

Smart growth policies becoming stiff obstacle to home ownership

Betsy Hart, a frequent commentator on CNN and the Fox News Channel, writes this column for Scripps Howard News Service.



BETSY HART

It's done in a host of different ways. A community might impose impact fees, fees new residents are forced to pay as a "contribution" to the additional public infrastructure they require, like schools, water and roads. Even though all available evidence is that the new homeowner will

more than "pay his way" through existing property tax structures, in some fast-growing communities the punitive fee tacked on to a new home purchase price can reach \$20,000.

Then there is "downzoning," a technique more and more communities are employing. This involves changing, and strictly limiting, the amount of housing that can be built on any given piece of land. So, for instance, where once zoning might have allowed four homes to be built on an acre, that acre might now get downzoned to allow only one home. (Some areas on the edge of fast-growing Washington, D.C., and its "high-tech" corridor have been downzoned to one home on every 25 acres.) It's not hard to do the math on the staggering costs this can add to housing. Uff and Cox show how typical downzoning can easily raise the cost of a new home as much as 60 percent, for many families moving a once-affordable first-time \$125,000 house into the out-of-reach \$200,000 range.

Other popular growth-limiting initiatives include mandating lower population densities, construction prohibitions, land set-asides and growth boundaries. Uff told me that the growing use of such maneuvers has been so effective in raising

the price of new homes, affecting most the people who can least afford it, that some smart growth advocates have admitted the problem and even proposed a solution: more federal subsidies for "affordable housing" — a nice way of saying government should take these middle-class folks who can no longer afford that first home and include them, too, in all the glories of public housing and welfare.

Sure, the smart growth advocates say drastic limits on new home building are necessary because of concerns about overstressed infrastructure, traffic crowding and the environment. But where such concerns are legitimate, the answer is not more coercive government policies. Uff and Cox show it's often precisely because of short-sighted government regulation — which stifles innovation, creativity and market-oriented solutions which really meet people's needs — that many of these problems exist to begin with.

In any event, it's easy for smart growth advocates to suddenly get "concerned." Because such initiatives limit housing supply, or at least make it a lot more expensive, smart growth is a financial boon to those who already own a home as they watch the value of their asset increase.

The people such initiatives hurt most are those with household incomes below the median, particularly racial minorities. But apparently that's of little concern to these Martha Stewart Democrats and Range-Rover Republicans, as professor Fred Siegel of Cooper Union in Manhattan so rightly describes many smart growth advocates.

I agree with Uff and Cox to the extent that smart growth limits opportunities for the American dream of home ownership, if just isn't wise.

Expert finds no link to poverty, crime or school decline

By Haya El Nasser
USA TODAY

One of the USA's leading urban experts has come up with a finding that is bound to disappoint anti-sprawl advocates: Suburban sprawl does not cause urban decline.

New research by Anthony Downs, senior fellow at the Brookings Institution, contradicts the widely held belief that middle-class flight to the suburbs is the main reason many cities are left with high poverty and crime rates and struggling schools.

Downs himself says he was surprised by his findings. "My goal was to find out whether there was a link between aspects of sprawl such as

low-density development, the leapfrog out to suburbs and the use of automobiles and urban decline," he says. "It turned out there wasn't. At least I couldn't find one."

Downs says much of the blame goes to housing and planning policies that shut out the poor from suburbs and concentrate poverty in cities.

New homes are usually more expensive, but "we don't provide subsidies to most poor people who can't afford this new, high-quality housing, which means they cannot live in new growth areas," Downs says.

Suburban governments use their zoning powers to keep out cheaper housing, such as apartments and town houses, he says.

Downs looked at 162 urban areas and analyzed nine sprawl indicators, such as density in the suburbs and the city. Downs then compared them with measures of urban decline, such as crime and poverty rates.

He found that areas that are less sprawling than others suffer as much decline in their central cities. His conclusion: Even if every metropolitan area had growth boundaries and development controls to force people to live closer in, central cities would still be in trouble.

Downs' research, reported in the latest issue of *Housing Policy Debate*, a quarterly journal of the Fannie Mae Foundation, is stirring debate.

Anti-sprawl advocates have argued that one reason to stop sprawl is to help revitalize central cities.

"We can't help but draw correlations between decaying city infrastructure and the flight to the suburbs," says Kathryn Hohmann, director of environmental quality programs for the Sierra Club, a leading proponent of sprawl control.

Even some who disagree with Downs' main finding agree that many

burdens on existing communities," McCarty says. "It makes our communities less desirable."

The Fannie Mae Foundation, a non-profit community development organization, has commissioned more research on the topic.

"My take is that the jury is still out on the relationship between the decline of cities and urban sprawl," says Robert Lang, *Housing Policy Debate* managing editor and director of urban and metropolitan research for the foundation.

Researcher: Sprawl doesn't hurt cities

THE NATION

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or many people springtime means time to look for a new house. In fact it's typically the hottest time of the year for home sales. America, of course, cherishes the ideal of home ownership, and we're proud of our high home ownership rates. We rightly see this as contributing to social stability and civil society, as well as providing an opportunity for wealth creation. On a simpler level, visions of starting out in married life, finding just the right quaint little home surrounded by a white picket fence, is the stuff the American dream is built on.

But that dream has turned into a nightmare in much of the country. Particularly for that "quaint" first-time-buyer category, costs have gotten simply out of control. The reason? An explosion in so-called "smart-growth" initiatives "are effectively pricing most new homes beyond the reach of entry-level buyers," say smart-growth experts Dr. Ron Uff and his colleague Wendell Cox of the Heritage Foundation in Washington, D.C.

In a just-published paper compiling reams of data on the effect of these ever-growing initiatives to limit new home building and suburbanization, Uff and Cox note that historically the biggest threat to the construction industry and to home ownership itself were the vagaries of the market. But no more. Today, they say, the biggest menace, particularly to the first-time home buyer market, is smart growth — meaning "now that I'm here in the suburbs, I want to keep the other folks out."

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One-size-fits-all won't control urban sprawl

OUR VIEW Local attempts to rein in growth superior to federal programs.

Anyone with a teen-ager and a couch knows that sprawl matters. It matters even more so when the sprawling entity is not just one person but millions, aggregated into vast, unplanned communities.

Such sprawl absorbs farmland, clogs highways, jams schools and siphons economic energy from city centers.

Urban sprawl — roughly defined as "low-density, auto-dependent development" — isn't new, except for the way it has gained political fashion. Even Vice President Al Gore, seeking traction with important suburban voting blocs, has a plan to help control it.

Political opportunism aside, sprawl is an ever-worsening dilemma. By some estimates, the United States is losing 50 acres of farmland an hour to development, an area the size of Connecticut and Rhode Island every 10 years.

Another measure: Even though public school enrollment in Maine fell by 27,000 students between 1970 and 1995, the state spent \$138 million on new school construction in fast-growing towns. The problem is so acute that 240 sprawl-control initiatives appeared on ballots last November. More than 70% passed.

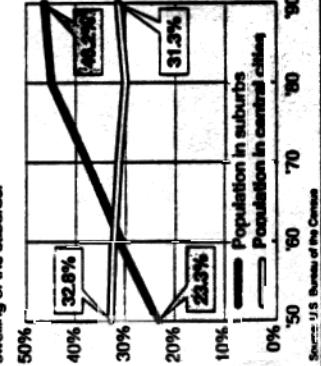
Outside Washington, where the solutions matter most, some anti-sprawl ideas are big and noble. New Jersey approved a gas tax worth \$1 billion over 10 years, to be used to preserve open space. Others are small and potentially petty. Voters in Ventura County, Calif., gave themselves the right to veto zoning changes, allowing them to lock out others.

But either way, the nature of sprawl requires custom-fit solutions, best conceived locally. In Peninsula Township, Mich., for instance, voters approved a plan to buy development rights from farmers. In Lancaster County, Pa., a similar program has been supplemented by voluntary growth boundaries. In Portland, Ore., mandatory growth boundaries are the rule.

When sprawl reaches across jurisdictions, broader approaches are required. Around At-

All sprawl

Since the 1950s, the prosperity and population booms, coupled with better roads, cars and communication networks, have produced a vast swelling of the suburbs.



lanta, arguably the most sprawled-out metropolitan area in the nation, local leaders conceded transportation decisions to a 10-county superagency. Maryland is one of 12 states with comprehensive development plans.

In this layering of responsibility, the feds must rank a distant third. Gore's idea of tax credits for land-preservation bonds is one of several ideas kicking around the nation's capitol. But federal influence is hard to determine. Just last month, Congress' General Accounting Office reported that it could not find solid data to support the assumption that federal policies have a measurable impact on sprawl.

Sprawl isn't all bad news. Among other things, it is among the best evidence we have that the American Dream — single-family home ownership — is being achieved by more and more people. Sprawl is an engine of prosperity and an amplifier of satisfying cultural values: family, home, community.

But the costs are punishing: polluted air, slow commutes and enervated city centers. Against that, the solution cannot simply be to continue accommodating unplanned growth. Rather, like the teen-ager on the couch, the smart solution is to manage and direct it.

Washington can help

ANOTHER VIEW Our program will provide tax credits, funding.

By Al Gore

In too many places across America, the beauty of local vistas has been degraded by decades of ill-planned and ill-coordinated development. Plan well, and you have a community that nurtures commerce and private life. Plan badly, and you have what so many of us suffer from firsthand: gridlock, sprawl and that uniquely modern evil of all-too-little time.

This kind of sprawl ... means working families must sink thousands of dollars into extra commuting costs. ... It means that people leaving welfare and eager to work have no way to get to where their new job is and still pick up a child in day care. It means that resources are siphoned away from older neighborhoods to build ever-more distant new amenities in new communities. It means ... air and water quality go down, and taxes go up. We can do better. ...

I am proud to take the first big step in this effort by launching our new Livability Agenda for the 21st Century. ... We are proposing \$700 million in new tax credits for state and local bonds to build more livable communities.

These ... will help ... preserve open spaces for future generations, build and renovate parks, improve water quality and enhance economic competitiveness by redeveloping old factories, known as "brownfields."

Second, we are ... proposing the single-highest investment in public transit in history, \$6.1 billion to help communities develop alternatives to building more clogged highways. We are also proposing a record \$1.6 billion for state and local efforts to reduce air pollution and ease traffic congestion.

Third ... to promote cooperation among neighboring communities, we are proposing a new \$50 million Regional Connections initiative to aid in the development of truly regional game plans for smarter growth.

Finally, we are ... proposing nearly \$40 million to provide communities with easy-to-use information and technical assistance to develop strategies for smarter growth. ...

We will help you build what we hear you are asking for and what ... you and your families deserve: livable communities, comfortable suburbs, vibrant cities and ... green spaces all around and in between.

Excerpts from Vice President Al Gore's Jan. 11 speech on the administration's Livable Communities for the 21st Century program.

Wise planning protects water

The natural beauty of the coastal environment is a major draw for both tourists and new residents. However, unless environmentally sound planning is incorporated into coastal development schemes, some of the very qualities that draw people to the coast will be lost beyond repair.

In the past two decades the North Carolina coast has experienced a huge increase in population. This population increase has led to major changes in the landscape, from sparsely populated rural character to densely populated urbanized development.

The population increases and associated land use changes have caused water quality problems including algal blooms, fish kills, and closing of shellfishing areas due to high levels of fecal bacteria. This not only leads to ecological damage to our water resources, but economic loss to commercial fishermen and their dependents as well.

These water quality problems are caused by inputs of pollution from the changing landscape. The pollutants include nitrogen and phosphorus from fertilizers, bacteria from manure deposited by dogs, cats, and other domestic or wild animals, pesticides and herbicides, metals from industrial or commercial areas, and other toxicants.

Because of sewage treatment improvements in recent years, most coastal pollution now enters our waterways by being washed in from the landscape during rainstorms, called non-point source pollution. The U.S. EPA currently considers non-point source runoff to be the biggest threat to our water quality.

There are several ways to reduce non-point source pollution. Some of these include establishment of streamside vegetated buffer zones, construction of properly functioning wet detention ponds, installation of biofilters to treat runoff, and preservation and construction of wetlands. However, the greatest gains in water pollution prevention for developing areas can be achieved

The greatest gains in water pollution prevention can be achieved by proper advance planning for environmentally-friendly growth.

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In a forested or rural area, rainwater and runoff infiltrates through the soil and vegetation, and in doing so is cleansed of pollutants. When such an area is developed, a large portion of the natural terrain ends up being covered by roofs, roads, driveways, sidewalks, and parking lots. These are called impervious surfaces, because the rainwater cannot pass through these surfaces. Thus, the land cannot function as a pollution filter but instead accumulates pollutants on these impervious surfaces.

Recent scientific studies from around the country have shown that stream water quality decreases with increasing amounts of impervious surface coverage in the watershed. In New Hanover County, tidal creeks that have watersheds containing more than 10 percent impervious coverage become closed to shellfishing from high bacterial counts. Research in other states has shown that impervious coverage above ten percent causes declines in stream fish and bottom organism communities, and impervious coverage above 30 percent causes severe pollution of the water.

Another problem caused by impervious surfaces is an increase in flooding. The rainwater is not absorbed by soil and vegetation, but instead strikes pavement and other surfaces and rushes off down hill. Water thus accumulates elsewhere on yards, roads, or businesses, causing flooding that may last for days.

The increased amount of water rushing into a stream after a rainstorm also causes erosion of stream banks and the adjoining properties. The flooding that commonly occurs in urbanized lowland coastal areas is largely caused by loss of natural wetlands coupled with large increases in impervious surface coverage.

The way to combat these problems is to anticipate them and plan development in advance. The overall goal in such planning should be to minimize the amount of impervious surface coverage of an area while maximizing the amount of "green" space, preferably landscape left in its natural vegetation. There are a number of ways to achieve this.

Shopping area parking lots are often designed for maximum holiday shopping traffic, while large paved areas lie unused during much of the year. Outlying parking areas can be left in grass or covered with "semi-pervious" materials that allow percolation of water while still providing a solid substrate to support an automobile. In less-used areas, sidewalks can be placed on one side of the street only instead of both sides.

Instead of large paved cul-de-sacs on dead end roads, T-shaped turnarounds can be used, or traffic circles with vegetated areas in the middle. Instead of developing wetlands, these important pollution filters should be preserved and can even be incorporated into runoff treatment schemes. Vegetated buffer zones consisting of native plants should be left along streams and runoff ditches to reduce inputs of nitrogen, phosphorus, sediments, and bacteria.

There are many other proven techniques that planners, elected officials, and developers can utilize to preserve water quality in developing areas, so that the beauty and ecological function of natural areas will be maintained for future generations.

Michael Mallin is a research associate professor at the University of North Carolina at Wilmington's Center for Marine Science.

The Nation

40% of USA's waterways still not cleaned, EPA says

Critics accuse states of letting powerful polluters off the hook

By Erin Kelly
Gannett News Service

WASHINGTON — America remains awash in dirty water.

Despite nearly 30 years of federal cleanup efforts, 40% of the nation's rivers, lakes, streams and coastal waters are too polluted for people to fish or swim, the Environmental Protection Agency acknowledges.

Former and current government employees say that the landmark Clean Water Act of 1972 is being thwarted by state pollution control agencies that let powerful polluters off the hook, and by federal officials who fail to step in.

Among their charges:

► In Montana, criminal penalties are rarely invoked against big polluters, which are treated more like friends than lawbreakers.

► Government-owned sewage plants along the Smith River in Virginia did not have to meet the same clean water standards as private companies.

► Tennessee assessed \$2.2 million in penalties against polluters in 1999 but collected only \$99,150, the state's own data show.

Those examples are common throughout America, critics say, adding that nothing less is being thwarted than the law's basic intent: to ensure that Americans and their natural resources be equally protected whether they live in

Montana, Mississippi or Maine.

"The Clean Water Act as it lives and breathes out in the real world is nothing like it is on paper," says

David Sligh, former senior environmental engineer at the Virginia Department of Environmental Quality.

A new report by the Environmental Working Group, an environmental advocacy group, says 42% of state inspections of facilities that already had been found in violation of the Clean Water Act were "drive-by," in which inspectors weren't required to get out of their cars. More than 280 facilities run by known polluters weren't inspected at all, says the report, an analysis of EPA data from October 1997 to October 1999.

That doesn't mean there's been no progress. In 1972, about 60% of waterways were too polluted for swimming or fishing, and headlines were filled with environmental horrors: Ohio's Cuyahoga River bursting into flames; Boston Harbor called a cesspool; and Lake Erie declared dead.

Those environmental agencies were largely righted. More broadly, an infusion of federal funds helped states improve sewage treatment plants so that raw — or barely treated — sewage no longer flows into lakes, rivers, streams and bays. The law sharply reduced the flow of toxic chemicals that factory pipes discharge to waterways. However, the growing problem



By Sherry Meyer, The Tennessee, AP

In Franklin, Tenn.: Dead fish fill a river. Thursday. Last year, the state collected \$99,150 of the \$2.2 million in penalties against polluters.

of polluted runoff from oily city streets, construction sites and farms laden with fertilizer has offset gains. Through the Clean Water Act was passed because states had shown little stomach for curbing water pollution, the law left enforcement largely to the states.

hostile to regulation, the Environmental Working Group said.

One upshot is that water quality varies widely from state to state. A fish that one state considers toxic contaminated by mercury to be eaten can be on the menu in another, says Barry Sulkin, Tennessee's former chief of water pollution enforcement.

The EPA's own Office of Inspector General criticizes the agency for allowing states to adopt weak water quality. For example, EPA officials who oversee Delaware, Pennsylvania, Maryland, Virginia and West Virginia permitted those states to use "less protective" water quality criteria that made it possible for bacterial contamination to go undetected, the inspector's office reported in 1999.

State and local employees who are aggressive enforcers of environmental rules say they are often chastised or penalized by their superiors for angering politically powerful lawbreakers. "Why employees and I would get chewed out if the (polluters) complained that the water quality standard were too restrictive," says Sligh, who now works for the American Rivers environmental group.

State officials deny that. "We put a lot of effort into enforcing the law as consistently as possible," says Bill Hayden, a spokesman for the Virginia Department of Environmental Quality. But justice is not dispensed equally, Sligh and others say. A few years ago, the Smith River in south central Virginia was being polluted by a now-closed chemical

plant owned by Dupont and by three sewage plants, one run by the city of Martinsville and two by Henry County, Sligh says. The public facilities complained and were relieved of meeting the standards imposed on Dupont.

"It's possible for different facilities to have different permit standards," Hayden says.

Sulkin says that even when polluters are fined, they might not end up paying in full. Violators may negotiate penalties, refuse to pay or declare bankruptcy, he says.

State officials say they purposely allow lawbreakers to avoid paying the whole penalty if they take action to stop polluting.

Former state employees also say they have pleaded with regional EPA officials to step in and veto permits to polluters, and to force state agencies to live up to the Clean Water Act or forfeit federal funds received for carrying out the law.

With EPA help, states do a better job of following the law and dealing more severely with polluters, says Kevin Keenan, former manager of enforcement and legal support for Montana's water quality agency. But the EPA, understaffed and facing a hostile Congress, often seems to care more about getting along with state agencies than overseeing them, he adds.

The EPA is in a tough spot, but does step in when a state doesn't do its job, says J. Charles Fox, assistant EPA administrator for the Office of Water. "In the long run, we will be more successful, I would argue, if we work with the states to build their capabilities."