, p. 54)

As a result, government programs encouraging SRO production are fragmented and vary significantly from place to place. Don Turner, the founding president of the Bay Area Residential Investment and Development Group (BRIDGE) comments that each of his projects has required a different combination of financing. "There's no cookie cutter to these deals," he says. "I can take you to any project we've done and there's a different story. You use every bell and whistle on the deal that you can to bring the cost down." (Quinn, 1988, p. 6)

The development of a 32-unit, nonprofit SRO project for people with AIDS and ARC in San Francisco, called the Peter Claver Community, is a good example of the kinds of funding sources developers must rely on. Peter Claver combined eleven funding sources to buy and renovate a building, including an \$875,000 individual donation, sales of state and federal low-income housing tax credits, CDBG funds, several business contributions, a private loan, three foundation grants, and a city loan of \$400,000. The project additionally established rent subsidies through the McKinney Act's Section 8 program. (Non-Profit Housing Association of Northern California, "The Five Year Time Bomb," February 1990, p. 14)

### *Making It Happen (Or Not)*

The following provides a brief review of Federal and California programs used to encourage SRO production, an examination of San Diego's SRO programs, and a discussion of the barriers that exist to the development of SRO in the nineties.

### *The Federal Programs*

While many federal programs can be used to develop low-income housing, only one has specifically targeted the development of residential hotels. That program, a component of the Stuart B. McKinney Act, is called the Section 8 Moderate Rehabilitation Assistance for Single Room

*Cont'd page 14*



*SRO's Cont'd*

Occupancy dwellings program. The Section 8 program provides \$82.4 million during FY 1991-1992 for rehabilitation of SRO units for occupancy by the homeless. (*Mencacci, 1990, p.6*) Total rehabilitation costs are limited to \$14,000 per unit. (Statement of National Association of Home Builders before the Committee on Banking, Finance and Urban Affairs, U.S. House of Representatives, March 1, 1989, p.479)

Other federal programs, although not geared specifically toward SRO development, have offered incentives for private development of low-income housing. These programs include:

*The Low Income Housing Tax Credit* program, authorized in 1986, was part of sweeping revisions to the tax code enacted during that year. The program will expire at the end of FY 1992 unless it is reauthorized. The Tax Credit allows for syndication of tax credits by nonprofit developers to private investors seeking tax shelters. Last year, this program was coordinated with the McKinney Act so that developers would be able to use both funds. (*Mencacci, 1990, p.7*) According to Richard Browdy, a representative of the National Association of Home Builders, the Low Income Housing Tax Credit program was previously too complicated and restrictive to be of much use to private developers interested in building low-income housing. (Statement of National Association of Home Builders, p.481)

*The National Affordable Housing Act*, passed in 1990, is the newest federal program aimed at encouraging low-income housing development. Hailed by housing advocates as the most significant piece of housing legislation passed during the past ten years, the Act emphasizes grants to state and local governments, non-profit housing production, and linking housing with supportive services. Eligible grant recipients are local housing authorities, resident councils, private nonprofits and public agencies. (*Safety-Net Bulletin*, November 1990, p.1) (*The Homeless Reporter*, Winter 1991, p.2)

*Community Development Block Grants (CDBG)* now require that agencies or local governments receiving money through the grant program must spend at least 70 percent of their funds to assist low and moderate income households. CDBG will support construction costs, particularly in areas infested by "slums and blight." CDBG tends to provide relatively small grants, emphasizing agencies' use of matching grants.

*The Community Reinvestment Act* requires banks to reinvest in the local community. The Act may have encouraged banks to make loans to private developers interested in building or rehabilitating SRO housing.

*State Programs*

More than 300 new housing programs have been created on the state level over the past decade. Many of these depend on housing

trust funds developed through special taxes and surcharges, such as inclusionary zoning ordinances and impact fees. Some include new partnerships with private enterprise as well as nonprofit groups. Others fulfill the Housing Element component of states' affordable housing strategies required under federal law. (Oppenheimer Dean, 1990, p.55) The following is a review of California programs which have been used to stimulate low-income housing development:

*The Rental Housing Construction Program* finances new construction of low-income rental housing. \$200 million is available through this fund. Developers can apply for 40 year loans paying three percent interest annually. Non-profits, local governments, corporate and individual developers are eligible for financing through this program. (Conversation with Bill Murphy, December 12, 1991)

*The Rental Housing Rehabilitation Program* finances rehabilitation of low-income multi-family housing through 20 years loans offered at three percent interest rates. Projects sponsored by non-profits, individual and corporate developers are eligible for financing. The program is funded at \$95 million, \$15 million of which is specifically dedicated to SRO projects. (Conversation with Bill Murphy, December 12, 1991)

*Urban Pre-development Loan Fund* assists developers with start-up costs, such as engineering studies, site preparation, site control, legal

services, and permit acquisition. Three year loans are offered at seven percent interest to local governments and nonprofit developers. (*Conversation with Bill Murphy, December 12, 1991*)

These three programs were financed through general obligation bonds voted in through California Propositions 84, 77 and 107, respectively. (*Conversation with Bill Murphy, December 12, 1991*)

### ***Local Incentives: San Diego Leads the Way***

San Diego, like many cities across the country, experienced a massive loss of SRO housing in the late '70s and early '80s due to downtown redevelopment. As a result, San Diego adopted an emergency preservation ordinance prohibiting the demolition or conversion of SRO units unless replacement rooms were provided. Under this ordinance, when the number of habitable SRO units dropped below a certain number, no more units could be converted or demolished. When the number increased, a limited amount of SROs could be demolished or converted to other uses. (Roberts and Lenthall, 1988, p.19-20) This supply-side threshold distinguished San Diego's ordinance from those written in other cities. San Diego also set out to rehabilitate old SROs and, more importantly, to create incentives for developers to build new ones. As noted previously, San Diego developers have built over 10,000 units of SRO housing since 1985.

Through a city-created SRO Task Force, San Diego identified impediments to new construction such as fire codes, building codes and zoning regulations. The city waived parking and open space requirements, waived development fees such as the payment of a Local Transient Occupancy Tax, (Hester and Young, 1990, p.29) and compromised with builders on standards for ventilation, fire safety, and other construction aspects to make it cheaper to build new SROs. For example, the new building code reduced the requirement that doors on the stairway be able to withstand fire for one hour to only twenty minutes, and instead required the builders to put in less costly automated fire sprinklers. (Reinhold, p.A18) In addition, the number of requisite fire exits was reduced. (Hester and Young, 1990, p.29) Plastic pipes were used instead of cast iron. (Reinhold, p.A18)

The city also worked to encourage the lending industry to finance private development of SROs. "In the beginning, most banks wouldn't touch the financing of new SROs," said Evan Becker, Executive Director of the San Diego Housing Commission. "We had to finance an economic gap for the Baltic Inn in order to induce lending institutions into the SRO program." (Roberts and Lenthall, 1988, p.19-20) The city loaned the Baltic developers \$500,000 at three percent interest. As a result, the Bank of San Diego approved a \$2.2 million loan for the developers. Since that time, banks have been more open to

financing SRO projects. Dan Berry, Senior Vice President of Great American First Savings Bank, said Great American has loaned over \$20 million on SRO projects, "and we're going to continue financing these projects. SROs make a lot of sense both economically and socially." (Roberts and Lenthall, 1988, p.20)

Most SRO development in San Diego has been accomplished by for-profit developers without public financing. Projects which received public financing, such as the Baltic Inn, are required to rent at least twenty percent of their rooms to low-income residents at below market rents for five years. Those rents average about \$265 per month. All other rooms can be rented at market rate. The current market rate rents range from slightly more than \$300 to over \$600. (McCloud, 1991)

In evaluating the success of private residential hotel development, one must ask the question, "who benefits?" While most current residents of San Diego's new SROs are low-income, they were usually not previously homeless. Many are simply low-wage earners, unwilling to spend the money it would require to rent a studio apartment. (An exception is the Downtown Inn, which was the second SRO developed in San Diego. It features rooms that are "so attractive that they are drawing European tourists, who are less averse than Americans to sharing bath and toilet facilities. Rooms at the Inn

*Cont'd page 16*

*SRO's Cont'd*

cost \$24 to \$34 a night." (*Reinhold, p.A18*) They do not have severe substance abuse or mental health problems. Few have physical disabilities requiring special access.

Another factor to consider in evaluating San Diego's SRO developments is that San Diego has created no built-in incentives for the for-profit developers to rent to low-income people or to keep their rents low over time. Should the market allow it, for-profit developers can and will raise their rents above the price that low-income tenants can afford.

Clearly it will be up to nonprofits and public agencies to provide housing for those who are "hardest to house." SRO housing is and will continue to be attractive to these groups, because it is a lower-cost housing option. While San Diego's for-profit developers may not have directly benefitted the group most in need of assistance, their innovations in creating SRO housing will be instructive to nonprofits and government agencies sincerely interested in developing housing for the poor.

*Continuing Barriers*

Although the number and variety of funding sources is great, substantive incentives for development of low-income housing remain insignificant. One developer commented, "We concluded that it would cost exactly the same to build luxury and low-income housing on the same site with two exceptions. The low-income

housing mandates bigger kitchens than you find in most luxury apartments, and the fancier finishes in the luxury units can cause the cost to rise up to ten percent more than for low income units." (*Richter Greer, 1988, p.62*) Clearly, without significantly lower development costs, private development of low-income housing will remain restricted to non-profit developers and public agencies.

Furthermore, local resistance to low-income housing can significantly drive up the cost of a project. David Baker, the architect for Jackson and Associates, a for-profit developer responsible for building a 198-unit SRO in Berkeley in 1990, commented that his project's costs were driven up significantly as a result of local opposition. Neighbors objected to increasing the supply of housing for low-income people in their area, while advocates for the poor complained that the rents were too high. (*McCloud, 1991*) Although San Diego's plan for SRO development included dispersing development around the city, in fact, most of the hotels have been built in the downtown area. Avoiding development in residential districts has enabled San Diego to avoid the costly "NIMBY" syndrome. (*McCloud, 1991*) Zoning in many areas, designed to protect the community's property values by requiring minimum lot sizes, single family zoning, and so forth, can effectively prevent development of low-income housing. In California, publicly financed residential projects with more than 49 percent of the units intended for low-

income tenants may be subject to voter referendum. (*Hester and Young, 1991, p.30*)

Where low-income housing is permitted, local building codes can also drive up the cost of housing significantly. Kate Lane, a non-profit developer in Chicago, commented, "Local codes can add unnecessary expenses and aggravation to the rehabilitation of low-cost housing. When we tried to do low-cost housing, I had to fight for an exemption to place a light bulb in a closet." (*Richter Greer, 1988, p.62*) While many California cities have relaxed building codes for rehabilitation of existing SROs, San Diego remains the only city to adapt its building code to encourage new construction. (*Reinhold, p.A18*) An added complication occurs in many areas where there are no code classifications for SRO housing.

In California particularly, seismic codes are significant barriers to the rehabilitation of SROs. In San Francisco's Tenderloin, requiring SROs to meet upgraded earthquake standards could drive the rental prices of each unit up approximately \$160.00 per month. (*SRO Handbook, p.14*) In Los Angeles, the estimated cost of bringing one SRO unit into full code compliance is \$10,000, out of which approximately \$3,900 would go toward seismic improvements. (*Suchman, 1987, p.12*)

Finally, although there have been improvements in lenders' willingness to undertake an SRO project, developers still face financing

problems. In Berkeley, Studio Durant faced delays and consequently rising costs due to the developers difficulty in locating a bank willing to finance the project. (McCloud, 1991) (Studio Durant's difficulties may have been partly due to banks' general tightening of lending practices.)

### *The Need for an Integrated Policy*

Throughout this paper, government incentives for SRO development have been referred to as "programs," not policy. That reference has been deliberate. U.S. policy toward low-income housing in general, and SROs in particular, is severely fragmented. Not only are there programs on the federal, state, and local level, but there are many different programs operating on each level which are not necessarily coordinated. For example, in the past the McKinney Act's SRO program was not accessible to those same developers that were able to use the Low Income Housing Tax Credit program. Out of the myriad of programs aimed at encouraging low-income housing development, only a few are specifically oriented toward SRO development. Programs created in a haphazard manner, are generally underfunded, and require developers to jump through hoops and over barrels in order to access funds to fulfill a basic human need.

While SROs are clearly not a total answer to the problem of homelessness, they can be a key component in an overall strategy

of prevention. As mentioned previously, the simple economics of offering a less expensive product at a lower price can enable government and nonprofit corporations to create much-needed housing for the poor in a time of fiscal constraint. San Diego's progress provides a blueprint for that policy. It is up to the leaders of the United States to develop that blueprint into an integrated policy that will truly benefit those who need it most. ♦

### *Bibliography*

Abell, James, "Permanent Shelter for the Homeless." Speech before the U.S. House of Representatives, Committee on Banking, Finance and Urban Affairs, Subcommittee on Housing and Urban Development. Washington, D.C., March 1, 1989.

Alliance, a publication of the National Alliance to End Homelessness, Volume 5, Number 4, October 1989.

Alliance, a publication of the National Alliance to End Homelessness, Volume 6, Number 3, July 1990.

Anello, Rose and Shuster, Tillie, "Community Relations Strategies," from Housing the Homeless, pp. 376-388.

Bennett, Donald E., "Maximum Returns Using Low-Income and Rehabilitation Housing Credits." Real Estate Issues. Vol. 13, No. 2. Fall 1988. pp. 41.

Browdy, Richard, "Homelessness in America — The Need for Permanent Housing." Speech before the U.S. House of Representatives, Committee on Banking, Finance and Urban Affairs, Subcommittee on Housing and Urban Development. Washington, D.C., March 1, 1989.

Butler, Stuart M., "How Privatization Incentives Can Revive Inner-City Housing." National Forum. Vol. 70, No. 2. Spring 1990. pp. 14.

Callahan, Alice, et al., "Comparative Shelter Construction and Operation Cost Estimates," from Housing the Homeless, pp. 363-375.

Community Housing Investment Partnership Act, Hearing before the Subcommittee on Regulation, Business Opportunities, and Energy of the Committee on Small Business, House of Representatives, One Hundred First Congress, First Session, Portland, OR, August 9, 1989.

Daley, Suzanne, "Court Ruling Brings Fear to SRO Hotel Rooms." The New York Times. July 10, 1989. pp. A1, B4.

Editorial, "An Explanation, at Last, on Macklowe." New York Times, February 2, 1989.

Editorial, "For the Homeless: New Old Hotels." The New York Times.

Editorial, "Returning Property to SRO Landlords." The New York Times, July 11, 1989. p. A18.

Editorial, "Supported SRO's for the Deranged," The New York Times.

Editorial, "The Single Room Solution," The New York Times.

Finder, Alan, "Experts on Homeless Push for an Old Idea: SRO's in New York." New York Times, February 9, 1990. pp. A1, B4.

Finder, Alan, "Koch Clarifies Comment on SRO Law." New York Times, January 20, 1989, p. B3.

Finder, Alan, "Law Halting Conversions of SRO Hotels." New York Times, December 27, 1988. p. B3.

Greim, Lisa, "Residential Hotel Comeback Mitigates Bay Area Affordable Housing Shortage," San Francisco Business Times, Vol 5, April 12, 1991, p. 19.

Haley, Barbara A., "The Loss of Single Room Occupancy Housing in Metropolitan Areas." Housing and Society. Vol. 16, No. 1. 1989. pp. 5.

*Cont'd page 18*



Hester, Janet and Young, Daniel, "Making Way for the New SROs," Western City, October 1990, pp. 26-32.

Hester, Janet M., "Orange County Cities Take a Regional Approach to SRO Development," Western City, Vol. 66, No. 10, October 1, 1990, p.31.

Hevesi, Dennis, "S.R.O. Tenants to Get Free Legal Service," The New York Times, July 8, 1989, p. 27.

"Homelessness in Santa Clara County 1989: New Faces and Hidden Costs," prepared by the Homeless Overview Study Task Force for the Santa Clara County Board of Supervisors, San Jose, CA, November, 1989, p. 44.

Kasinitz, Philip., "Gentrification and Homelessness: The Single Room Occupant and the Inner City Revival," from Housing the Homeless, pp. 241-252.

Kolbert, Elizabeth, "Single-Room-Occupancy Housing May Be Demolished, Court Rules," The New York Times, July 7, 1989, p. B1, B16.

Lindblom, Eric N., "Toward a Comprehensive Homelessness Prevention Strategy," paper presented at the Fannie Mae Annual Housing Conference 1991.

"Lower-Income Housing: Just What's Affordable for Developers?" Buildings, Vol. 84, No. 7, July 1, 1990, pp. 38.

Lyons, Richard D., "SRO Hotel Razed; Long Fight Ended," The New York Times, January 3, 1990.

McCloud, John, "A New, 198-Unit SRO w/Private Baths," New York Times, March 10, 1991.

McGraw, Marvin, "Senate gets \$30 billion national affordable housing bill," Nation's Cities Weekly, Vol 12, No. 12, March 20, 1989, pp 16, 14.

Mencacci, Norma, "Stewart B. McKinney Act of 1990," December 11, 1990.

Minter, Nancy, "Single-Room Occupancy Housing - A Place to Call Home," Urban Land, Vol. 50, No. 2, February 1, 1991, pp. 38.

Murphy, Bill, interview with Bill Murphy, representative of California Redevelopment Agency, December 12, 1991.

National Association of Housing and Redevelopment Officials, "Keeping the Commitment: An Action Plan for Better Housing and Communities for All," Journal of Housing, Vol. 45, No. 1, January/February 1988, pp. 11-23.

New Jersey Department of Community Affairs, "New Jersey Housing Assistance Program for the Homeless," from Housing the Homeless, pp. 349-362.

Newman, Richard & Feola, Phil, "Housing Incentives, A National Perspective," Urban Lawyer, Volume 21, No. 2, Spring 1989, pp. 307-349.

Non-Profit Housing Association of Northern California, "The Five Year Time Bomb: An Analysis of the McKinney Act Housing Programs in California," San Francisco, CA, February 1990.

NPH Bulletin, published by Nonprofit Housing Association of Northern California, San Francisco, CA, Summer 1990.

Oppenheimer Dean, Andrea, "Housing America," Architecture, July 1990, pp. 51-55.

Quinn, Thomas, "Nonprofit Housing Production in the 1980s: Taking Risks, Changing Perceptions," Urban Land, Volume 47, No. 11, November 1988, pp. 58-63.

Raubeson, Andy, "Islands of Sanity in a Cruel World: SRO Housing and Supportive Services." Paper prepared for a conference sponsored by the Northern California Association of Non-Profit Housing held in San Francisco, January 20, 1989.

Reinhold, Robert, "In San Diego, the Developers Profit as Homeless Get Low-Cost Housing," New York Times, p. A18.

Richter Greer, Nora, "Housing: Deepening Crisis and Stirrings of Response," Architecture, Vol. 77, No. 7, July, 1988, pp. 58-63.

Roberts, Ron & Lenthall, Judith, "19th century idea helps solve 20th century homelessness," Western City, Volume 64, No. 11, November, 1988, pp. 19-20.

Safety Net Bulletin, published by Shelter, Inc., Concord, CA, February, 1991.

Safety Net Bulletin, published by Shelter, Inc., Concord, CA, November 1990.

Shabecoff, Alice, "Neighborhood Housing: Development Innovations," Journal of Housing, Volume 44, No. 4, July/August 1987, pp. 105-110.

Siegal, Harvey A., "A Descriptive Portrait of the SRO World," from Housing the Homeless, pp. 223-240.

Squier, Gary, "SRO Housing: A Long-Term Solution to Housing the Poor," Urban Land, Volume 47, No. 1, January 1988, pp. 10-13.

SRO Handbook, published by The National Alliance to End Homelessness, Washington, DC, 1991.

Suchman, Diane, "Housing the Poor in Central City East, Los Angeles," Urban Land, October 1987, pp. 12-17.

Tetlow, Karin, "SRO Revival. An unusual building type is profitably reviewed in San Diego," Architecture: the AIA journal, Vol. 79, No. 7, July 1, 1990, pp. 60-64.

The 1990 Annual Report of the Interagency Council on the Homeless, Washington, DC, February 1991.

The Homeless Reporter, published by Shelter Partnership, Inc., Los Angeles, Spring 1991.

The Homeless Reporter, published by Shelter Partnership, Inc., Los Angeles, Summer 1991.

The Homeless Reporter, published by Shelter Partnership, Inc., Los Angeles, Winter 1991.

# BRIDGE Over Troubled Water

## *Bay Area Non-Profit Housing Comes to Orange County.*

by Audryn Elizabeth Webb

### *Nothing In Common?*

As anyone who's passed through both cities will attest, Irvine and San Francisco have almost nothing in common. These two California cities differ drastically in size, shape and demographics. Irvine is primarily white, upper-middle class and conservative while San Francisco is ethnically diverse, economically polarized and famous for its liberalism. Irvine is spacious, sprawling and auto oriented. San Francisco is compact, dense and pedestrian/public transit oriented. San Franciscans tend to think of the city possessively and are ever clamoring for their fair share of it. In Irvine there is no question of who owns the city—Donald Bren. Worth some \$2 billion (Hector, 98) Bren owns the Irvine Company and 100 square miles of the city.

What the cities do have in common are a growing population, high housing prices, a serious low-income housing shortage and an innovative approach to the problem: San Francisco's non-profit

BRIDGE Housing Corporation. BRIDGE was recently called upon by Bren to aid in the development of a \$32 million, 382 unit mixed-income rental project intended to satisfy the Irvine Co.'s low-income housing obligations for the new construction it has planned over the next few years.

By accepting the challenge, BRIDGE put itself in the delicate position of replicating its Bay Area work in a foreign environment while attempting to balance the political interests of Irvine's new, conservative City Council and the liberal non-profit development corporation set up by the old City Council, the planning goals of the Irvine Department of Community Development, the economic concerns of the Irvine Company, as well as Don Bren's passionate personal investment in the construction of his legacy. BRIDGE's success in pulling this off could open the doors in other parts of the state for more private/public/non-profit housing ventures, allowing local governments to meet low-income housing needs despite dwindling federal funds and limited property tax revenues.

### *A Brief History of BRIDGE*

As California's median home values have risen 131% in the last ten years, Irvine and San Francisco median home values increased by 116% and 186% respectively (U.S. Census, 1990). The median home price in Irvine in 1990 was \$294,700 and in San Francisco, \$298,900 (U.S. Census, 1990), but million dollar homes are not

uncommon in either city (Ryon, 1). In addition, between 1980 and 1990, San Francisco's median rent rose 130% to \$613 while Irvine's increased to \$913 (U.S. Census, 1990).

Over the years San Francisco housing advocates have attempted to address the low income housing problem through numerous government policies. The city has built public housing, instituted forms of rent control, funded non-profit developers and required for-profit developers to include affordable units in new projects. In 1981, an anonymous gift of \$660,000 to the San Francisco Foundation inspired the creation of BRIDGE, a regional non-profit housing and development corporation now winning accolades nationwide for its projects.

By building that gift into a \$10 million Trust Fund, forming creative venture partnerships, utilizing tax provisions, milking its non-profit status, maintaining high design standards and pouring its would-be profits back into subsidizing housing costs, BRIDGE is, or has been involved in the construction of 4,439 units in the Bay Area, half of which are or will be affordable to low and very low income families (BRIDGE, "1989-90 Annual Report" 4,6,14; The Ford Foundation Letter, 2).

### *The Irvine Housing Problem*

According to Irvine's associate planner Naomi Guth, the low-income housing problem in Irvine

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*BRIDGE Cont'd*

was first addressed in the mid-70s when a lawsuit was filed against the city and settled out of court. As a result, the city, since 1974, has required every new residential development to include 'modestly priced' housing units within each village. Yet the federal definitions of "low" and "moderate," argues former City Council and Planning Commission member Mary Ann Guido, were not "based on reality" in a county with a 1989 median income of \$49,500. In August 1989, a liberal Irvine City Council introduced an aggressive new Housing Element to the General Plan, creating new income categories to meet the needs of wage earners earning from below 30 to 120 percent of the county's median income (Guido; Guth). It also set up a local non-profit housing corporation to help in the construction of the new affordable housing (Golvin).

The new Irvine Community Housing Corporation had little to do for almost a year because the primary developer in the city, the Irvine Co., had pulled their proposal for the development of a new project (known as Westpark II in Planning Area 38) as soon as the new Housing Element was adopted. Construction in the city came to a standstill as the Irvine Co. and local government butted heads (Guth; Golvin). According to Ben Golvin, Senior Project Manager at BRIDGE, the Irvine Co. was simply, and quite logically, not interested in building housing that would not turn a profit.

In the following election year, the liberal city council was replaced by a more conservative crew and the Irvine Co. put its plans for Westpark II back on the table (Guth). Though the new council was expected to interpret the Housing Element in a less rigorous and demanding way, Irvine Co. President Don Bren realized that in order to continue development of his Westpark village and Westpark II (comprised of medium-high density townhomes), his company would have to provide some low-income housing, not the Irvine Co.'s specialty (Golvin). Nor did the recently created non-profit housing corporation have the experience, the resources, or the support of the new City Council to handle such a large development (Golvin).

*How BRIDGE Got Involved*

Bren was familiar with BRIDGE's work and offered to fund all pre-development costs if they would take on the project. According to BRIDGE project manager Ben Golvin, Bren guaranteed BRIDGE no out-of-pocket costs—without this promise, he says, they wouldn't have handled it. He says they were also led to believe they would have the full cooperation of a flexible, agreeable Council and Department of Community Development.

Golvin says the only real flexibility they have enjoyed is a density bonus of 183 additional units approved in a zone change on January 8, 1991, and speedier processing of the project application. Nonetheless, Golvin indi-

cated that the politics of getting this development approved have been somewhat complicated. According to Guth, the Irvine Co. flew members of the City Council up to the Bay Area to see other BRIDGE projects and allay their fears about low-income housing. Yet only months before the permit was approved, Golvin received a telephone call from a Council member who threatened that if the project involved the Irvine Community Housing Corporation he/she would not support it. Fortunately, the people of BRIDGE have are noted for their political, as well as financial savvy, and the permit was approved on July 1991, only 6 months after the application was filed.

*The Project*

In terms of design, says Golvin, BRIDGE's project will be "just like everything else" in the area. The first Westpark development (Corto Bella, across the street from the BRIDGE site) was designed by McLarand, Vasquez and Partners Inc., under the direction of Bren, to emulate Italian coastal villages, using a fairly uniform architecture and a wide color palette of whites and pastels (Kinchin, 1:1, 1:3; Hector, 102). The original architects of the BRIDGE development (World Famous Architects) were let go last year and replaced by the same McLarand, Vasquez and Partners Inc. (Guth).

The financing of this project seems to have been the least of Golvin's worries. As promised, the Irvine Co. provided all of the pre-development costs and added its

significant financial leverage as landowner to borrowing funds. The development has an estimated worth of \$32 million, due primarily to high land values and the size of the project. The city of Irvine is leasing the land from the Irvine Co. for \$750,000. Development of the land is going to cost approximately \$78,000 a unit. BRIDGE intends to borrow \$20-25 million through tax exempt mortgage bonds and raise the rest through limited venture partnerships, in which BRIDGE sells its tax credits as a non-profit to private investors and uses the proceeds for capital. Golvin did not indicate who these partners will be but they are sure to be significant players in California's investment game. With the Irvine Co.'s backing, BRIDGE's reputation and the anticipated growth of the area, there is no question that this is a low-risk, high-return investment for all parties involved.

So far everyone is winning—the Irvine Co. will get to develop the rest of its land at market rates; private investors get to use tax credits to their profit advantage; the City Council gets to look concerned about low-income housing while maintaining the aesthetic integrity of the city and staying on the side of Donald Bren; the Irvine Community Housing Corporation gets to learn from a leader in non-profit housing development and the Department of Community Development gets to reach some of its goals in providing affordable

housing. But what about the people for whom this project is intended to help? \*

### *What does Affordable Mean in Irvine?*

The Westpark apartments, as mentioned before, will consist of 382 total units. Of these 152 will be "affordable" (BRIDGE, "1989-90 Annual Report," 26). The Irvine Housing Element sets out four household income levels by which to determine housing affordability based on the Orange County Median Income (\$52,200 in 1990, family size unknown):

- Income I—Households earning below 30% of median income (\$14,730 in 1990)
- Income II—Households earning below 50% of median income (\$24,550 in 1990)
- Income III—Households earning below 80% of median income (\$39,280 in 1990)
- Income IV - Households earning 120% and below median income (\$58,920 in 1990)

(Johnston, 1)

The "Special Development Requirements" of the Zoning Ordinance (89-ZC-0142, pp 1-5) set the following goals for affordable housing in new developments:

- 10%—affordable to Income II households ("Income II units")
- or to Income III households (can be new or converted).
- 1.5%—newly constructed Income II units
- 1%—newly constructed Income I units
- 12.5%—newly constructed Income III units

The requirements, while appearing solid, are actually somewhat vague—they are really goals and have many allowances for situations in which certain financial incentives are not available to developers to aid in the construction of low-income units. They also provide for the payment of in-lieu fees rather than development, with no requirement that the city or any non-profit construct any dwelling units.

While it's clear that the 152 units of the Westpark development will be Income II and III units, it's not clear to what extent the Irvine Co. will meet all of the special requirements (Guth). It's in their best interest to simply meet them all at once so as to continue the construction of Westpark II without any further demands and delays. On the other hand, the zoning does leave quite a bit of room for

*Cont'd page 22*

*BRIDGE Cont'd*

neglecting the needs of Income I households without any consequences. If it costs less to take advantage the ordinance's permissive language, it's not unreasonable to assume the Irvine Co. will.

According to Naomi Guth, two-bedroom Income II and III units, in today's market, would probably rent for \$650 and \$850-\$900 a month. However, these income figures are for households in a county with one of the highest cost of living levels in the country. The goals of the early Irvine City Council are lofty ones and admirable, as are the efforts of BRIDGE in helping to implement them by their participation in this project. Westpark Apartments will provide a significant number of units for lower income persons, but can not adequately address the still dramatic disparity between the needs of very-low income people and the high costs of living in areas such as San Francisco and Irvine. Many who work at back office and retail jobs in Irvine cannot and still will not be able to afford to live there. The very poor do not even venture into Irvine. The 1990 Census shelter count of homeless was ten; on the streets—zero. You won't see homeless people sleeping on Irvine's neat, empty sidewalks or AFDC mothers shopping in the pricey Irvine Ranch Farmers Market.

*Two Steps Forward...*

The low-income requirements of the Housing Element will tend to primarily provide for those people

who are only temporarily of low income status, especially U.C. Irvine students or young corporate managers on the executive track who aspire to home ownership in the area. Yet in the face of an overwhelming housing affordability crisis facing all of California, every unit of low-income housing, particularly if constructed without federal funds, is valuable. Hopefully the success of this project will act as a model for other Southern California cities to emulate in addressing their growing low-income housing needs. ♦

*Author's Note: Construction began on the Irvine Project April 20<sup>th</sup>, 1992. The first units will be on line in twelve months.*

**Bio**

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**Sources**

Alcott, Martha J. "Non-profit S.F. developer serves as model for capital." *The Sacramento Bee* 2 Oct. 1989, final ed.: A11

Anders, Corrie M. "Bridgework: Closing the housing gap." *San Francisco Examiner* 10 July 1988: F1

BRIDGE Housing Corporation. "1989-90 Annual Report."

C., D.J. "Affordable California Hill Town." *Architectural Record* July 1990: 84-87

Cabanatuan, Michael. "Richmond Market Planned." *West County Times* 20 July 1989: 1A

"The cost of affordable housing." Editorial. *San Francisco Examiner* 19 Mar. 1990

Dietz, Betty. "Teamwork key to Marin City deal." *Marin Independent Journal* 18 Nov. 1990: B1

Dononhue, Gerry with Lisa A. Saxton. "Builder 100 - Companies To Watch." *Builder* May 1989: 185

Evenson, Laura. "Help for S&Ls and the Poor." *San Francisco Chronicle* 25 April 1989: C1

Gaido, Mary Ann. "Irvine Should Continue Its Affordable Housing Policy." *Los Angeles Times* 30 Nov. 1990

Golvin, Ben. Personal Interview. 2 May 1991

Guth, Naomi. Telephone Interview. 15 May 1991

Hector, Gary. "America's Richest Land Baron [D.Bren]." *Fortune* 27 Aug. 1990: 98-102

"Housing Success." Editorial. *San Francisco Chronicle* 26 April 1989: A18

Irvine City Council Ordinance No. 91-02 "General Plan Amendment (89-GA-1147) and Zone Change (89-ZC-0142)." 8 Jan. 1991

Irvine City Council Ordinance No. 91-02 "Special Development Requirements (89-ZC-0142)." 8 Jan. 1991

Johnston, Heather and Shannon Whitley. "Affordable Housing Inventory."

Memorandum/Report from City of Irvine Director

of Community Development to City Manager. 9 April 1991

Kinchen, David M. "Townhouses in Irvine Designed as 'Euro-Villas'." 5 Feb. 1989: VIII 1:1

McLeod, Ramon G. "S.F. Led Jump in Housing Costs." *San Francisco Chronicle* 10 May 1991: A1

Reed, Dan. "Richmond council approves restoration of city's downtown." *West County Times* 9 Jan. 1990: 3A

Ryon, Ruth. "\$1-Million Tract Home Arrives in Southland." *Los Angeles Times* 7 May 1989: VIII 1:4

Schachter, Jim. "It's Hard to Draw Executive Talent to the Southland." *Los Angeles Times* 16 Feb. 1989: IV 1:1

Schwartz, David C. "Business can attack housing costs." *Fortune* 15 August 1988: 8

Stewart, Jill. "L.A. Awakening to Low-Cost Housing Crisis." *Los Angeles Times*, Orange County ed., 9 Mar. 1990: B1:2

"Taking Risks, Changing Perceptions." *The Ford Foundation Letter* Aug. 1988, vol. 19, no. 3: 1-2

Turpin, Dick. "State's Major League Prices." *Los Angeles Times*

19 February 1989: VIII 1:1

Viviano, Frank. "Making Housing Affordable." *San Francisco Chronicle* 6 Feb. 1989: C1

# Saving Walden Woods

Ashli Lisa Lewis

## Introduction

Walden Pond has always been a special spot to followers of Henry David Thoreau's writings. The pond and surrounding woods, immortalized in Thoreau's essays, have been called "the very cradle of our American conservation movement," (Henley, p.13). To fans of the author, it is indeed a sacred place. When commercial development threatened in the form of a condominium complex and an office building, it became necessary to harness this support to protect the area. The result has been the Walden Woods Project, founded by musician Don Henley, an organization of politicians, entertainers and environmentalists; it has managed to draw the worldwide supporters of Walden into a cohesive force. In the process, what might have been just another land use problem restricted to local concern has garnered worldwide attention via television (including a MTV campaign), newspaper and magazine articles, concerts, and even a book.

Like most land use issues, many factors come into play in determining the outcome. In the case of Walden Woods, the players

include the developers, the residents of the nearby town and the 'outsiders' who seek to preserve the land. Though the outcome is still unfolding, the dispute over Walden Woods is an example of how public figures and celebrities can aid local activists in their attempt to preserve an important historical site.

## Background

Concord, Massachusetts is the nearest town to Walden Pond. An important element of this scenario is how the residents of Concord feel about the importance of and actual definition of Walden Woods. Most everyone agrees that the pond is a special spot. Walden Pond itself belongs to the people of the state due to the "Great Pond" law of 1641, that calls for any body of water over 10 acres to be held by the legislature for the people (O'Connor, 12/16/91). The problem is, in this heavily forested area, at what point are the woods surrounding the pond to be considered "Walden Woods?" The boundaries of Walden Woods and the perceptions of who it 'belongs' to (in an emotional sense) have been in flux over the years. Edmund A. Schofield, President of the local Thoreau Society, writes that Walden has a history of being perceived "...as a sort of never-never land lying far on the periphery of human concerns and therefore conveniently consigned to oblivion" (Schofield, p.22). Actually, formal boundaries for the woods were not defined until 1986. In order to prevent development in Walden Woods, Schofield had first to define their bound-

aries. The boundaries were drawn based primarily on the soil type. His work led to the definition of Walden Woods as encompassing 2,680 acres.

## History of the area

Henry David Thoreau began his stay in near Walden Pond in 1845. In Thoreau's time, the large forests in Massachusetts were already being cut back and land purchased for private use. Largely due to the soil type (very poor for farming), an area of the forest surrounding the pond was not converted to farmland. The pond itself became a favorite recreation destination, and continues to be so today, logging over half a million visitors a year (Saving *Thoreau's Country*, p.2). The land surrounding the pond has historically been both privately and publicly owned. Today that is still true, with forty percent being privately owned, and the remaining sixty percent of the area currently protected by the state, local land trusts, and the cities of Concord and Lincoln (Saving *Thoreau's Country*, p.4)

By the 1870s, just years after Thoreau's death, the "Lake Walden" was already being promoted as an exclusive resort location. The pond began to also attract large numbers of blue-collar workers from nearby Boston on holiday. Though Concord was the town nearest to the woods and pond, historian Duke O'Connor feels that many in the town, given the large numbers of tourists, did not feel the area "belonged" to Concord. In the 1920s, the state



offered Concord possession of some of the public land surrounding the pond but Concord turned it down due to the costs of running the popular vacation spot. A trailer park arose in the 1930s, and in 1958 the people of Concord voted to place the city dump near the pond, out of their sight.

### *The Proposed Developments*

The two proposed developments that got the action rolling were an office building and a condominium complex, involving sixty-eight acres of the privately owned land. (*Saving Thoreau's Community*, p.15). New York developer Mort Zuckerman submitted plans to the Concord Zoning Board of Appeals in late 1986 proposing an office building with parking for 500 cars. The land, which Mr. Zuckerman had purchased in 1983, was a total of 18.5 acres, located on Brister's Hill, one of Thoreau's favorite spots and near where his cabin stood. Ironically, Mort Zuckerman also happens to own the Atlantic, the parent company of the magazine that first published Thoreau's works decades ago.

There was no opposition at the board meetings. Zoning for the area allowed commercial use. Back in the 1960s when this zoning was determined, the area was not considered to be part of Walden Woods because a highway separated it from the mass of the woods Perney, p.15). This reflects back on the amorphous perception of the woods by the locals. There was support for the project from those in the town who wanted the

tax dollars and saw little use arguing over a piece of land that faced the town dump and itself stood treeless having been stripped bare long before by the previous owner who used it as a gravel pit (Perney, p.15.) Only after the project had been approved was any opposition voiced. The Concord Historical Commission, concerned with maintaining the integrity of historical sites in the area, felt that legal notices for the Board meeting were not fairly placed, having been printed in the little-read Christmas and New Year's Eve editions of the local newspaper. When the commission tried to bring suit against the city, it discovered it was unable to. The town manager claimed "such independent action by the commission violated the town's charter" and forbade the commission to take it any further (Perney, p.15.)

The second development proposed was for a lot located 1400 yards from Walden Pond in an area called Bear Garden Hill. This land borders a conservation area. The developer, Philip DeNormandie, had previously offered to sell this land to the city of Concord in the early 1980s when he initially failed to receive approval to subdivide and sell the land for housing, but Concord chose not to buy the land. In 1986 he brought forward another proposal, a condominium development with 251 units (Perney, p.15.) This time, though, some of the proposed condominiums were to be built as low and moderate income units. Some assert that this was done to circumvent zoning laws—Massa-

chusetts has an "anti-snob" ordinance that allows developers to forgo certain approval procedures if they provide low cost housing. As the Boston Herald wrote, "That way, his development would fall under the state's anti-snob zoning law, which allows a developer to go directly to the state to override local zoning rules in communities where affordable housing constitutes less than 10 percent of the town's total housing," (Perney, p.15.) Concord has in recent years become a pricey place to live, with the average home now costing \$350,000.00, and thus fell under the zoning ordinance. The city of Concord, realizing it could do little to stop the project, instead chose to negotiate with DeNormandie in hopes of making the project smaller. The final proposal was for 139 condominiums, with 7 units set aside as low income housing and 35 units for moderate income occupants (*Saving Thoreau's Country*, p.3). Final approval came from the Concord Zoning Board of Appeals in November of 1988.

There was opposition against this project, but the loophole of low cost units left the city with little to bargain with. The current city planner believes that Concordians for the most part were against the condominium development, though some were not exclusively motivated by love of Thoreau and the desire to see a historical site left untouched—they just wanted the area to remain exclusive.

*Cont'd page 26*



*Saving Walden Cont'd**The emergence of the Walden Woods Project*

When the Historical Commission was denied the right to take a stand against the office building, one of its members decided to oppose the project independently. Thomas Blanding organized the Thoreau Country Conservation Alliance (TCCA), "an organization dedicated to the preservation of Walden Woods," (Perney, p.15.) It was mainly composed of followers of Thoreau, and included members of The Thoreau Society, a local literary organization which gathers in enjoyment and respect of Thoreau's writings. The Boston Herald writes: "Blanding and his cohorts quickly began making a nuisance of themselves at every turn—demanding environmental impact reports, contacting the press, speaking out at hearings," (Perney, p.15.) The group itself was composed of only a handful of Concordians—the same Boston Herald article reports that some negativism arose in the city against the group. Despite the TCCA's efforts, the projects continued to move ahead. TCCA continued to also work independently to bring national attention to the plight of Walden and hopefully generate some publicity.

Don Henley, a musician formerly with the group *The Eagles* and now enjoying a successful solo career, saw one of the generated news pieces on CNN. A fan of the writings of Henry David Thoreau, upon learning about the threat in 1990, he began to organize The

Walden Woods Project. Don Henley and his supporters, who include co-chairs current presidential candidate Senator Paul Tsongas and Michael Kennedy, son of Robert Kennedy, quickly seized the media spotlight in an attempt to raise consciousness and funds.

*Henley has written about his concern for Walden:*

...Walden Woods is not a pristine, grand tract of wilderness, but it is still, for the most part, exceedingly beautiful and inspiring. It is, for all intents and purposes, the cradle of the American environmental movement and should be preserved for its intrinsic, symbolic value or, as Ed Schofield, Thoreau Society president, so succinctly put it, "When Walden goes, all the issues radiating out from Walden go, too. If the prime place can be disposed of, how much easier to dispose of the issues it represents (Henley, p.13.)

Henley wasn't totally welcome at first, and some, including apparently the original TCCA members, felt he'd stolen their thunder. The Boston Sunday Herald ran an article on Henley that stated, "Henley was lambasted by the media, state officials, and some locals as the meddling outsider, a Hollywood glamour boy who neither understood the situation nor cared about the housing issue" (Perney, p.12.) But Thomas Blanding, president of the Thoreau Country Conservation Alliance, has said, "It was just what we were hoping for all along. We wanted to

draw someone of national prominence to help us with this. That was our strategy, and it worked," (NY Times, August 14, 1990.) Duke O'Connor claims that celebrities have always been involved with Walden Woods and points to many of the other writers that populated the area nearby, including Ralph Waldo Emerson and Louisa May Alcott. Henley has undoubtedly gotten the lion's share of the credit in the effort to draw attention to the situation, but the general attitude seems to be "anything that can help" is all right.

The Walden Woods Project set out to purchase the lands in dispute in conjunction with the Trust For Public Land, a well known nonprofit land conservation agency. The Trust For Public Land states that its role "is to acquire an interest in...lands until they can be sold to public agencies or nonprofit conservation groups for permanent protection..." (Trust for Public Land fact sheet.) The decision to pursue purchasing the land seemed to be the most viable method of saving them indefinitely, given that both projects had been approved by the local board.

In the case of the condominiums, the project also sought to purchase an additional piece of land away from Walden Pond where low cost housing could be built to replace the housing that would have been available in the condo project. Finding an alternative spot for the low cost housing became fundamental as the low-cost housing

supporters and environmental forces began to create headlines. Mr. DeNormandie, the condominium developer, offered to sell his spot at 3.55 million, 2 million under appraised value. That purchase is now being negotiated.

The proceedings with the developer of the proposed office building have not gone as well. Mr. Zuckerman bought the lot for 3.1 million in 1984, and has offered to sell it at 7.7 million—even though the market has suffered a decline. So far no purchase has been made.

### *The Future Of The Walden Woods Project*

The Walden Pond Project has set its goals on “preventing the proposed developments in Walden Woods and...establishing a new integrity for this historic area.” (Walden Woods Project summary pamphlet) After these endangered sites are protected, the Project will focus its efforts on preserving as much of the woodland as possible. For right now, the focus is to raise the needed funds to conclude the purchase of the condo site and hopefully the building site. The task of fund raising and informing the public has taken on many different forms. Concerts have been held starring Don Henley and various musician friends, a book has been released (*Heaven Is Under Our Feet*, a collection of environmental essays by various well-known musicians, authors, politicians and others), a spread has been run in Rolling Stone magazine, and commercials have

been aired on MTV. (A spot for the Walden Woods Project ran on MTV listing a 900 number that gave information and raised funds for the organization through a charge for the call. In the first couple months over 4,000 calls were recorded.)

The concerts are used primarily for raising funds (the first concerts in April of 1990 raised \$250,000.00). But the audience is also educated about the situation. At the recent concerts in October of 1991, petitions were circulated asking Mr. Zuckerman to sell his land.

### *Conclusion*

Usually a proposed development concerns only those living in the area of the action. But this is a case where the land in dispute meant more to many living outside the region than to those living near it. In the case of Walden, it was necessary to first establish the place as a historical spot worth saving. Thoreau's followers appreciated the area, but a successful campaign meant also gaining this recognition from the public at large. Given many of Thoreau's writings had an environmental theme, and the current public environmental awareness, the timing seemed right to identify Walden as a place of historical significance.

The success of the Walden campaign has rested on banding the far flung supporters of Walden together. The involvement of a public figure, Mr. Henley, has helped greatly in drawing attention to the cause. Celebrities continue

to influence public perception of issues by involving themselves. A well organized campaign coupled with the experience of a national environmental organization seems to be paving the way towards success. The emergence of trusts, of simply buying the land to be saved rather than seeking legal alternatives, is a growing trend. At this point, negotiations with one developer continue. But now it is a nation, not just a town, watching the outcome. ♦

### *BIO*

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### *Bibliography*

Anderson, Kathi, Project Director, Walden Woods Project. Personal phone interview, November 1991.

Henley, Don, and Dave Marsh, eds. *Heaven Is Under Our Feet-A Book For Walden Woods*. Stamford, Connecticut: Longmeadow Press, 1991.

Larrabee, John. "On Walden Pond: Rockers, politicians, CEOs." *USA Today*, 14 August 1990, p. 3A.

Lima, Alfred J., Director of Planning and Land Management for the city of Concord, MA. Personal phone interview, October 10, 1991.

National Trust For Historic Preservation news release, June 11, 1991.

O'Connor, Duke, Walden Pond Historian and author of an upcoming book on Walden Pond. Personal phone interviews, October 24, 1991 and December 16, 1991.

Open Views (The Trust For Public Land's New England Office's Newsletter). Vol. 1, Issue 1, Fall 1991.

Perney, Suzanne. "Walden's Different Drummer." Boston Sunday Herald, 16 September 1990, magazine supplement pp. 12-16.

"Plans for Developing Walden Raise Star-Studded Opposition." Washington Post, 26, April 1990, p. A3.

"Saving Thoreau's Pond: Rock Stars (Who Else?)." New York Times, 14 August 1990, p. 14.

The Trust For Public Land Fact Sheet, Fall 1991.

"Walden Woods Condos Killed." New York Times, 30 September 1990, Sec. 10, p. 15.

Walden Woods Project, three page summary.

Walden Woods Project: "Saving Thoreau's Country," information pamphlet and fact sheet.

"Winning One For Ol' Thoreau," Time, 27 August 1990, p. 41.

Woody, Bette, Ph. D., professor of public policy, University of Massachusetts and advisory board member to Walden Woods Project. Personal phone interview, October 25, 1991.

# South Bayshore Plan

by Brandon J. Farrell

## Introduction

As the condition of many inner cities throughout the United States continues to deteriorate, the pressure on city planning departments and civic governments to reverse this deterioration continues to increase. In the South Bayshore area of southeastern San Francisco, the typical causes of urban decay can be traced to the various land use patterns and socioeconomic conditions which plague these troubled neighborhoods. South Bayshore, also known as Bayview-Hunters Point, is often regarded as one of the more troubled neighborhoods in the City. It is also the area with the highest concentration of African-Americans in the City since redevelopment actions displaced this cultural group from the Fillmore-Western Addition over the last two decades. Once again this population and their neighborhood are under the gun to either accept a city proposal that would supposedly revitalize the district, or risk continued economic and social woes.

## San Francisco Proposal

The proposal by the City Planning Department of San Francisco is a subarea plan in conjunction with the Master Plan of San Francisco.

The original South Bayshore Area Plan was approved by the City Planning Commission on February 19<sup>th</sup>, 1970. The new subarea plan would replace these existing development policies and provide a visionary glimpse of the future for this neighborhood environment. City Planner Peter LaBrie, who is working on the project, says the area is viewed as "a slum where social and economic conditions are in constant and rapid decline." (LaBrie, 1991) This new proposal would serve to revitalize this area while preserving the ethnic and social composition of the area's approximately 23,000 residents. The primary geographical focus of this plan targets certain "hot spots" such as Third Street, Candlestick Point, and Bayview Hill, and includes a comprehensive plan covering facilities and services for the entire district (see Map 1).

The project involving the Candlestick Point Perimeter (see Map 2) includes the rezoning of over twenty acres of land from industrial uses to moderate/low density housing. This would complement the existing design of the area while enhancing the availability of housing to residents. The potential to create 1000 new units is desirable, since the plan states that a "significant portion" of the units would be below-market rate, available to low income and elderly residents of South Bayshore. Currently, most of the land in the area is zoned M-1; yet after an Environmental Impact Report and Soil Testing Study are completed, the area should be suitable for rezoning to residential use.

## Affordable Housing

One of the key issues of this plan is affordable housing for existing residents of South Bayshore. The institution-like appearance of the public housing projects is not a desirable solution to the question of housing, yet without the ability to produce market rate housing, developers may be reluctant to invest time and money into new housing construction. The public housing projects, such as the Alice Griffith project, are in dire need of improvements and financial assistance. The existence of shoddy living conditions and fears of lead and other toxic contamination have forced the Housing Authority to address the well-being of these residents. The South Bayshore Plan would provide financial and legal assistance from various civic agencies to these housing environments and would allow the necessary improvements to be completed before new housing could be constructed.

The availability of single family housing is also a key issue in this proposal. The Bayview Hill area of South Bayshore is targeted for growth and is currently the topic of speculation among many private developers. Potential growth for the hill has been projected to be 1,000 new units, compared to the existing 550 units already there. According to the plan, the area would be zoned RH-2 (2 units per lot) with a height limit of 32 feet. (Conditional Use permission could be granted to extend the height to 40 feet.) The purpose of

*Cont'd page 30*

### *South Bayshore Cont'd*

these zoning regulations is to preserve scale to existing housing and to encourage home ownership by future residents, rather than create a high density area of rental units. The projected build-out would leave much of the hill in its natural state, since over half of the hill is zoned for open space or is undevelopable because of the terrain conditions.

### *Third Street*

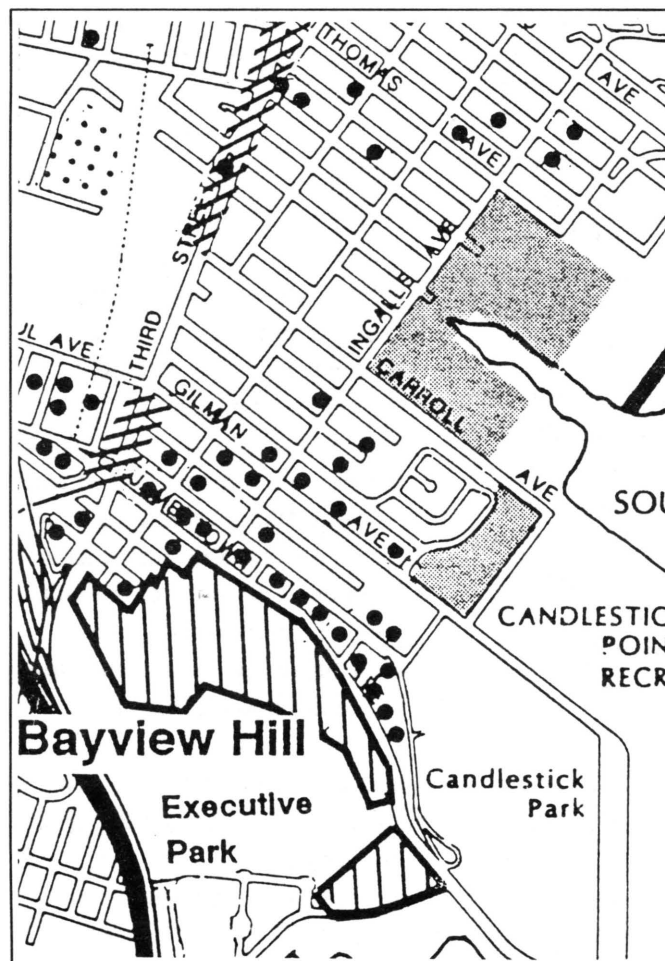
Perhaps the most important aspect of the South Bayshore Plan is the revitalization of Third Street and surrounding streets (see Map 3). According to Planner Labrie, "Third Street deserves high priority for resource commitments because of its potential to serve as a catalyst for revitalizing the total district." (Ibid) The primary interest in Third Street is to provide an economic boost to small business and private investment while improving the "seedy economic character" of this main thoroughfare (Ibid).

The method of achieving healthy land-use and economic growth would be implemented by several changes to the existing conditions. New senior housing and multi-family housing at below market rates would be required before market rate housing starts could begin. Then speculators and local developers could build quality market rate apartments in properly zoned areas.

### *Mixed Use*

Mixed use buildings would provide incentive for healthy economic investment and would enhance the commercial activity in the district, while implementing structural reuse for retail functions along many troubled areas on Third Street would provide an adaptive solution to the deterioration and unhealthy use of existing structures. The restriction of "unhealthy economic ventures" (Ibid), such as new liquor establishments and suppliers of pornographic materials would provide an environment conducive to family life and quality commercial activity necessary for attracting patrons and future residents. A cooperative effort by the Planning Depart-

ment, the Alcoholic Beverages Commission, and various community groups would "monitor and limit new liquor permit activity throughout South Bayshore" (San Francisco Department of City Planning, 1991, p.2) and crack down on underage drinkers. The utilization of business assistance programs from civic agencies to encourage existing merchants and new merchants will provide the necessary financial help that is required to start a new business or expand existing services. Preference for this assistance would be given to existing residents and merchants who express a desire to participate in the improvement of services and overall quality of life in their neighborhood.



*Map Source:  
San Francisco  
Planning  
Department*



### *Urban Removal?*

The South Bayshore Plan would appear to be the solution to the problems that plague this area. Although the plan promises to address the needs of current residents, many long time residents are wary of this type of plan. Decades before, many of the South Bayshore residents resided in the Fillmore and Western Addition neighborhoods of central San Francisco. This area was the center of African-American culture in San Francisco. The colorful, low-income appearance of the Fillmore was regarded by some civic and federal planners to be a slum in need of clearance and redevelopment. Promises were given to address and protect the needs of residents and to provide necessary housing and services. The net effect of the now infamous redevelopment actions were typical of gentrification patterns in related areas. Displacement of African-American residents in mass numbers forced this population to resettle in the less desirable South Bayshore area, which pits them against heavy industry and military use.

On September 10<sup>th</sup>, 1991, the City Planning Commission and Redevelopment Agency of San Francisco held a special meeting to discuss and debate the South Bayshore Plan and review the negative declaration filed on the project by the City Planning Commission. The negative declaration stated that the South Bayshore Plan would have no adverse effect on the environment

and would ultimately work to improve conditions in the area. Over two hundred residents of South Bayshore convened to listen and respond. The overwhelming response was negative.

Sam Murray, President of the New Bayview Committee, expressed concern that the African-American population in San Francisco is in serious jeopardy of being displaced from the entire city. "Redevelopment is the financier of this plan...and we will not allow our people to be subjected to this type of economic terrorism." (Murray, 1991) Although this plan is the result of years of community input—such as the South Bayshore Draft for Citizen Review in February 1989, and a set of citizen recommendations approved by Murray's New Bayview Committee in April 1989—most residents have trouble forgetting the results of similar proposals and are wary of so-called redevelopment plans.

### *Conclusion*

One thing that all involved agree on is that something must be done to curb the course of physical deterioration and economic and social despair which affects the South Bayshore Area. The plan is currently being restructured by the City Planning Department for later review by the City Planning Commission and the residents of South Bayshore. For the future of this district, it is imperative that residents and planners work together to guide future development within the community. City Planners must realize and address

the fears of residents, while the community must allow a plan to become a reality as soon as possible. Considering the current rate of neighborhood deterioration, South Bayshore must quickly work to become a shining example of proper urban redevelopment, while maintaining the character of the resident African-American population.

### *Sources*

LaBrie, Peter; City Planner. Remarks made at San Francisco City Planning Commission Hearing; September 10, 1991.

Murray, Sam; President, New Bayview Committee. Remarks made at San Francisco City Planning Commission Hearing; September 10, 1991.

San Francisco Department of City Planning. South Bayshore Plan Proposal. City and County of San Francisco; May 1991.

# Civic Center Evolution

by Matt Weintraub

## Introduction

Civic centers have played a vital role in the morphology of Western cities since the origin of Western civilization about 2500 years ago. In the United States, most people are familiar with the "town square": an open space near the settlement center, functioning as a general assembly and public event area, and often as a market place. The town administrative center is grouped around the open plaza, usually consisting of a city hall, courthouse, library, post office, and perhaps a railroad station and a church. Collected together around the plaza, these buildings are given a "distinct and definite focus...not strung out randomly along an open street." The result is "a symbolic representation... of a town's development and democracy" (Boyer, 1983, p.52).

In an urban setting, the town square became the "civic center", a grander and more multi-functional "grouping of

public buildings around a park or open space such that the advantages of light and air were gained, the length of vision that enhances architectural monuments was also secured, as well as the utilitarian efficiency of a center of activity devoted to civic business" (Ibid, p.53). The civic center will often contain public recreational facilities, such as museums, theaters, and music halls; ideally, the civic center will also be linked to the major transportation arteries of the city for easy access.

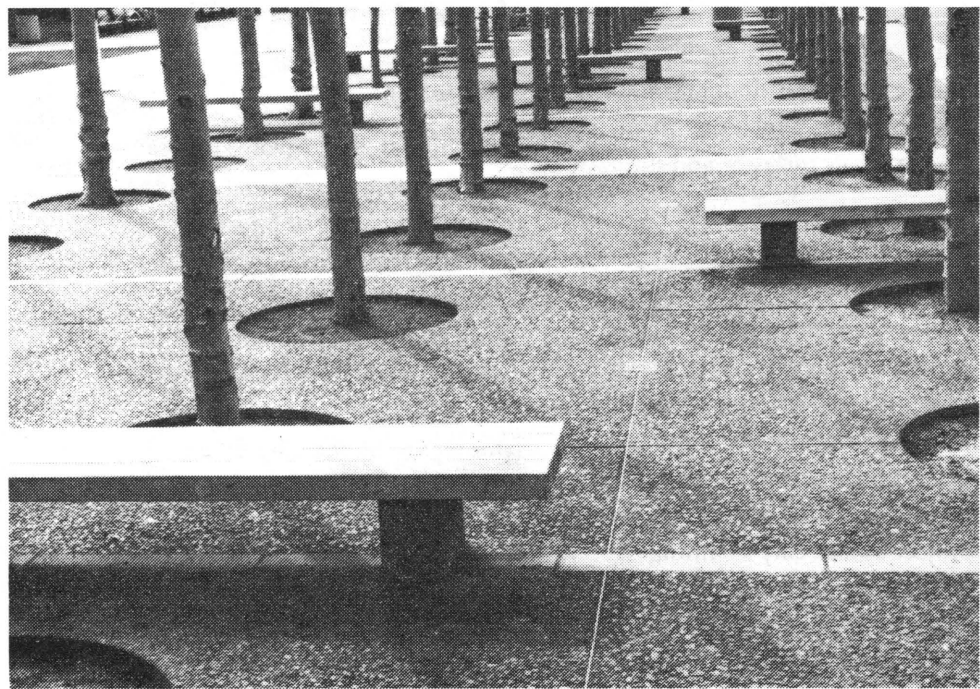
To understand the functions and structure of the civic center, and the forces that have shaped it and continue to influence modern urban development, it's necessary to trace the civic center's evolution from its origin to its present form, starting with the cities of ancient Greece, which "have symbolized a return to communal unity and sovereign allegiance" throughout

the development of Western civilization (Ibid, p.50).

## Greek-Roman Origins

By the 5<sup>th</sup> century B.C., ancient Greek towns and villages within a region had started to unite under capital cities—the urban nucleus of a region—to form "city-states". The acropolis and the agora comprised the two focal points of the Greek city. The acropolis, or religious center, was generally located on higher ground apart from the city. The agora, or "every-day heart of the city", was as near the center of the city as possible, or alongside the port in harbor cities.

The agora, or civic center, developed as a direct response to the invention of democratic government, and allowed "all citizens to gather throughout the year in one place, at one time, and made



*San Francisco Civic Center*

feasible the Greek self-governing innovation. City planning as such, conscious collective and integrated action beyond the mere construction of individual houses, existed already in India and Egypt in the third millennium B.C., but never the impulse to shape a void within the town" for the purposes of public assembly and discourse; "...only within a civilization where the anonymous human being had become a 'citizen', where democracy had unfolded to some extent could the gathering place become important enough to take on a specific shape" (Morris, 1974, p.20-25).

In some instances, Greek settlements within a city-state would grow together over time to form a continuous, polynucleated city, with each village retaining its own character, loyalties, and regional agora. As larger cities developed, the agora design was repeated throughout, with some specializing in commercial functions, leaving others to political and religious uses (Vance, 1977, p.25-26). Thus secondary agoras developed to meet regional and local needs that a single centralized civic center could not.

When Rome conquered Greece, it absorbed much of the Greek culture and science, ensuring that Greek land use practices and architecture would continue to be practiced, but with Roman modifications. The Roman equivalent of the agora was the forum; Pompeii's main forum was "in its enlarged and reconstructed form an early example of Roman

treatment, with the civic spaces more symmetrically composed than was usual in Greek planning" (Hiorns, 1956, p.47). The greater and lesser theaters, as well as a colonnaded courtyard, defined the minor forum as specialized for entertainment and spectacle functions, while the markets and political activities were left to the main forum.

### *Classical Europe*

In the 10<sup>th</sup> and 11<sup>th</sup> centuries A.D., political stability and growth in trade allowed widespread urban development to return to Europe, following centuries of cultural stagnation after the fall of Rome. Although varying styles of urban development were utilized by European builders, the general urban plan was consistently patterned after Roman colonial towns. They featured an open market square at the city's geographic center, often with religious or official structures nearby, and intersected by the main arterials (the *cardo* and the *decumanus*) through the city (see Figure 1).

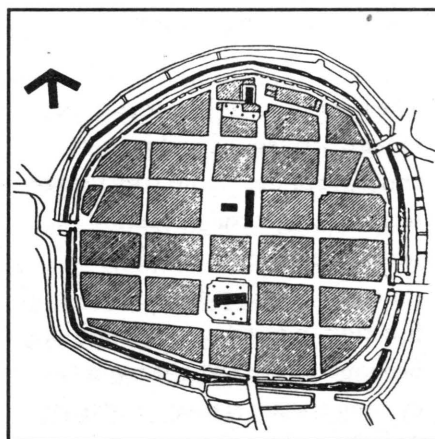


Figure 1.

Although the market square served a commercial function, it would accommodate public meetings as well (Morris, 1974, p.72).

During the 15<sup>th</sup> century, several texts on ancient Roman architecture and civic planning were discovered, written by Vitruvius, a 1<sup>st</sup> century Roman architect. Despite having an uneventful career, Vitruvius' *De Architectura* had profound and dynamic affects on the evolving Renaissance movement in Europe. His detailed guide to Roman building forms became a popular reference text, fostering the growing classical character of the Renaissance. The Renaissance architects "forbade the use of medieval or any other form of romantic, archaeological, or picturesque art...It was not difficult to agree on the Roman classic forms, correctly and loyally interpreted but permitting variations" (Boyer, 1983, p.47-48).

Vitruvius' contribution to land use planning was his "ideal city" design (see Figure 2). Although no record of the plan ever being implemented in ancient Roman times has ever been unearthed, it nonetheless fired the imaginations of Renaissance Europeans. The design described a roughly circular settlement with a main public forum in its well-established location at city's center. The major innovation was the circulation pattern. Unlike Hippodamus' grid pattern, the ideal city featured traffic arteries radiating outward in every direction from the civic

Cont'd page 34

### *Civic Center Cont'd*

center to the city limits; streets in concentric rings around the civic center intersected the radials at regular intervals. Minor forums were designed in the middle of each city district defined by the symmetrical street system, providing localized assembly spaces apart from the main civic center. This plan for a radial circulation network had significant impact on European urban design for centuries, as the traffic systems of four European capital cities indicate (see Figure 3).

### *The American City Beautiful*

In the late 1800s, after decades of industrialization, immigration, and unplanned growth, American cities were reaching critical mass. Physical infrastructures could not keep pace with growing demand, industrial and urban pollution was high, and cultural conflicts were common. An influential combination of government, business, and private individuals advanced a movement in urban planning called the City Beautiful, "the first self-conscious, nationwide effort to bring order, system, and pattern to the United States chaotic urban growth" (Sutcliffe, 1980, p.177).

The primary figure in City Beautiful design was Daniel Burnham, a successful skyscraper architect in Chicago. Burnham received a commission to design the central structures for the 1893 World's Columbian Exposition. Burnham's inspiration came from the classical European civic centers, as derived from ancient Greek and Roman

land use planning. "The Columbian Exposition's major buildings stood shimmering in their white classicistic dress around an axial basin" (Ibid, p.177). The 1893 Exposition display "exemplified the political objective" of urban civic reformers, "namely their desire to create aesthetically attractive public places to stimulate local civic pride...and strengthen the public sense of dignity and responsibility of citizenship" (Foglesong, 1986, p.156).

In 1902, Burnham and two associates—Charles McKim and Frederick Law Olmsted, Jr.—designed a system of malls, or plazas, around the Federal Triangle in Washington, D.C., "the nation's civic center". The planners proposed "to surround the Capitol square with a series of monumental buildings for congressional use and for the Supreme Court...A broad mall would lead to the Washington Monument. Lining the mall on both sides would be major cultural and educational buildings" (Reps, 1967, p.109), describing a variation of the Roman forum.

The City Beautiful aspired to be more than classical architecture and civic pride: "...no structure or scene could be truly beautiful without being functional as well" (Sutcliffe, 1980, p.172). With function in mind, City Beautiful proponents eyed with disdain the existing transportation systems of American cities. Burnham's inspiration for transportation reform once again was drawn from classical Europe, via his experience

with Washington, D.C.

In 1791, Pierre Charles L'Enfant had designed Washington's circulation network, referring directly to his home of Versailles, France, where "he could experience the grand vistas down the *allées*, cut boldly through the forest, the *rond pointes*, where two or more of them intersected...From this combination of grid and diagonal streets and its wealth of formal open spaces both urban and landscaped, L'Enfant may well have acquired...his plan of Washington" (Reps, 1967, p.5). Both Versailles and Washington are examples of the continued influence of Vitruvius' ideal town, composed of the central open space and a radial-concentric circulation pattern.

Burnham was similarly impressed by Vitruvian radial designs in Europe. "A study of the cities of the Old World develops the fact that the finest examples—Paris, Berlin, Vienna, Moscow, and London—consist of a number of concentric rings separated by boulevards. The smallest of these rings, inclosing [sic] the Civic Center—that portion of the city which plays the most important part in civic life—is located at or near the geographic center" (Burnham, 1906, p.39). Burnham included radial networks focused around public centers when in the general plans for San Francisco and Chicago (see Figure 4). The new boulevards and parkways in Chicago "provided spectacular vistas to all the important buildings by day and conveyed lines of



illuminated light by night" (Boyer, 1983, p.55).

Out of the City Beautiful movement evolved the concept of comprehensive city planning, a field officially recognized in the 1920s. "The city plans of Burnham and his associates concerned traffic circulation, railroad reorganization, cultural as well as civic centers, recreational improvements and other functional matters" (Ibid, p.172-173). Very few of these ambitious comprehensive plans would ever be constructed in totality, if at all, because of the huge scope of the designs and the political and social obstacles they encountered—a reality which city and regional planners continue to wrestle with today. However, "the initial formalization of modern city planning norms took place...often in the name of the City Beautiful" (White, 1989, p.70).

### *San Francisco Civic Center Planning*

The Chicago Plan of 1909—constructed almost entirely as designed—represented Burnham's greatest accomplishment in comprehensive city planning. The predecessor to Burnham's Chicago was his 1905 Plan for San Francisco, similar in style and scope. The San Francisco Plan had won initial support from the city's mayor, James Phelan, several influential private individuals, and the general urban populace, when natural disaster doomed the entire project. "Following the earthquake [of 1906], the public desire to

rebuild and reclaim what had just been lost...set limits to the definition of the Civic Center" (Landmarks Preservation Advisory Board, 1988, p.5), while virtually eliminating any opportunity for fundamental restructuring of the circulation system.

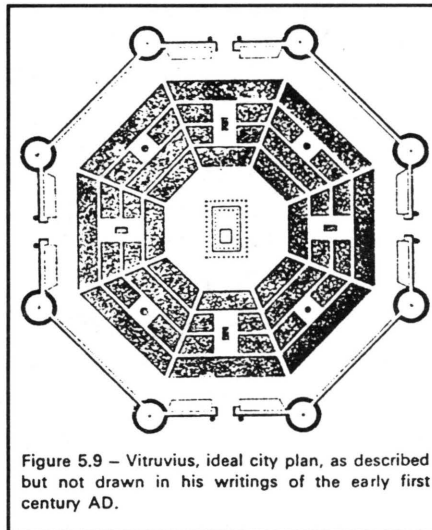


Figure 5.9 – Vitruvius, ideal city plan, as described but not drawn in his writings of the early first century AD.

Figure 2.

Burnham's San Francisco Plan focused on a Civic Center at Van Ness Avenue and Market Street (three blocks from its current location) that would "develop around the center in the form of a number of sub-centers" located at "the intersection of the radial arteries and the perimeter of distribution", or the innermost concentric ring of a city-wide transportation network (Burnham, 1906, p.39). The later Chicago plan would display similar radial design around the Civic Center. As the success of the Chicago Plan demonstrates, major development on this ambitious scale for San Francisco would have been possible with backing from the city's population, government, and businesses—this was the key to Chicago's completion. But San

Francisco had to compete economically with growing Southern Californian cities for port dominance on the West Coast. After the earthquake, which destroyed the 3000 public copies of Burnham's Plan housed at the old City Hall, along with City Hall and most of downtown San Francisco, the city rebuilt itself according to the original configuration for the sake of expediency.

But in 1912, an \$8.8 million bond for Civic Center construction was approved, without an integrated transportation network. Based on an earlier proposal by B.J.S. Cahill, the site plan "called for five major buildings to face the plaza: City Hall, Auditorium, Main Library, Opera House, and the State Office Building. Four minor buildings housing offices of City departments were to be located on the corners diagonally opposite the plaza" (San Francisco Department of City Planning, 1987, p.12). The site plan resembled a 1903 Cleveland Plan by Daniel Burnham. Except for the diagonal office buildings and the Opera House, relocated across Van Ness, the design was completed. The War Memorial and Opera House expanded the Civic Center to the west in the 1930s, at the cost of leaving a gap in the symmetrical design where the Opera House had first been planned.

Gradually other structures built around the Civic Center periphery—including the privately-owned Orpheum Theater, several

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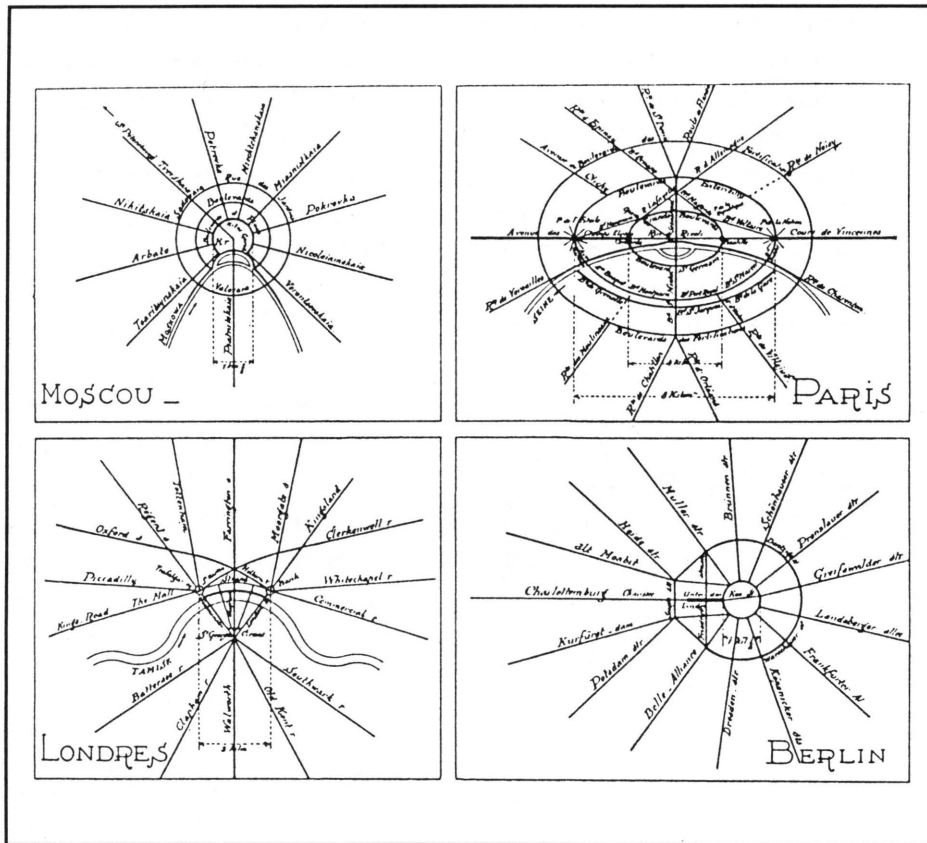


Figure 3.

### *Civic Center Cont'd*

State Buildings, and the Symphony Hall—have reinforced both governmental and recreational functions. Marshall Square, the original site for the Opera House next to the present Main Library, represents the last major undeveloped site within the Civic Center. Most of the site is currently used as a parking lot; a section of the block contains a one-story office building that “demonstrates highly inefficient land use” (San Francisco Department of Public Works, 1988, p.7).

In 1961, following the construction of an underground parking garage, the open space Plaza was restructured, “the largest and most visible change in the core area of

the Civic Center” (San Francisco Department of City Planning, 1987, p.21). The original Plaza design consisted of “a continuous and unobstructed pedestrian corridor...from Market Street to City Hall” and provided “an excellent setting for civic or cultural events.” The restructuring included a long reflecting pool (currently empty) along the main axis that “impedes public assemblies and obstructs movement across the plaza”. Seating in the new Plaza “is not oriented toward a focal area or element, and discourages social interaction” (see Photo). Dense groves of trees “discourage direct entry, deflecting pedestrians around the perimeter. With little through circulation, these areas have become isolated

from the plaza’s flow of activity and subject to territoriality.” (San Francisco Department of Public Works, 1988, p.12-13).

Proposition 46, passed in 1986, restored the City’s ability to use General Obligation bonds for financing major public land acquisitions and improvements. In 1987 the City Planning Department released a long-term development plan for the Civic Center, part of which is now being acted upon. A key component of the proposal is the restoration of the Civic Center Plaza to its original 1912 design. Construction of a new Main Library on the underutilized Marshall Square

site would fill the empty gap in the peripheral ring of structures around the Plaza, and would provide twice the useable space of the current structure. The old Library building would be converted into the Asian Art Museum, now located in Golden Gate Park. The stretch of Fulton Street between the two proposed structures would be closed to traffic and converted into a pedestrian mall, restoring the direct open space link from Market Street to City Hall.(see Figure 5). Because the new Library building would eliminate 230 parking spaces from the Marshall Square site, an expansion of the 840-space underground parking garage is proposed. Other future development possibilities include building minor structures for City department offices on the corner lots

diagonal to the Plaza (the sub-center locations), as originally designed in 1912, starting with a new building for the Planning Department and other offices. Construction of this building—the first municipal office building in San Francisco since World War II—would save the City an estimated \$3.8 million in annual office rents. With voter approval of bond measures for new construction, an estimated \$750 million will be spent on the Civic Center over the next 10 years, including seismic upgrades (Cheng, 1991, p.A17).

Civic Center expansion and renovation has begun with ceremonial ground-breaking for the new Main Library; construction will begin in mid-1993, funded by a \$104.5 million bond approved by voters in 1988, along with \$30 million in private donations. Renovation of the old Library building will be funded separately by the Asian Art Commission. Three bond measures for further Civic Center development will appear on the June 1992 municipal ballot. Proposition B will be a \$26.7 million bond to restore the original Plaza design. Proposition C will request approval to expand the underground parking garage by 370 spaces at a cost of \$24 million, to offset the loss of parking on the new Library site and to compensate for expected increased demand. Proposition D would authorize a \$21.2 million upgrade and expansion of the Civic Center's aging heating system, estimated to save the City

\$750,000 a year in energy and operations costs.

The City Planning Department has historically emphasized classical architectural forms in the Civic Center, with rare exceptions such as the minimalistic Federal Building. "Although one block removed from the Plaza, the 400-foot wide slab of the 1965 Federal Office Building rises 290 feet over the Plaza, and competes for visual attention with City Hall, the intended centerpiece of the Civic Center" (San Francisco Department of City Planning, 1987, p.21). With the proposed restoration of the original 1912 land use pattern comes a commitment by City Planning to emphasize classical architecture in future Civic Center development (Malone, 1992, conversation). For instance, the proposed Library will

have two modern facades facing commercial Market Street, but classical features will characterize the sides overlooking the Plaza.

But classical architecture does not define a civic center so much as land use—only through overall design and placement of structures is the function of a public center realized. The Civic Center's primary function is to facilitate the workings of a democratic government, while recreational and educational uses are secondary. Other sites in San Francisco utilize central spaces bordered by public structures, differing in function and style from the Civic Center.

The Yerba Buena Center, spanning three blocks south of Market between 3rd and 4th Streets, is the most current example of a modi-

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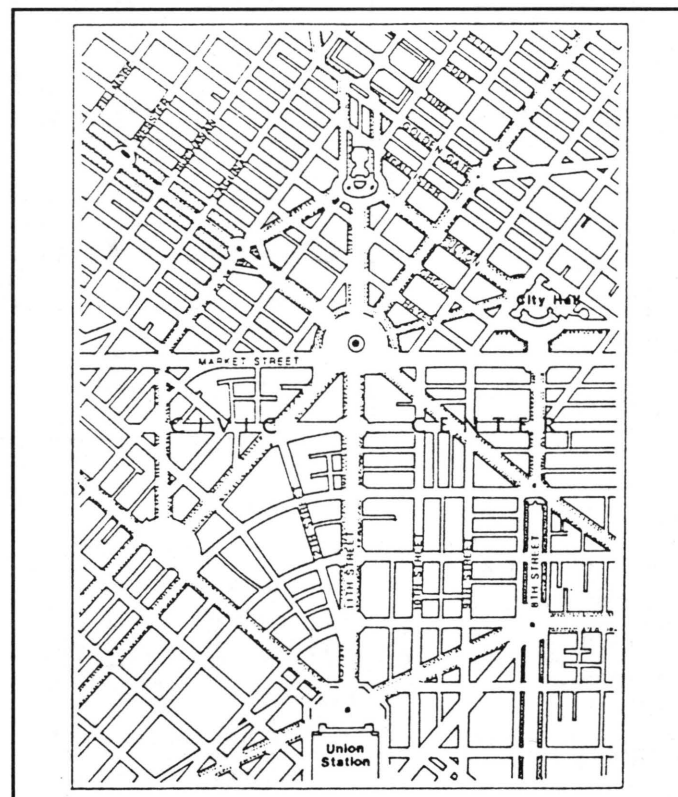


Figure 4

*Civic Center Cont'd*

fied civic center-type land use. The project is a mixture of entertainment, recreation, and office space uses surrounding "the five-acre focal point" of the Esplanade Garden, a central open space. Adjacent to the Esplanade are planned a multi-media Center for the Arts, a 750-seat Theater, and a new building for the Museum of Modern Art (MOMA), currently housed in the Veterans Building at the Civic Center. The relocation of the MOMA will double the museum's exhibition space, and increase the specialization of functions for the Civic Center and Yerba Buena Center (Whiting, 1992, p.E1).

While the Civic Center will retain the Opera, Symphony, Auditorium, Library, and will gain a new cultural museum, Yerba Buena will specialize in more unconventional recreation and entertainment. James Stewart Polshek, architect of the Yerba Buena Theater, says: "The cultural institutions at the Civic Center represent the established older culture of San Francisco. Yerba Buena represents something quite different... There will now be two cultural centers. One is going to be and will continue to be straight culture, the other is going to be hip culture." In reference to Yerba Buena's modernistic architecture, Polshek says, "...in the absence of using a tried-and-true vocabulary, as in the Civic Center, what I could do would be to try to express... an avante-garde arts community" (Ibid, p.E5). Located near the heart of the financial district,

Yerba Buena will accommodate high-rise construction better than the Civic Center has. Two skyscrapers are scheduled to go up on either side of the new MOMA building when the economy allows, so the architect "has had to anticipate their presence" in his own design. By doing so, Yerba Buena planners hope to "create a coherent American landscape" utilizing modern styles (Temko, 1992, p.A14).

artworks representing the history of San Francisco (Whiting, 1992, p.E5). This latest design for public art is far more promising than the ill-conceived "word bridges" proposal—a series of bridges across Howard Street from the existing Moscone Convention Center to its proposed addition beneath the Esplanade Garden, carrying the ridiculous message, "This is a nice neighborhood" in large block letters. This \$500,000 proposal

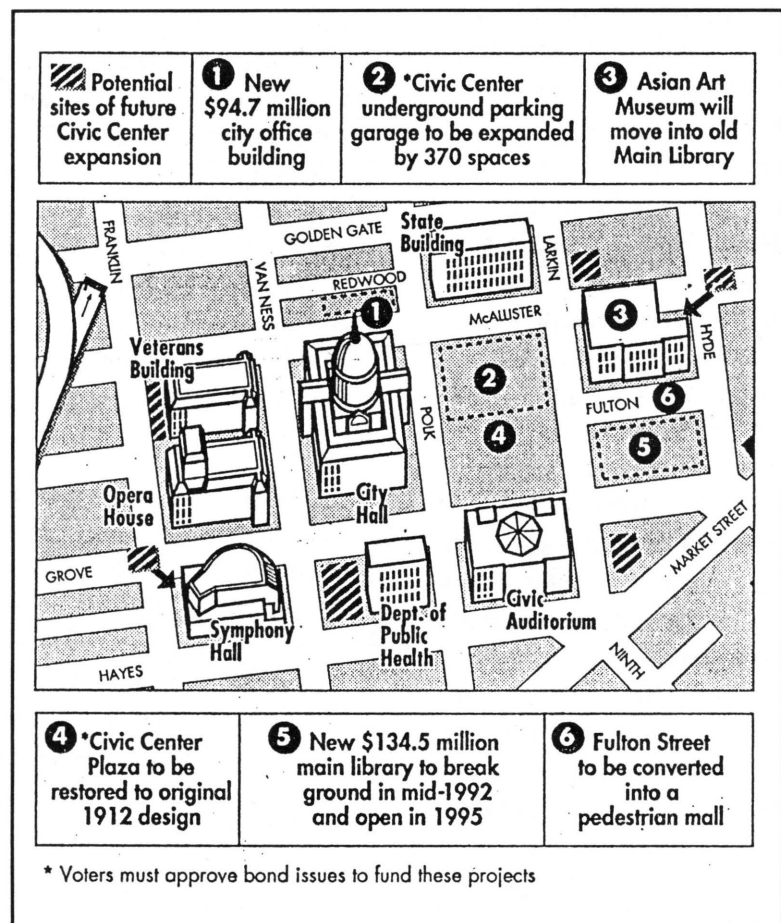


Figure 5.

The Esplanade Garden is designed more as an urban park than a public assembly place, such as the original Civic Center Plaza. The Esplanade will include two outdoor cafes, a 3000-seat outdoor performance stage, and various

was dropped following widespread public apprehension (Chen, 1992, p.A13).

At one time the Yerba Buena project was "so beset by lawsuits and opposition" that its comple-

tion seemed doubtful; very little occurred after nearly thirty years of planning by the San Francisco Redevelopment Agency. However, work on the project has been stepped up with construction for the Center for the Arts beginning in the fall of 1991, and the recent ground-breaking on the MOMA site; two other buildings are scheduled to be finished within three years. A developer involved with Yerba Buena credits "the advent of a pro-business attitude" in City Hall for a better outlook in finding tenants for a proposed 28-story office building on the edge of the project, which in turn will finance a new museum and headquarters for the California Historical Society (Adams, 1992, p.B-7). A completed Yerba Buena Center, covering 87 acres, will have cost an estimated \$2 billion, provided by the Redevelopment Agency and the private developers selected for the project.

Various other public open spaces in San Francisco serve as functional centers based on the surrounding land use. Union Square, in downtown San Francisco, serves as a central public space for intensive retail/tourist activity in the area; the park is bordered by three major retail giants and two hotels. Radiating paths and an outside pedestrian ring indicate a Vitruvian influence. The Music Concourse in Golden Gate Park refers to symmetrical Roman forum design; the Concourse basin is flanked by museums of similar size and shape on either side, with the Bandshell highlighting the long axis. The public entertain-

ment and recreation function of the Concourse is hampered by the dense groves of trees in the basin, and by the continued neglect of the Bandshell since the 1989 earthquake. The "quadrangle" open space at San Francisco State University functions primarily as an informal gathering and recreation space, in addition to a public assembly and light retail plaza in front of the Student Union. The asymmetrical land use pattern and multi-functionalism of the quadrangle mirrors the design of the primordial civic center, the Greek agora.

### Conclusion

The civic center, in its various permutations, provides form and structure for the features that make a city unique, and therefore define the city itself—the city's ability to meet the administrative, recreational, educational, and cultural functions that a city such as San Francisco requires. While the governmental civic center should allow for those basic tenets of democracy, general assembly and public discourse, other localized civic centers should meet specialized needs and characteristics. Yerba Buena's goal to serve the substantial South-of-Market arts community is an example of regional specialization.

In this modern era of single-occupancy vehicles and global telecommunications, direct contact with the diverse urban population is severely lacking. Without that contact, the fundamental element of Western civilization—the urban

resident as active participant in city functions and activities—is in danger of extinction. Urban civic centers are the means by which a city's population can enjoy the services and pleasures that only a world-class city has the potential to provide. It is the responsibility of urban populations to make that potential a reality.

### BIO

Matt Weintraub is a graduating senior in Geography, with a minor in Urban Studies. He currently works as an intern at the San Francisco Department of Planning. Matt hopes to pursue a career in urban development.

### Sources

- Adams, Gerald D. "Yerba Buena Preview Offers Magical Vision". San Francisco Examiner; February 28, 1992.
- Boyer, M. Christine. *Dreaming the Rational City*. Cambridge: MIT Press, 1983.
- Burnham, Daniel H. *Report On a Plan for San Francisco*. Berkeley: Urban Books, 1971 (reprinting of 1906 original).
- Chen, Ingfre. "Big Plan for S.F.'s Civic Center Inspired by Original 1912 Design". San Francisco Chronicle; December 16, 1991.
- Chen, Ingfre. "Yerba Buena Gardens Art to Celebrate S.F. History, People". San Francisco Chronicle; April 6, 1992.
- Evenson, Norma. *Paris: A Century of Change, 1878-1978*. New Haven: Yale University Press, 1986.
- Foglesong, Richard. *Planning the Capitalist City*. Princeton: Princeton University Press, 1986.
- Hiorns, Frederick R. *Town-Building in History*. London: George C. Harrap & Co. Ltd., 1956.

Landmarks Preservation Advisory Board.  
San Francisco Civic Center Historic  
District. City and County of San  
Francisco; January 6, 1988.

Malone, Calvin; Capital Improvements  
Manager, Civic Center, San Francisco  
Department of City Planning (retired).  
Conversations, March 1992.

Morris, A.E.J. History of Urban Form.  
New York: John Wiley & Sons, 1974.

Reps, John W. Monumental Washington.  
Princeton: Princeton University Press,  
1967.

San Francisco Department of City  
Planning. The Civic Center, A Develop-  
ment Program. City and County of San  
Francisco; November 1987.

San Francisco Department of Public  
Works. Bond Report Program, San  
Francisco New Main Library. City and  
County of San Francisco; June 10, 1988.

Scott, Mel. American City Planning  
Since 1890. Berkeley: University of  
California Press, 1969.

Sutcliffe, Anthony (ed.). The Rise of  
Modern Urban Planning, 1800-1914.  
New York: St. Martin's Press, 1980.

Sutcliffe, Anthony. Towards the Planned  
City. New York: St. Martin's Press,  
1981.

Temko, Allan. "An Extraordinary Work  
in S.F.". San Francisco Chronicle; April  
8, 1992.

Vance, James E., Jr. This Scene of Man.  
New York: Harper's College Press,  
1977.

White, Dana F. The Urbanists, 1865-  
1915. New York: Greenwood Press,  
1989.

Whiting, Sam. "The Architects of  
Transformation". San Francisco  
Chronicle; February 28, 1992.



# A Fresh Perspective in Urban Studies—

*An Interview with Professor Raquel Rivera Pinderhughes*

by Audryn Elizabeth Webb

My first impression of Raquel Ovryn Rivera Pinderhughes, SFSU's new Urban Studies professor, was formed under rather high pressure circumstances. Lucky enough to attend her guest lecture during the hiring process, I saw a quick, intelligent, well-read scholar who was not shy about respectfully, yet assertively, criticizing a colleague's work.

When I met her a second time, nearly a year later, we were briefly interrupted in her office by a student. "Excuse me, Raquel, but I did some research on what we talked about yesterday..."

"So did I," she said, "And you were absolutely right. I was wrong. Would you mind giving a mini lecture in class today? Thank you so much for following up on that."

The student walked away proud and I walked away impressed. Raquel is one of those rare persons who is assured enough to admit she is wrong with as much grace as when she asserts she is right. Raquel



*Professor  
Raquel O  
Rivera  
Pinderhughes*

joined the Urban Studies department this spring and is currently teaching "Dynamics of the American City," "Research Methods," and "Social Policy and the Family." She earned her Ph.D. in Sociology from the Graduate Center of New York. Her doctoral thesis was written while she was a Woodrow Wilson Fellow and Visiting Scholar in Chicano Studies at the University of California, Berkeley.

Raquel taught as an adjunct lecturer at C.U.N.Y. for ten years before accepting a position as a staff associate at the Social Science Research Council working with the Committee for Hispanic

Public Policy Research. As a staff associate she worked to promote comparative interdisciplinary research on Latino groups; establish working relationships among Latino and non-Latino scholars whose research focuses on Latinos and to support research on issues important to the Latino community with the intention of producing results that directly impact public policy.

Early in her career, Raquel made a decision to work in a city or state educational system because she enjoys working with a diverse student body. Her pleasure in dealing with students is obvious in

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*Fresh Perspective Cont'd*

class, where she attempts to involve each one on an individual basis. She knows, or is trying to learn, each one's name and is quick to positively reinforce class participation. In the words of Urban Studies Professor Debbie LeVeen, who was on the hiring committee, "Raquel is always 100% engaged."

Raquel appreciates the supportive environment in which her research interests in urban poverty and multicultural issues are valued. "My colleagues have gone out their way to assist me and make me feel welcome." Indeed, according to Debbie, the department was actively seeking a professor who *would* address and expand attention to multicultural issues in the Urban Studies curriculum. This was, in part, a response to the lobbying efforts of SOCCEM (Students of Color Coalition Empowerment Movement). SOCCEM was actively involved in the hiring process and interviewed all candidates for the position.

Raquel's work for the past five years has focused on urban poverty, specifically as it impacts Puerto Ricans and, more generally, the impact of social welfare policies on the poor. She has recently completed a co-edited book entitled *Poor Latino Communities in the U.S.: Beyond the Underclass Debate*, a comparative collection of eight ethnographies which challenges traditional notions of poverty in communities of color.

Raquel maintains that the narrowness of traditional sociological research on poverty has skewed peoples understanding of poverty in America. First, the research focuses almost exclusively on the effects of poverty on individual behavior, rather than on the underlying causes of poverty. Second, because most of the data on poverty in America has been collected on the African American population, researchers have tended to generalize their findings to all disadvantaged groups. Raquel's recently completed volume shows that not all minority communities are affected by, nor do they respond to, poverty in the same way. Further, that racism and discrimination need to be understood in relation to diversity between and within racial and ethnic communities.

Raquel is currently engaged in research on environmental racism in Latino communities. "Environmental racism" refers to the disproportionate location of toxins and toxic waste industries in communities of color.

Raquel attributes much of her success to the fact that she is part of a supportive network of scholars and artists who share a common research agenda. They often meet in study groups, read each others' papers and work together. For example, her book was written by ten predominantly Latino scholars, many of them part of this network.

In addition to her academic colleagues, Raquel is fortunate to be surrounded by an extremely

supportive community of friends and family. As a girl growing up in New York City, her parents always encouraged her to set high goals and standards for herself. She was a good student and, she says, good grades brought advantageous opportunities which made a difference.

Raquel is married to Howard Pinderhughes, a sociologist and President's Fellow at U.C. Berkeley whose work focuses on racial attitudes and the rise in racial conflict among youth. They are currently living in Berkeley with their eight month old son, Samora. Although she is a private person, Raquel is never reticent to talk about her family and cites her parents, husband and in-laws as role models.

*Any heroes, heroines?*

"No," she laughs, "Sometimes it worries me." Then after a pause she continues, seriously.

"I recognize and appreciate that many of the battles I would have faced in my career have already been fought by people who have preceded me."

"You could say that I'm inspired by people who struggle for social and economic justice."

She claims that any advice to students she might have would only sound trite.

"It's important that we concentrate on developing skills we can use to impact the problems in our communities. There is a lot of work for us to do."

She maintains that despite the current recession and lack of resources, we can still continue to plan for the future.

Raquel's plans for the future include research in California on environmental racism, involvement with groups such as SOCCEM, work with Urban Studies students, with faculty in La Raza studies and in her community. She is also planning to write another book dealing with Social Policy and the Family, born from her frustration in attempting to find reading material for this semester's class. She leans forward eagerly.

"You see, the narrowness of the traditional approach to studying families..."

One hundred percent engaged.

# Homelessness in California and Alameda County

by Karna Lorraine Wong

The United States Department of Housing and Urban Development estimated in 1988 that there were 250,000 to 350,000 homeless persons nationwide—about 0.1 percent of the total U.S. population.<sup>1</sup> Today the homeless population ranges from 250,000 to 3 million.<sup>2</sup> The California Department of Housing and Community Development (HCD) estimated between 50,000 and 75,000—about 0.3 percent of the state population in 1988—are homeless in California.<sup>3</sup> There have never been this many homeless people since the 1930s Depression.

In California, the majority of the homeless are men (90 percent), averaging 34 years old, and from a minority background.<sup>4</sup> Many are disabled, either mentally or due to substance abuse. Approximately 30 percent are believed to be veterans.<sup>5</sup> 10-15 percent of the homeless population are women and youths, and 25-30 percent of the homeless in California have some form of chronic mental illness.<sup>6</sup>

Factors contributing to homelessness (other than choice) include:

- shortage of housing affordable to low income persons.
- recessionary employment; in 1975 the unemployment rate was 4.6 percent, since then unemployment has doubled.<sup>7</sup>
- deinstitutionalization of the mentally ill; more than 434,000 mentally ill persons in the U.S. have been released without alternative for health service measures since 1955.<sup>8</sup>
- breakdown of traditional social structures and relationships; for

example, divorce, domestic violence, unemployment, etc.

- cutbacks in social welfare programs in the Reagan Administration.
- occupational changes and deindustrialization; 38 million Americans lost jobs in the 1970s due to the shift in the types of jobs available.<sup>9</sup>

A person's inability to earn enough money for permanent residence is caused by national economic problems. Most homelessness persons suffer from personal problems which are intensified by the government's failure to address



the nation's most common social problems.

Several federal and state government programs allocate monies to assist indigenous persons but not enough to suffice the growing numbers of homeless. Federal Programs include Emergency Food and Shelter Program (to which the Federal Emergency Management Agency, FEMA, allocates funds), Community Services Block Grants (CSBG), Community Development Block Grant (CDBG), and Basic Center Grants for homeless youth.

Annually \$782 million is spent publicly and privately in California on homelessness reduction.<sup>10</sup> State programs include Aid to Families with Dependent Children (AFDC), Supplemental Security Income, General Relief Program, Food Stamp Program, Child Welfare Services, Unemployment Insurance, Disability Insurance, State User Housing Rehabilitation Program (SUHRP), State Emergency Shelter Program (ESP), and state Mental Health and Medical Programs. Many of the programs are administered on the local level.

Alameda County spends \$28 million in cities' and private funds on homeless programs.<sup>11</sup> Part of this funding is allocated to local shelters in Alameda County. The shelters serve a wide variety of special populations including women and children, families, single adults, victims of domestic violence, and the mentally disabled. In 1987, there were 19

shelters in Alameda County with 458 permanent shelter beds that served 10,054.<sup>12</sup> In addition to the permanent shelter beds, a rotating church shelter program has provided between 60 and 140 beds year-round, and a winter relief program has provided 60 shelter beds during the winter months.

Alameda County's shelter population is comprised of mostly women and children; 51 percent were single mothers and their children, 25 percent were single women without children, and a total of 76 percent of the shelter residents were women and children.<sup>13</sup> Fifty-five percent of the shelter residents were between the ages of 20 and 39, and one-third of the residents were children of twelve years or less.<sup>14</sup> The ethnicity of the homeless in Alameda County shelters ranged from: 36 percent Caucasian, 53 percent Black, 6 percent Hispanic, 2 percent Asian, 2 percent Native American, and 2 percent other.<sup>15</sup>

*The 1988 Report on Homelessness in Alameda County* by the Emergency Services Network of Alameda County includes some interesting demographics information about people who stay in homeless shelters. Approximately 34 percent of persons staying in shelters had drug or alcohol problems and 14 percent were mentally disabled. Among the women in the shelters, 18 percent were pregnant. Primary sources of income for these residents were government assistance such as Aid for Families with Dependent Children, Unemploy-

ment and General Assistance.

Reasons for why persons were staying at shelters in Alameda County were 49 percent due to one's inability to pay rent, according to the Emergency Services Network report. Other reasons were: they could not stay where they were living before (34 percent), they wanted to avoid domestic violence (19 percent) or they became disaster victims (3 percent). Obstacles to obtaining employment that some shelter residents had were: lack of job skills, job search skills, transportation, clothing or childcare, and 24 percent stated they felt depressed and had given up. Obstacles to obtaining stable housing for shelter residents included the inability to pay the last month's rent and security deposit, the inability to find affordable housing, chronic budget problems, short stays at shelters and the inability to find a job.

Examining all the typical reasons people are homeless as well as the reasons that they turn to shelters can help to identify how homelessness can be prevented. Shelters cannot end homelessness by merely providing a cot to sleep in at night. Many shelters have maximum thirty day stays which is not enough time to pull one's life together.

A successful attempt to address the overwhelming problem of homelessness may be found at a shelter such as the Midway Center

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for the Homeless in Alameda. Men, women, and children of Midway may stay up to sixty days, as long as they follow the shelter's rules and regulations. For two years, Midway has helped thirty people at try to become self-sufficient any given time. Residents are expected to pursue job leads or job training, and many are receiving counseling. For the overnight residents and day clients (many of whom sleep at other shelters), Midway provides meals, showers, and a laundry machine.

The shelter is run by Volunteers of America Bay Area, Inc. which was formed in 1986 by the daughter and son-in-law of the founders of the Salvation Army. Midway opened in late January of 1990 after city council approved the proposal by Volunteers of America. The U.S. Navy leased part of their Navy and Marine Reserve Training Center at no charge for Midway's three modular units which hold thirty beds.

Originally, Midway was funded by \$102,208 from Community Block Development Grant funds, city affordable housing monies, and county funds.<sup>16</sup> These funds paid for the rental fee for the modular units, meals, and salaries for the support staff and social workers who counsel the residents. In May of 1991, Midway was suppose to close due to lack of funding. The staff and advocates struggled to raise private donations to supplement city local grants, and the shelter was able to stay open for

another year.

Midway is expected to close its overnight services as of April 30, 1992 and its day services (which includes referrals to other shelters) as of June 15, 1992. Volunteers of America Bay Area Inc. has applied for a Federal Emergency Shelter grant, but "it is doubtful the Alameda shelter will receive the money because there is a lot of competition for the little grant money that is available."<sup>17</sup> The Alameda Homeless Task Force, an advocacy group for Midway, estimates that it would cost \$280,000 to operate for another year.<sup>18</sup>

Local, state and federal government agencies and private citizens need to support shelters like Midway and look into other solutions to provide for the homeless in California. Shelter and Services: Solutions to the Burgeoning Crisis of Homelessness by the Senate Office of Research Brief (March 1985) mentions some suggestions. The first suggestion is to increase funding for emergency shelters funds and increase funding for community mental health services. Another suggestion is to separate facilities and services for each target group (i.e. mentally ill, runaway youth, battered women, and veterans) since the homeless population is a diverse group with different needs.

Legislation should be implemented for short-term solutions and long-term solutions to reducing homelessness. Short-term recommendations:

- lengthen maximum stays in temporary facilities
- establish hot lines and clearing-houses for referrals
- stop the demolition of single room occupancy hotels (SROs)
- fund first and last months' rent
- expand Shared Housing programs
- convert county buildings to shelters

Long-term recommendations:

- review local ordinances and expand housing for low income persons
- relocate persons displaced by construction projects
- purchase local housing for the homeless families with federal/state/local monies

To reduce the growing numbers of homeless, prevention is the key. Programs need to be set up to prevent evictions and foreclosures, and loans need to be provided for those on the brink of homelessness.<sup>19</sup> Drug and alcohol programs, employment training, job placement programs, childcare, transportation, clothing, and literacy training should be improved and expanded for low income persons.

The cost of caring for the homeless is less than the cost of not caring for the homeless. Pending legislation for the homeless is \$136.4 million which is a minimal estimate. Operating costs are \$8.00 per person per day, not including

services to secure employment, social services or long-term medical services. The cost of not providing care includes police, sheriff, fire, etc. is estimated between \$4 and \$7 million for minimal services, not including theft, vandalism, business loss, foster home care, etc.

Education about homelessness is important because people need to realize the circular nature of the effects of homelessness. Whatever problems an individual may have had previous to becoming homeless, those problems are magnified and multiplied by the experience of being without a home. A person who is homeless is more vulnerable to developing a drug or alcohol problem or mental disability.<sup>20</sup> These in turn make it more and more difficult for an individual to establish a stable living situation, find and hold a job, and maintain healthy family and other relationships.<sup>21</sup> The Affordable Housing Institution estimates between 4-14 million families now live "on the knife edge of homelessness."<sup>22</sup> It is possible that "anyone can fall into the bottomless bureaucratic trap of homelessness."<sup>23</sup> ♦

## BIO

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## Endnotes

1. preface iv, *A Study of the Issues and Characteristics of the Homeless Population in California*, Department of Housing and Community Development, April 1985.
2. McLeod, Ramon G. and Schreiner, Tim, "Census Takers Hit the Streets," *The San Francisco Chronicle*, March 21, 1990.
3. preface iv, *A Study of the Issues and Characteristics of the Homeless Population in California*, Department of Housing and Community Development, April 1985.
4. *ibid.* 5. *ibid.* 6. *ibid.*
7. pg. 17, Albert, Judith, *A Precise and Related Bibliography of Selected Articles on the Condition of the Homeless*, Fall 1986.
8. *ibid.* 9. *ibid.*
10. pg. 6, *Homelessness in the Bay Area*, A 1990 HomeBase Report,
11. *ibid.*
12. pg. 2, Emergency Services Network of Alameda County, *Homelessness in Alameda County: 1988 Composite Profile and Unduplicated Count*, 1988.
13. pg. 5, *ibid.* 14. pg. 7, *ibid.*
15. pg. 15, *ibid.*
16. Inman, Brad, "Midway Center: New Alameda Shelter Offers Housing, Hope for the Homeless," *The San Francisco Chronicle*, February 4, 1990.
17. Hines, Christopher, "Shelter Group Has Interest," *The Alameda Journal*, April 21, 1990.
18. *ibid.*
19. pg. 18, Albert, Judith, *A Precise and Related Bibliography of Selected Articles on the Condition of the Homeless*, University of California Berkeley, Campus Planning Office, Fall 1986.
20. pg. 23, Emergency Services Network of Alameda County, *Homelessness in Alameda County: 1988 Composite Profile and Unduplicated Count*, 1988.

21. *ibid.* 22. *ibid.*

23. cover, Kozol, Jonathan, *Rachel and Her Children*, 1988.

## Bibliography

1. Albert, Judith, *A Precise and Related Bibliography of Selected Articles on the Condition of the Homeless*, University of California Berkeley, Campus Planning Office, Fall 1986, pg. 2-24.
2. Department of Housing and Community Development, *A Study of the Issues and Characteristics of the Homeless Population in California*, April 1985, pg. 1-1x.
3. Emergency Services Network of Alameda County, *Homelessness in Alameda County: 1988 Composite Profile and Unduplicated Count*, printing courtesy of ACTEB/ACAP, 1988, pg. 2-24.
4. Hines, Christopher, "Shelter Group Has Interest," *The Alameda Journal*, April 21, 1990.
5. *Homelessness in the Bay Area*, A 1990 HomeBase Report.
6. Howland, Lance, "Well Running Dry for Midway," *The Alameda Times Star*, April 1, 1992.
7. Ifill, Gwen, "Rare Approach to Homeless Problem," *The San Francisco Chronicle*, March 14, 1990.
8. Jackson, Susan, "Homeless Out in the Cold as Midway Center Closes," *The Alameda Times Star*, April 3, 1992.
9. Kirkwood, Kathleen, "City to Help Find Shelter Funding," *The Alameda Journal*, April 20, 1990.
10. Kozol, Jonathan, *Rachel and Her Children*, New York, Ballantine Books, 1988.
11. McLeod, Ramon G. and Schreiner, Tim, "Smooth Census of the Homeless," *The San Francisco Chronicle*, March 22, 1990.
12. Ryan, Lucinda, "Life in City Homeless Shelter Strict, says Midway director," *The Alameda Journal*, March 9-12, 1990.

# Rule of Thumb: Domestic Violence in the U.S.

by Carolyn Leber

...the subordination of women is socially institutionalized, cumulatively and systematically shaping access to human dignity, respect, resources, physical security, credibility, membership in community, speech and power. — Catherine MacKinnon,

## *Reflections on Sex Equality Under Law*

The statistics are staggering. Every fifteen seconds a woman is battered in the United States. This year, more than four million women across the country will become victims of domestic violence. Many experts contend that this figure reflects only the number of reported cases. The actual number of victims, they tell us, is more than likely closer to eight million.

A recent study of homicides in Philadelphia revealed that of the total number of female homicide victims in the past five years, 41% were killed by their husbands; 21% were killed by their boyfriends. Domestic battering has become the number one cause of injury to

women and there is little hope for abatement of this deadly trend. It is estimated that by the year 2000, nearly ten million American women a year will become victims of domestic violence.

As the malady of domestic violence reaches epidemic proportions, many would think that lawmakers would not only sit up and take notice, but would exhaust every effort in order to protect battered women from their assailants.

However, double standards become apparent immediately if we consider recent self-defense jurisprudence. As we saw in the subway shooting case of Bernard Goetz, self-defense cases seem to be enjoying a return to the absolutist philosophy of kill-or-be-killed. With violence on the rise in general, little sympathy is meted out to an aggressor regardless of the fact that, as in the Goetz case, he may have been shot in the back while retreating from the scene of an assault. Yet, in case after case where a woman has accidentally killed an attacking domestic partner in self defense, she has been prosecuted to the fullest extent of the law and many times unjustly convicted of murder.

The law of self-defense is not complicated on the surface. It is meant to apply equally to both men and women. Simply stated, regardless of sex or relationship, a person has the right to take the life of another if he or she reasonably believes that it is necessary to do so in order to avoid serious bodily injury or death at the hands of an

assailant. Unfortunately, this seems to be where the law, as stated, and its application part company.

There are three components of self-defense that prove particularly problematic for women defendants: 1) The requirement that the threatened harm be sufficiently serious; 2) that it be imminent; and 3) (in most states) the burden to attempt to escape from the attack.

## *Imminent Harm*

The first of the three requirements for self-defense, that threatened harm be sufficiently serious, acts as the first major hurdle in a woman's defense. Virtually every study of battered women has revealed that in the overwhelming majority of cases, wife-beaters use their hands, fists and feet in their attacks 1. Unarmed batterers rip out women's hair; punch them in the face; throw women down stairs and into furniture; knock their teeth out; break their backs, necks and limbs; and choke them until they pass out, to name but a few of batterers' methods. The problem here is proving that assault by an unarmed man is indeed a serious matter.

The basic philosophy behind this component of the law is rooted in a sort of O.K. Corral standard of behavior. This assumes that two antagonists of roughly the same physical fighting abilities will follow the legal prescription of the "fair fight". At the O.K. Corral, a man is never justified in pulling out a weapon in defense against an

unarmed adversary. This is generally referred to in the modern day as the rule of unequal force. Plainly speaking, by law a person cannot use more force in the practice of self-defense than the aggressor uses in the attack.

As law professor George Fletcher defines it:

...The requirement of proportionality addresses the ration of harms emanating from both the attack and the defense. The harm done in disabling the aggressor must not be excessive or disproportionate relative to the harm threatened and likely to result from the attack. 2

Therefore, an attack with the fists or feet is considered a misdemeanor and must be suffered without privilege of retaliation with deadly force. Following this rationale, while few will argue that most men and women are not physically equal — and as the above list attests, most men do indeed possess the physical capacity to inflict grave injury on a woman — the fear felt by a woman that she is about to be maimed or killed by an unarmed attacker is never reasonable in the eyes of the law. Astoundingly, in light of the facts, the prevailing law in most states holds that the harm inflicted by an unarmed man's bare hands is not sufficiently serious to give rise to the right of self-defense with a deadly weapon. Consider the case of Janice Painter: Janice Painter was put on trial not for killing a violent spouse, but a violent step-son, who objected to

her marriage to his widowed father. The step-son subjected her to a long campaign of threats and violence. The judge instructed the jury that "great bodily harm means an injury of a more serious nature than an ordinary striking with the hands or fists."

The situation at the Painter house had become so desperate that Mr. Painter, blinded and severely disabled by a stroke, insisted that his wife start carrying a gun with her at all times because he feared he could no longer protect her from his son.

The young man had been forbidden to come to the house. However, on the day he was killed, he insisted on coming to visit his ill father. A violent family argument arose and Janice, disabled herself by a previous injury and on crutches, tried to get to the phone to call the police. The step-son prevented her from reaching the phone by knocking her backwards and she fell, striking her back against a table as she went down. Her legs were temporarily paralyzed and she was unable to get back up.

The step-son came rushing at her with his hands outstretched towards her throat. She pulled out the gun that she kept in the front pouch of her sweat-shirt and fired one shot. When he kept coming she fired three more. An ambulance was summoned and both Janice and her step-son were taken to the hospital where the step-son died of his wounds. Janice Painter

was convicted of first-degree, premeditated murder and was sentenced to life in prison.

The judge commented at her sentencing that Janice had only the right to defend herself with her bare hands. This was tantamount to saying that Janice Painter's only legal recourse was to lie paralyzed and helpless on the floor while her step-son did anything he wanted to her, including kill her, as long as he did so without a weapon.<sup>3</sup>

Other complications involving proof of the seriousness of threatened harm arise in situations where the attacker uses items that are not usually considered deadly weapons. Men have used everything from golf clubs and baseball bats to drinking mugs and beer bottles to attack their spouses. Regardless of the possible damage that a broken beer bottle can inflict, juries are curiously reticent to view them as a serious threat.

Another problem is that many times a man establishes himself as a "non-lethal wife beater". It is then usually assumed that he will always be non-lethal. No matter what level of harm the woman perceives herself to be in when she finally kills her batterer, juries and judges have repeatedly held that she must know from past experience that she would more than likely survive this latest attack.

Approximately a third of states have laws that permit a person to kill, if necessary, an assailant who

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is committing a violent felony. Yet ironically, in spite of its intolerable violence and grave consequences, wifebeating is not considered a felony in most of these states. Except in cases where the man is attacking using a lethal weapon, it is only recognized as a misdemeanor offense.

*Imminent Danger*

The second difficult task is to prove the imminence of danger. Again, the idea is born out of the concept of a fair fight between two equal combatants who will square off using their fists. The requirement of imminence means that the time for defense is immediate and any delay would cost the defender either life or limb. A preemptive attack against an aggressor is illegal force used too soon. Retaliation after an attack is illegal force used too late.

In order for the defendant to claim self-defense, the attack must be ongoing, or at a point at which a person cannot prevent it from happening. In a "fair fight", an aggressor does not lie in wait for his victim, kill in the face of idle threats, or gain revenge over an attacker after the fact.

The particular problem facing the battered woman is that her threat is not a single incident, but an ongoing barrage of attacks that have more or less become a permanent installation in her life. The abusive husband is hardly interested in fighting fair. His aggression is beyond the realm of reason and

can be provoked at any time for the most petty of reasons. However necessary the act of defending herself from a man may seem to her, the woman who kills her abuser is not likely to be found as acting in reaction to imminent danger. The battered woman soon learns that her partner's behavior follows a particular pattern, starting with some level of calm and often times escalating to unprovoked extreme outrage and violence. Many times a woman's life depends on her ability to anticipate an onslaught of beatings. Many women who have killed abusive husbands did so in anticipation of danger even though the man had not yet made a move towards her.

Betty and Carl Hundley were married for ten years. During that time, Carl's abuse of Betty was constant and severe. He had broken her nose at least five times and had knocked out several of her teeth. She was a diabetic; a number of times Carl hid her insulin or diluted it with water, causing her to go into a diabetic coma. He threatened to cut her head off and cut her eyeballs out. His pattern was to indulge in this sort of violent behavior whenever he was drunk.

Many of Carl's assaults were in front of witnesses. Betty's niece testified that when Betty once hid from Carl, he came and dragged Betty by the hair from her hiding place, threw her on the ground and repeatedly kicked her until police arrived. Six weeks before Carl was killed, Betty moved out and went

to live in a motel. She had just been discharged from a stay in the hospital when Carl beat her up again, and she could take no more.

Although Betty moved out, the abuse did not stop. Carl began to harass her constantly, telephoning her night and day, and threatening to kill her whole family. She began to carry a gun. On the day of his death, Carl saw Betty in the morning and told her he was going to come over later and kill her. That night while she was in the bathroom she heard Carl pounding on her motel room door. He broke the lock and came in, hitting and choking her and threatening again to kill her. He forced her to take a shower with him, shaved off her pubic hair in a rough and painful fashion, and then raped her.

Afterward, Carl stayed in the room and continued to threaten Betty, who was crying and terrified. He picked up a beer bottle and pounded on the night table with it, demanding she go and buy some cigarettes. Since Carl had beaten her with beer bottles many times in the past, she was afraid that he was about to do it again. Betty got her gun from her purse and told Carl to leave. He laughed at her and reached again for the beer bottle, turning away from her as he did so. Betty closed her eyes and pulled the trigger, firing five times. She then hobbled, bruised and sobbing, barely able to walk, to the motel office. There, she asked the manager to call the police. Betty Hundley was convicted of involuntary manslaughter.<sup>4</sup>

In Betty Hundley's case, the entire defense relied on proving that she faced an immediate threat from her husband. Clearly, despite Carl Hundley's past behavior, threats, the tone of voice he used, and his aggressive body language, the jury felt that his actions were not sufficiently dire to constitute an imminent threat to Betty's life. Yet, according to Betty Hundley's sworn testimony, his last words were "You are dead, bitch, now!" These words can hardly be dismissed as idle or non-aggressive, particularly in light of his repeated threats to cut off her head and gouge out her eyes.

The question of retreat is perhaps the most complicated element in the battered woman's ordeal. Returning again to the ethic of the "fair fight", a potential victim is required to do everything in her power to flee from an assailant before any form of self-defense may be implemented. The basic premise here is that it takes two willing participants to make a real fight. In the instance of woman-battering this scenario obviously does not hold water. Usually, not only is the woman an unwilling participant in a confrontation, but any attempt to diffuse a violent outburst can further fuel the active flames of aggression.

The typical abuser is a man who exploits the difference in power between himself and his domestic partner in order to blow off steam. This usually has little or nothing to do with the actions of the woman herself. To an abuser, a victim who backs out of a confrontation s

seem as someone consigning herself to defeat, giving an open invitation to continue the beating. This, coupled with the fact that in most instances it is virtually impossible for a woman to escape from an enraged assailant during a beating, makes the retreat requirement of the law nearly insurmountable. Most beatings occur in the isolation of the home, and often at night. Many times an attack can come on so quickly that the woman has little or no time to act in any manner other than defensively.

Emilia Lenkevich was standing at the kitchen sink making dinner when her husband came up behind her with a knife in his hand and said to her, "You are not going to get a divorce....I'll kill you first." Unarmed, Emilia grabbed her husband's hand and fought to get the knife away from him. Their struggle moved into the adjacent dining room where her husband, still holding the knife, began slamming her head against the door that led to the bedroom. Then, he grabbed her around the throat and started to strangle her. She struggled to free herself or to get hold of the knife. She seized him with both hands and was holding on with all her might when she suddenly lost her balance and fell forward. Somehow, as she fell, she stabbed him through the heart with his own knife. She was found guilty of second degree murder and sentenced to life in prison.<sup>5</sup>

Why should a woman be compelled to flee her own home, often

leaving her children and all her belongings behind? According to the "castle doctrine" of law, a man is never required to surrender his home to an aggressor. This doctrine is born out of the ancient ideology that a man's home is his castle and he is perfectly within his rights to expect solace and safety there. One would think that this law would prove to be a boon in the defense of battered women. Yet, the castle doctrine is almost never applied to women's self-defense cases the way it is to men's.

Certainly, one would not argue the fact that a woman deserves the same safety and solace in her own home as a man. Yet, many courts have ruled that while one need not flee from an attack in one's own home from an outside intruder, one must retreat in the face of an attack made by a co-tenant.

### *The Reasonable Man Ethic*

The question of reasonableness is perhaps the most difficult and inequitable aspect of the self-defense claim. Here the jurors are asked to hold the woman defendant up to an objective standard of the "reasonable man". By and large, this tends to be more of an abstract gauge of masculinity than a fair standard by which to judge the actions of a petrified, abused woman defending herself against an attacking male hell-bent on destroying her.

It matters little what a woman truly believed would happen to her at the onslaught of an attack if the

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jury believes that she acted unreasonably. Utilizing the fiction of the "reasonable man" as a yardstick, the jurors, seated calmly in the security of the courtroom, are enlisted to insert their own version of a reasonable reaction in place of the woman's at the time of the brutal attack. In this sense, the actual beliefs and mind-set of the defendant are irrelevant. It is not the actual woman defendant, but a hypothetical "reasonable defendant" on trial.

Many scholarly arguments opposing the reasonable man standard have abounded in recent years. They rely on the premise of *mens rea* or, the guilty mind. Here, a jury seeks to determine criminal liability. A woman is only held criminally responsible for an act if she harbored a malicious intent to carry out the crime of which she is accused.

Other arguments call on the principle of "legal realism". This line of reasoning assumes that all people will react differently to a given situation. The jury must take into account such variables as the age, gender, socio-economic and ethnic backgrounds of the accused rather than relying on a single, sterile measurement of "rational" reactions.

A subjective test of reasonableness is certainly one worth working for. It holds a woman responsible only for the judgements that she has made given her unique situation. It takes the component of constant

fear and panic into account. The fact that anything however slight or insubstantial such as a crying child or a phone call from a friend could spark a violent episode.

Everyone understands the feeling of fear. Few, however, have experienced the psychological effect that prolonged fear has on a battered woman. Many women have told of sleeping with their shoes on in case they might have to suddenly run for their lives in the middle of the night. Others tell of being sent into a state of panic by sounds that could even be remotely related to violence, such as a slamming door or sirens.

Study after study has revealed that nearly all battered women truly believe that their abusive husband is mentally and physically capable of murdering them in cold blood. They have little doubt that their lives are genuinely threatened during abusive attacks.

*Stereotypes*

Many courts persist in dredging up the same old question: why didn't she leave him? Again, a lack of understanding of the mind set of a battered woman comes into play.

In a recent study, psychologist Lenore Walker identified the sort of social stereotypes that prosecutors commonly use against homicidal battered women: battered women are masochists; they provoke the assaults inflicted upon them; they get the treatment they deserve; battered women are free to leave these violent relation-

ships at any time if they want to; woman-beating is not all that common; men who are personable and non-violent in their dealings with outsiders must be the same in their dealings with intimates; middle class men don't batter and middle-class women don't get beaten; and the myth that battering is a lower-class, ethnic-minority phenomenon and such women don't mind it because it is a part of their culture.<sup>6</sup>

The truth of the matter is that often-times, a battered woman is so isolated, either by circumstances or by the direct actions of her spouse that it is virtually impossible for her to leave, as any rational person would expect her to.

The battered woman's family advises her to deal with her own problems and her friends don't want a murderously violent man prowling around their homes at night. She may, in fact, have attempted to leave her attacker in the past, as in the case of Betty Hundley, but to no avail.

A violent man can be so psychotically dependent upon his spouse that he will resort to any means necessary to keep her at home. Death threats, begging, pleading, apologies and promises of change become the standard fair. Police departments characteristically view such matters as civil disputes and prefer to stay out of them. Even though many states do allow arrests in domestic disputes based upon probable cause, most

police officers will not do so. Even when an arrest is made, the abuser is usually released within a few hours.

The battered woman is trapped on all sides by society and circumstances. She is taught through social learning to be a victim, to suffer her circumstances in hopes that the good prince of virtue will ride in and rescue her. But when the chips are down and the prince fails to make an appearance, a woman must rely on her wits to defend herself.

But without benefit of a subjective standard of reasonableness, none of her reasons for homicidal defense can be taken into account. When a woman claims that she sensed danger signals that she felt would surely lead to life threatening attack, the courts, using a "reasonable man" as a barometer, view these as lame, irrational excuses for murder.

Using a subjective standard of reason is surely one way to assure a more equitable justice system for victims of domestic violence. The admission of expert testimony attesting to the reality of Battered Woman Syndrome is another. An witness educated on the subject can also serve to inform the jury of how widespread the problem is.

Many claim that such testimony will justify the killing of an abusive man after a beating as an act of vengeance, or that battered women will possess legal rights that others do not. However, in order to prove

that a battered woman did not act with criminal or malicious intent, but within the parameters of reason as she saw them at the time of the killing, expert testimony must be admissible if we are to achieve true equality within our system.

### *Current Trends*

There is encouraged evidence in recent years that more and more courts are becoming sympathetic to the Battered Woman Syndrome plea. Courts in states such as Maine, Florida, Wyoming, New York, and Illinois have held that expert testimony is admissible on the grounds that understanding the complexity of the situation surrounding the abuse is beyond the ken of the average juror.

Unfortunately, most states bar testimony of this kind, believing it will give undue weight to the opinions of someone who is an expert, that it will confuse the jury too much, or, that because most research on Battered Women has been conducted in the last ten years it is far too new to be taken seriously.

In some cases, judges have found that expert testimony on the subject is irrelevant to the case at hand. They see the effect of past beatings or the experience of other battered women as having little or no bearing on what drove the women to commit homicide.

But if the law refuses to protect the rights of a battered woman before she is forced to act violently in self-

defense, and then systematically denies her the constitutional right to a fair trial that examines the true nature of her crime, then it exists only to protect one half of humanity.

What we need are progressive new laws made by progressive new lawmakers. But before we change the laws, we must change the spirit of the land. Given the statistics of domestic violence that continue to plague us, we can no longer ignore or tolerate such abuse. If we do, then we systematically condone a social disorder which will surely crumble the foundations of U.S. society. ♦

### *BIO*

Carolyn Leber is a graduating senior majoring in English and Political Science. She works as an assignment editor for KTVU news and recently created *A Small Good Thing* publishing company.

### *Endnotes*

1. Cynthia K. Gillespie. (1989) *Justifiable Homicide*. Ohio: Ohio State University Press. p.51
2. George P. Fletcher. (1988) *A Crime of Self-Defense*. Chicago: University of Chicago Press. p.24
3. Cynthia K. Gillespie. (1989) *Justifiable Homicide*. Ohio: Ohio State University Press.
4. Ibid. p.61
5. Ibid.
6. Lenore Walker. (1989) *Terrifying Love*. New York: Springer Press. p.61



# The Federal Surface Transportation Act of 1991 vs. Bicyclists

by Nikki Feist

## Introduction

In terms of distance travelled for amount of energy used, the bicycle is the most efficient form of mechanical or animal transportation. Today, with nations going to war over oil, the rapid depletion of natural resources, and the threat to the ozone layer—and hence the very survival of life on earth—caused by dependence on automobiles, the bicycle presents a unique solution to pressing social and environmental problems.

There are extensive case histories from European and Third World countries which demonstrate the bicycle's successful adaptation to a variety of communities. (Bosveld, '89) Yet, this clean, efficient form of private transportation is all but ignored by policy makers, urban planners, and transportation experts in the U.S.

## Legislation

United States bicycle legislation to date has been largely confined to punitive regulatory measures. It is the law in every state that cyclists must ride with a front light at all times, day or night. The light need not be utilized, but it must be present (*American Bicyclist*, 9/91).

The State of Maine requires reflective bar tape (*ibid*), an outmoded rule in these days of

non-taped mountain bike bars' predominance in the bicycle industry. "Reflective bar tape" is an uncommon item, and not the best for visibility. Yet, when bicyclists have no input; poor bike-related laws are designed. Zealous California and Colorado have mandated that no fewer than six types of reflectors and light sources be attached to each rider or bicyclist. (*ibid*)

In light of the commonly used legal defence (by motorists) that the cyclist was not using every piece of motor vehicle code-mandated equipment; it can be inferred that "safety" rules like these are designed to protect motorists, not bicyclists. (*City Cyclist*, July/August, '91, p. 14).

Motor vehicle code regulations are just what the name implies—rules designed to apply to motor vehicles. Yet states require bicycles—non-motorized vehicles weighing a tenth of even the smallest motorcycle—to follow the same set of regulations designed for a Mack truck. This does not make the road hospitable for bicyclists.

Small wonder that, although 49% of workers would like to commute to work by bike, fewer than 3% do

nationwide. (*City Cyclist*, April '92, p. 2) By contrast, in places such as the Netherlands, whose traffic innovations include stoplights which allow bikes to go sooner than cars, over 33% of all trips are made by bike. (*Bicycling*, May, 1992, p. 58)

The current situation finds bicyclists in the United States hampered by inappropriate regulations and rampant disrespect by motorists. This situation will hopefully begin to change, thanks to both the good and bad points in the recent Federal Surface Transportation Assistance Act.

## The Federal Transportation Assistance Act

This Act is a comprehensive five-year \$153 billion proposal. Despite nominally being a "five-year plan", in practice it is meant to dictate all facets of U.S. transportation policy well into the twenty-first century (*Auto-Free Press*, Nov/Dec, '91, p. 3). A salient question is, who is the Surface Transportation Act designed to assist? As research sadly demonstrates, the answer, must be automobile drivers.

Transportation policy today is inevitably tied to energy policy. The recent U.S. war against Iraq demonstrates that energy policy



can an does have repercussions beyond even the growing problems of pollution. The Federal Surface Transportation Assistance Act (FSTAA) was to be funded by a modest (compared to European countries) nickel per gallon gasoline tax (ibid). This dedicated tax provides funding for road-related services by taxing directly those who create a need for them. The House Public Works Committee's call for this method of funding was therefore entirely appropriate. Yet the "Environmental" President Bush has promised to "veto any bill containing a new gas tax" (ibid) countering the logic of this dedicated tax.

A "public good" is supplied by the government for everyone's use. Yet, in the absence of projects to make the roadways safe for bicyclists; they have been excluded from using this "public good". Use by bicyclists of public roads has only occasionally been forbidden outright. Yet, it is so difficult for bicyclists who value their lives to use major roads that a de-facto exclusion exists nonetheless. States have been allowed to use Federal Transportation funds to rectify this situation on behalf of bicyclist-taxpayers, but have not bothered to do so. (*Auto-Free Press*, Sept/Oct, '91, p. 4)

Bicycle activists have provided concrete examples of modest ways to ameliorate this situation. Cyclist-supported amendments to the Act favored bicycle and pedestrian coordinators for each state, and the allocation of 3% of Federal Transportation funds to

bicycle projects. Yet even these meager bike-positive provisions were defeated (*Auto-Free Press*, Jan/Feb, '91, p. 3).

### *The Costs*

Automobile dependence is exacting a tremendous toll from U.S. society, environmentally and financially. Other nations have attempted to reduce the burden gasoline users impose on society through heavy taxes on gas which both discourage auto use and provide revenues to help rectify its damages. By contrast, here in the United States, "Cars are heavily subsidized. That is one reason gasoline prices in America are half that in Europe." (*Bicycling*, April, '91, p. 10). The extent to which motorized vehicles are subsidized is apparent in the current funding split which is authorized by transportation legislation. Highways are to receive *four* times the funds over what mass transit projects receive (*Auto-Free Press*, Nov/Dec '91, p. 3). *NO* funds have been earmarked specifically for bicyclists. (*Auto-Free Press*, Sept/Oct, '91, p. 4).

As grave as the environmental crisis may seem, bicycles offer a proven, non-polluting means of private transportation, able to alleviate much of our smog and dependence on oil. It would not take much to unleash this power in the United States. According to a recent survey, safe bike lanes would get 20% of Americans to start bike-commuting to work. Financial incentives from employers such as showers and bike

storage at work, or a Federal raise in gas prices would each draw an estimated 17% out of their smog-producing cars. (*Bicycling*, February, '91, p. 101)

### *Conclusion*

We have the technology, and it is inexpensive. We know what modifications must be made to get people to use bikes, and it would not be difficult. The quality of life we all wish to enjoy must be measured against the quality of life of automobile CEOs who lobby for "friendly" legislation. We must consider the health of the people, as well as the health of the planet more valuable than corporation's profit margin. Clean, safe, reliable bicycle transportation can flourish. ♦

### *BIO*

Nikki Feist has been bicycle-commuting for two years. She averages 100 miles per week and wishes she could ride more.

### *Sources*

American Bicyclist: July/Aug '91 p.14

Auto Free Press: Jan/Feb '91 p. 3; Sept/Oct p.4; Nov/Dec p. 3

"Can Bicycles Save the World?"; Bosveld, Jane; OMNI Feb. '89, p.33

Bicycling: Feb '91 p.101; April '91 p. 10

City Cyclist: July/Aug '91 p.14; April '92 p.2

# The Politics of Passes

by Bruce R. Uphaus

## Introduction

Implementation of a region wide transit pass would be indicative of a Federal and local political agenda aimed at yielding the most benefit for the most people. However, existing policy and budget constraints make such a development very unlikely, at least in the near term, given the current fiscal condition of local transit districts.

This paper examines the politics surrounding the long awaited regional pass, and will ask the question: "What are the political issues surrounding the institution of an area wide pass for local carriers, among whom are BART, Muni, AC Transit, Caltrain and Golden Gate Transit."

The interplay of local and Federal government policy, individual interest and public good make such an inquiry significant. All are major factors surrounding a unified approach to mass transit. There are factors which could be considered as independent variables affecting this policy. One such factor is the phenomena of functional fiefdoms, as manifest by the degree of control various commissions and transit districts

exert over of the process of transit delivery.

Economics is also a factor, specifically how much riders should pay, and how the funds are re-distributed, and by whom. The Metropolitan Transit Commission, (MTC), is the agency which acts as a clearing house for funds from a variety of sources. In terms of absolute efficiency, a powerful central agency, with near dictatorial power could lead to swift development of a regional pass, if that in fact would best serve the transit needs of the area. However, because there is diversity of revenue sources, there is diversity of interests. The MTC is engaged in a continuous balancing act, trying to satisfy the concerns of the involved parties whenever possible. These concerns are often in competition for an ever decreasing pool of finances. This decrease is due primarily to two of events in recent history: Proposition 13, and the radical reductions in Federal funding for urban mass transit.

Another impediment to a regional pass could be local government rivalry. If there is unwillingness on the part of local municipalities to cooperate, it could be based on concern for their sphere of influence. By relinquishing some of the local authority over various aspects of service delivery, local governments may experience a loss of some important and useful leverage, derived from influence over the local bus line or rail service.

This paper will examine the evolution of a regional transit pass. This pass, when it is finally devised, will be known as the Universal pass. The main issue addressed by this paper is the political one, as defined by the interests of various rider constituents, and the interests of local transit districts, each of whom is concerned with receiving its due when the revenue is divided. Another aspect is the technological impediment presented by the necessity of accurately counting the number of riders carried by each operator. Though it may seem like a fairly straight forward proposition, implementing a region wide pass is a matter of coordinating the efforts and resources of a great number of different transit districts. In addition, some governmental cooperation between the jurisdictions of the nine counties involved is required.

## Legislative History

The MTC was created in 1970 by the California State legislature. It is the agency which seeks agreement among the various transit providers on terms of a Universal Pass. There have been a number of legislative acts, which are germane to the history of pass development.

Firstly, enabling legislation in 1955 created a special transit district to serve Alameda and Contra Costa counties. What emerged is now known as AC Transit. This system, like many others, became unprofitable, but none the less critical to the trans-

portation needs of the Bay Area. Therefore, a bond issue was accepted by the voters, and AC became a public entity (Zwerling, 1974, p.3). In 1975, Assembly Bill 664 gave the MTC responsibility for establishing toll rates on all state owned crossings of San Francisco Bay, and the right to apply those revenues to transit needs (MTC, 1991). In 1977, a one half cent sales tax in the three Bay Area Rapid Transit District (BART) counties was made permanent by Assembly Bill 1107 (ibid). In January 1991, Senate Bill 602 went into effect. In its initial form, this law would have mandated joint fare and scheduling agreements between connecting transit systems. However, in order to appease the Ways and Means committee, language that made compliance precatory, not mandatory, was used (Kopp, 5/91). To the dismay of Senator Kopp, this was a weaker form, but half a loaf is better than none. The net result is that non compliance with this bill would not necessarily result in MTC with holding funds from the uncooperative carrier. In practical terms, this bill indicates what policy ought to be, but lacks mandatory sanctions for non compliance with route and fare coordination. Senator Kopp has indicated that he has no further plans to sponsor legislation that would further the cause of a region wide pass.

These events are significant. They demonstrate a political process—the consolidation of authority, in this case by the MTC. As control over monetary resources increases,

so does the leverage MTC has to affect events which will lead to implementation of a regional pass.

### *Background and History of Passes to Date*

There are a variety of passes and stored value tickets used in the Bay area at present. The process of examining a regional pass must be based on an understanding of the difference between a pass, and a stored value ticket. A pass implies unlimited rides, of any length, whereas stored value has finite usefulness, based on distance traveled. This type of ticket is read by the turnstile, and the ticket value is reduced by an appropriate amount. The San Francisco Municipal Railroad Muni Fast Pass is known in the trade as a show and go, while a BART ticket is a stored value instrument. This difference is significant, because a common thread in most of the discussions surrounding a pass is, "How are we going to keep score?" Everyone wants their due, and that is understandable. Otherwise carriers would be subsidizing each other, in lieu of an accurate means of calculating service delivered.

In the San Francisco Bay Area, there are 24 distinct transit operators, which combine to form nine transit districts. Because mass transit is viewed as a public good, the maintenance of which is critical, those operators who function under the auspices of a transit district are subsidized by public funds, whether they be local, state, or Federal.

Beginning in the 1970s various kinds of passes have been instituted, and over time, have evolved into instruments which enable the bearer to use more than one transportation system. The Muni Fast Pass was instituted in 1974, and proved to be a effective marketing tool. It provides unlimited rides, is convenient and saves time (SF Chron. 9/25/85, p.4). Beginning March 1, 1983, the Muni Fast Pass permitted the bearer to ride BART within the city limits of San Francisco only (SF Chron. 3/25/83, p.4). Muni reimburses BART for this service to its patrons. However, this reimbursement agreement took years to negotiate. This represents an example of cooperation, rather than a duplication of service. Because of the BART accommodation of the Mission corridor, Muni was able to redeploy some of the buses formerly used in that service area. The magnetic encoding on the pass is read by the BART turnstile. In order to appeal to the voters and political leadership of San Francisco, a condition was built into the BART bond issue. BART would pay for relocating facilities required in connection with the new BART subway. Namely, putting the Muni tracks under Market St. This sweetener may well have helped the measure pass in San Francisco. This is an example of the kind of give and take inherent in a political process (Demoro, 5/91). The Muni Fast Pass is also honored by Caltrain, within the City limits. In 1984, another multi-use pass was introduced by Caltrain. For an addi-

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*Politics of Passes Cont'd*

tional \$10 this pass allowed the bearer unlimited use of Muni, SamTrans and Santa Clara County Transit (MTC 1991 Annual Report). After the earthquake of October 1989, use of the AC/BART pass was expanded to include Muni. This pass then became known as the AC Transit/BART Plus Muni pass. This emergency action was an effort to provide for the easy transition of automobile and AC/Muni riders forced to use BART because of the closure of the Bay Bridge.

The latest instrument, which could well be the prototype type for a regional pass is called the BART PLUS. It went on sale in April of 1991 (SF Chron., 4/2/91, p.2). Is a stored value ticket, available in eight denominations. An amount equal to the value of the BART ride is deducted, and the ticket can be used as a flash pass, good for unlimited rides on participating bus lines.

As an interesting side note, the history of the Fast Pass contains some object lessons in the politics of transportation. In July, 1982, when a Muni Fast Pass cost \$24/month, Muni experienced a 20% ridership drop. It was suspected that the fee was too high. In order to become competitive again, the San Francisco Board of Supervisors considered a reduction to \$22 or \$21, and planned to make up the short fall by raising senior citizen and student rates. The ensuing vocal and visible objections from elderly riders caused the Board to

retreat. The fare for seniors remained at 5¢, were it had been since the 1950s. At that time, the impact of a pass fee reduction, without reclaiming the loss from other sources, would have been about \$300,00 a year (SF Chron. 7/28/82, p.2). (The fare for seniors is currently 15¢)

In June of 1985, the MTC forecast that within a year, a pass would be available that could be used on Muni, AC Transit and BART. This prediction was made by MTC Senior Planner Joel Markowitz (SF Chron. 6/15/85, p.3). At that time, riders had to pay both a BART fare and an AC Transit fare. The MTC must have perceived some apprehension on the part of operators as to potential reduced revenues due to pass use. William Heim, the MTC deputy director at that time pointed out that use of the Muni Fast Pass on BART within San Francisco resulted in a 6.7 % ridership increase. This concern is common among carriers. No one wants to come up short when the money is passed out.

This optimism may have been premature. Another San Francisco Chronicle article, just two months later said: "Most attempts to coordinate service between transit agencies have involved years of inter-agency wrangling. Each carrier has its own schedules and is loathe to change them to mesh with any other systems." (SF Chron. 9/25/85, p.4).

That in 1985 and there are indications of movement towards

more cooperation. Some of the problems are political, and others are more technical in nature. One of the obstacles to the Universal pass is a reliable method of calculating the number of people carried, and distance traveled. If that is done, a particular operator can be given monies commensurate with service provided. A theme that is common in most discussions of regional pass development is how to accommodate both flat fare and distance based operators equitably.

*Where the Money Comes From*

Sales tax is one source of operating funds. In order to be eligible for a share of the half cent sales tax collected in the three counties served by BART (San Francisco, Alameda and Contra Costa). State law requires an operator meet 33% of its operating cost from the fare box (SF Chron. 1/26/83, p.2). In 1979, Assembly Bill 1107 was amended by Assembly Bill 842, to permit this half cent tax "to be used to support vital ongoing transit services provided by AC transit BART and Muni." (MTC 1991). 75% of this half cent tax goes to BART, with the remaining 25% divided between BART, AC Transit and San Francisco Muni.

The fare box is another source of revenue, as well as pass sales. Passes, in addition to reducing the cost of collecting and counting tons of change, are faster and paid for in full at the beginning of each month. In February 1991, Muni sold 110,815 adult passes at \$28 each, which yielded proceeds of \$3,102,820 for that month.



Bridge tolls are yet another source of money. The Golden Gate Bridge is the only bridge in the United States that is part of a transit district (the Golden Gate Transit District). Tolls are used in part to subsidize ferry and bus operations.

Federal money, through the Urban Mass Transit Administration, (UMTA), is another source of operating funds. Were it not for Congress, however, one aspect of the Reagan legacy might be zero dollars for urban mass transit. This Federal policy complicates the implementation of a regional pass. In 1980 Caltrain received \$2 million from the Federal government through UMTA. For fiscal 1990-91, Caltrain received \$1.1 million (Schatmeier, 5/91). When inflation of the last ten years is taken in to account, this amounts to an especially severe loss of funding.

There are eight denominations of BART Plus and five zones of Caltrain tickets, indicating that these passes are distance based. The notion of a pass that provides unlimited rides of unlimited distance causes operators to cringe. No one wants to deliver service for which they are not recompensed; and these passes are viewed as doing just that. If budget constraints could be eased a bit with more Federal money, the operators could desist from what might appear to be squabbling, but might well be competent management.

Property taxes are another source of transit revenue. One effect of

Proposition 13, passed in the late 1970s for the purpose of property tax relief, has been a severe reduction in money for local transit. AC Transit, along with others, experienced a 40% reduction in that component of its funding (Curry, 5/91).

### *How the Money is Divided*

The question of determining fare box revenue becomes problematic when passes are used. The more heavily used cost effective providers would be tied to the same revenue collection and disbursement pool (the MTC) as the less used, and perhaps less cost effective providers. Would the stronger Transit Districts carry the weaker ones? If so, would there be resentment towards those receiving more subsidies? By definition, the lower the fare box ratio, the higher the subsidy. (Fare box ratio is that portion of operating expenses which is met from fare collection, not be confused with capital expenditures, which are paid for from bond receipts, and/or state and Federal grants.)

Concern about how much additional money various operators are receiving has been a long standing one. There was grumbling in February 1982, when BART was going to raise fares, not because of revenue requirements, but in order to maintain fare parity with AC and Muni. As then BART Director Nello Bianco put it, "BART patrons should not be penalized because of the problems of Muni or AC Transit, they know what's best for them and BART know's what's best for us." (SF Examiner,

2/21/82, B2) There is a disincentive for keeping fares low. The reward for having a cash surplus is that you may have to become less price competitive.

### *The Praeto Optimal State*

There is a term which describes the condition sought by many of the participants in the pursuit of a region wide pass. The term is "the Praeto optimal state." This is a situation in which the gain of one party, in this case, a given operator or transit district, is not at the expense of another. "When a Praeto optimal state is reached, all the options to create better conditions for someone without harming someone else have been expended." (Hamilton, 1981, p.49) A given operator should not experience loss in some form, unless there is a means of ensuring that loss is equally shared by all other operators. Protecting return on service delivered is a major requirement of a regional pass.

A region wide pass could, in this sense be viewed as a "public good". A classic example of this type of public good is the lighthouse. The derivation of benefit by a particular ship does not prevent another ship from obtaining benefit as well. Where a region wide pass is concerned, there must be a reliable and widely accepted means of determining how much of the passenger load is borne by each operator. If operator Q moves a passenger a distance of X miles, Q wants to be remunerated for the distance it carries that passenger.

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*Politics of Passes Cont'd*

In the existing transit system, Muni is a flat fare provider, and BART and AC are distance based, using geographical zones as the measure of cost for travel. Golden Gate Transit is the extreme example of a distance based fare structure. With a 50 mile route to Santa Rosa, Golden Gate couldn't stay in business, if it was compensated the same amount as Muni, which might carry a patron only five miles

(Giacomini, 5/91). Implementation of a region wide pass system, as suggested in this paper, would require a different method for remuneration.

*Mergers and consolidation*

Some of the common complaints riders have about using different carriers is paying more than one fare, and long waits to transfer. Fare and route coordination should address these concerns. Would mergers and consolidation be a useful way to do this?

A merger of operators providing redundant service might result in more efficient maintenance, administration and planning. However, there would be an impact on labor relations and transit provision is a very labor intensive activity. 70 to 80% of operating costs are wages and benefits. There would be an



*From: Politics and Passes*

impact on contracts, pensions and seniority, to list only a few peripheral issues surrounding the decisions which influence who gets what, when, where and why.

This is another instance where the federal role comes into play. In Section 13(c) of the Urban Mass Transit Act there is a guarantee that the position of transit employees would not be worsened as a result of a grant. "Generally, the Department will grant certification only if all potentially affected unions concur. The result has been to minimize labor-saving as an objective of transit modernization programs, and to help embed obsolete and expensive work practices even more deeply into the fabric of the industry." (Hamilton, 1981, p.34) This seems indicative of the enormous political power organized labor held in the 1960s when UMTA was established.

*BART and AC*

There has been a long standing friction between AC Transit and BART. A.C. Transit had its beginnings as a horse car system, started in the 1800s. On the other hand, BART, the new kid in town, did not begin carrying passengers until 1972. In the days before BART, AC did a considerable business with its transbay routes. In fact, those routes actually made money! (Zwerling, 1974, p.95) In 1965, the profit margin was +7¢ per passenger mile. With the advent of the TransBay tube, which started carrying passengers in 1972, AC lost a considerable market share. And while 70% of the people who ride AC also ride BART, that leaves 30% that do not use BART. Therefore, it is inaccurate to say AC is simply a feeder for BART; however, it is evident that BART made quite a dent in AC's business.

At present there still exists some bad feelings between AC and BART. AC was expecting \$6.7 million as its share of the BART sales tax, but that amount has been reduced to \$4.5 million. BART seems to think AC should consider themselves lucky to get anything at all (Curry, 5/91). One could argue that a merger of AC and BART would reduce this friction. But these two transit districts have different and distinct missions, and consolidation could reduce the overall effectiveness of both, and perhaps cause more people to abandon mass transit, in favor of the automobile.

### *Muni Options*

At one point, there was some concern that the development of the BART Plus Muni pass would cause a decline in Muni pass sales. People could buy a BART Plus pass, and use it on Muni, in addition to AC and BART. It is difficult to say with certainty whether or not this has been the case, but the fact is Muni pass sales have risen steadily since the combined pass came into being after the 1989 earthquake. Sales have been over 100,000 for over a year. In February 1991 110,815 adult Muni passes were sold. Sales of BART Plus passes have also shown an increase. The sales for February 1991 were 13,580, and for March '91, 13,963. These figures are informative, compared to the first sales of AC/BART passes in February 1987. At the time it was introduced, only 1500 passes were sold. In four years, sales have gone from 1500 to over 13,000 (All sales data from MTC).

These numbers indicate that some degree of competition is beneficial. Service redundancy does not appear to cause a decrease in sales. Furthermore, this data may refute the notion that mergers would make the entire system better. Redundancy of service is especially critical given the local topography, and the presence of the Bay. What would have happened if the BART tube, instead of the Bay Bridge had been incapacitated by the 1989 earthquake, and there were no alternatives in place, such as bus routes or ferries?

### *The Role of Local Governments*

The nine bay Area counties behave as provinces, (Demoro, 5/91) each protecting its vested interest. Each has a different ideology with respect to the degree to which a transit system can and will be regarded as a necessity. In the 1960s, the option to be included in the BART service area was put before the voters of five Bay Area counties. The voters of Marin County voted 20-1 against it. The main objection was that BART would be growth inducing (Giacomini, 5/91). Time did not change attitudes. In 1989 Robert Stockwell, then Chairman of the Marin County Board of Supervisors, as well as president of the Golden Gate Bridge District said "BART still thinks of San Francisco and the East Bay as being the ultimate destination of every person on the face of the Earth." (SF Chron. 7/7/89, p.3) Such a statement indicates some intransigence. It seems clear that Marin does not want BART trains, and has an ambivalent attitude towards

regional transit cooperation. Robert Stockwell's successor as Board president, Gary Giacomini, has taken a bit more of a conciliatory tone. However, Golden Gate Transit buses still remain relatively uninvolved in the interface of fares and routes, from one carrier to the next, supposedly because of the very different nature of the North Bay service area. At one time the Golden Gate Transit District did try and coordinate ferry arrivals with Muni buses, but due to squabbling between Golden Gate and Muni, this plan was discontinued (SF Chron. 9/25/85, p.3B). Currently, there is scheduling coordination between ferries and Muni buses.

Even if the people of Marin did want BART service, it would cost one billion dollars to negotiate a water crossing either on the Golden Gate Bridge, or via a tube, and another five billion for the extension. At one time, a source for such quantities of money would have been the Federal Government, but all that has changed.. In addition, there is no land available for right of way (Giacomini, 5/91).

The discussion may be academic. Even if the political will existed to have BART, the money isn't to be had. In Marin County, there are 250,000 people, and 220,000 cars. The car seems to be the transit mode of choice for Marin. The fact that only three of the five Bay Area counties given the option voted to have BART is probably the best indication of the degree to

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### *Politics of Passes Cont'd*

which Bay Area counties wish to control their growth and preserve their autonomy.

The advocates of transit are in the densely populated areas, such as San Francisco and Oakland. While public officials in most outlying areas are more concerned with growth control, than with the efficacy of mass transit (Okasaki, 5/91). There is little incentive for them to try to develop a rider base, because Federal money for transportation is allocated on the basis of service provided. Because of this, the seed capital as well as the incentive must originate at the local level. Its a Catch-22. Provision of service and demonstration of need is required to get funds. Funds are needed to establish service and demonstrate need. For local politicians, the inclination to incur more debt, raise taxes or both, to pay for transit does not appear to be a rational option.

### *Technology to the Rescue?*

An instrument known as the Translink Universal ticket is in the research and development phase (ibid). It will be tested by BART, and the Contra Costa County Transportation Authority. Value is deducted from a ticket in a manner similar to that in which BART tickets are read. These machines are expensive, but then again, so are fare boxes. Caltrain is using a Federal grant to develop the technology to read magnetically encoded tickets (Schatmeier, 5/91). The process of Translink Universal Ticket development will

have many stages. However, when and if this method proves viable, it will render another benefit; highly accurate data on use patterns. At present, knowing how many people are riding a given route at a given time is an inexact science. With the Translink technology, those numbers will be known. Scheduling and resources can be tailored to met the demand (Weinstein, 5/91). With a technology like Translink, the problem of equitable fare redistribution could be mitigated to a great extent. But, it must be remembered that many times a simple solution is best; a machine reading passes takes much more time than riders showing the driver a pass when boarding. There may be problems with the day to day use of the Translink, like machines jamming, or failing to return a ticket. But all of this is in the future, and the benefits or failures are yet to be seen.

### *Conclusion*

There is no one reason or simple explanation for the absence of a region wide pass. Though there may appear to be some protection of functional fiefdoms; this same behavior could also be construed as responsible fiscal management. The central issue to be resolved is that of equitable redistribution of funds, so that no operator is put at a disadvantage, and all receive a fair share. The Translink technology is still in the developmental stage, will be expensive, and could prove to be unreliable. Not surprisingly, the nub of the question is money, or in this case, the lack of it. As financial resources

shrink, the risks associated with innovation increase, and there is a tendency for the status quo to prevail. The money is not to be had from local sources. The impetus for change, in the form of dollars must come from the Federal level. ♦

### *BIO*

Bruce is an Urban Studies major, graduating in May, 1992. A returning student, he has been a carpenter for many years. Bruce will pursue a career in transportation or land use planning, or may attend graduate school.

### *Sources*

Curry, Mike, AC Marketing, personal interview, May, 1991

Demoro, Harre, San Francisco Chronicle transportation writer, personal interview, May, 1991

Giacomini, Gary, President of Marin County Board of Supervisors and member of the Golden Gate Transit District, telephone interview, May, 1991

Hamilton, Neil W. and Hamilton, Peter R. *Governance of Public Enterprise*, D.C. Heath and Company, 1981

Kopp, Senator Quenton, telephone interview, May, 1991

*Transactions*, the Journal of the Metropolitan Transportation Commission: December 1980, *Pass Survey*

*Transactions*, the Journal of the Metropolitan Transportation Commission: Spring, 1981 *AC BART joint pass*

*Transactions*, the Journal of the Metropolitan Transportation Commission: May, 1983, *Muni/BART pass*

*Transactions*, the Journal of the Metropolitan Transportation Commission: December, 1986, *BART Plus pass..*

MTC 1991 Annual Report

Okasaki, Nancy, MTC Transportation  
Planner, personal interview, May, 1991

San Francisco Chronicle July 7 1989 A3

San Francisco Chronicle Sept. 25, 1985  
p.4,

San Francisco Chronicle June 15 1985  
p.3

San Francisco Chronicle March 25, 1983  
p.4

San Francisco Chronicle Jan. 26, 1983

San Francisco Chronicle July 28, 1982  
p.1

San Francisco Sunday Examiner &  
Chronicle Feb. 21, 1982 B1

Schatmeier, Eric, Caltrain, telephone  
interview, May, 1991

*Transactions*, the Journal of the  
Metropolitan Transportation Commis-  
sion: December 1980, *Pass Survey*

*Transactions*, the Journal of the  
Metropolitan Transportation Commis-  
sion: Spring, 1981 AC *BART joint pass*

*Transactions*, the Journal of the  
Metropolitan Transportation Commis-  
sion: May, 1983, Muni/*BART pass*

*Transactions*, the Journal of the  
Metropolitan Transportation Commis-  
sion: December, 1986, *BART Plus pass..*

Weinstein, Arron, Senior Engineer,  
BART, personal interview, May, 1991

Zwerling, Steven, Mass Transit and the  
Politics of Technology, a Study of BART  
and the San Francisco Bay Area, New  
York, Praeger 1974