



# Smart Growth

A TOOLKIT FOR REALTORS<sup>®</sup>





# Smart Growth

A TOOLKIT FOR REALTORS®



NATIONAL ASSOCIATION OF REALTORS®

*The Voice For Real Estate®*

Real Strength.  
Real Advantages.



*Community*  
**OUTREACH**

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Additional smart growth information from NAR can be found at [www.realtor.org/smartgrowth](http://www.realtor.org/smartgrowth)

NAR's Smart Growth Program is an element of the Community Outreach Department which helps REALTOR® associations and members strengthen their community leadership efforts through toolkits, technical assistance, training and grants.

The opinions expressed in this Toolkit do not necessarily reflect the opinions or policy of the National Association of REALTORS®

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# Foreword

Albert Einstein once said: “It’s not that I’m so smart, it’s just that I stay with problems longer.”

Smart growth is not a short-term challenge, and there is no one single solution. It’s a long-term process – one that REALTORS® must stay involved in for as long as we serve our communities.

Communities want to grow and prosper over the long term. But that growth, if it puts a strain on community services, could actually reduce prosperity and quality of life. The challenge is to make sure growth is in harmony with the resources available in the community. That’s where REALTORS® come in.

REALTORS® understand, perhaps better than anyone else, how difficult it can be to achieve balanced growth that enhances quality of life. As professionals, we help build communities – we want to bring the benefits of housing to more people, and we naturally want to expand our businesses. As residents of the communities we serve, we also reap the rewards when communities grow and prosper.



Thomas M. Stevens, CRB, CRS, GRI  
2006 President  
National Association of REALTORS®

Smart growth is a local issue. The challenges are unique to every city and town in America. While some areas may have adequate housing choices, they may not have the right transportation or schooling options to make the community viable. On the other hand, communities with great schools and safe neighborhoods may be out of reach for low and middle income families.

To address every aspect of smart growth, REALTORS® need a host of flexible solutions. That’s where *Smart Growth: A Toolkit for REALTORS®* can help. Chapter One provides an overview of the issue and its importance to REALTORS®. Chapter Two explains the principles of smart growth, its origins, and current trends. Chapter Three provides an in-depth review of topics covered. Chapter Four covers smart growth in practice, including planning and regulation and policies. Chapter Five addresses how REALTORS® can get more involved in smart growth, including resources and case studies. Chapter Six provides leads to model legislation.

I congratulate and thank NAR’s Smart Growth Program Advisory Group who spent many hours putting this incredible resource together. I hope you all will use the information in this guide to become more involved in building healthy, strong communities – today and in the years ahead.

For more information go to [www.REALTOR.org/smartgrowth](http://www.REALTOR.org/smartgrowth)



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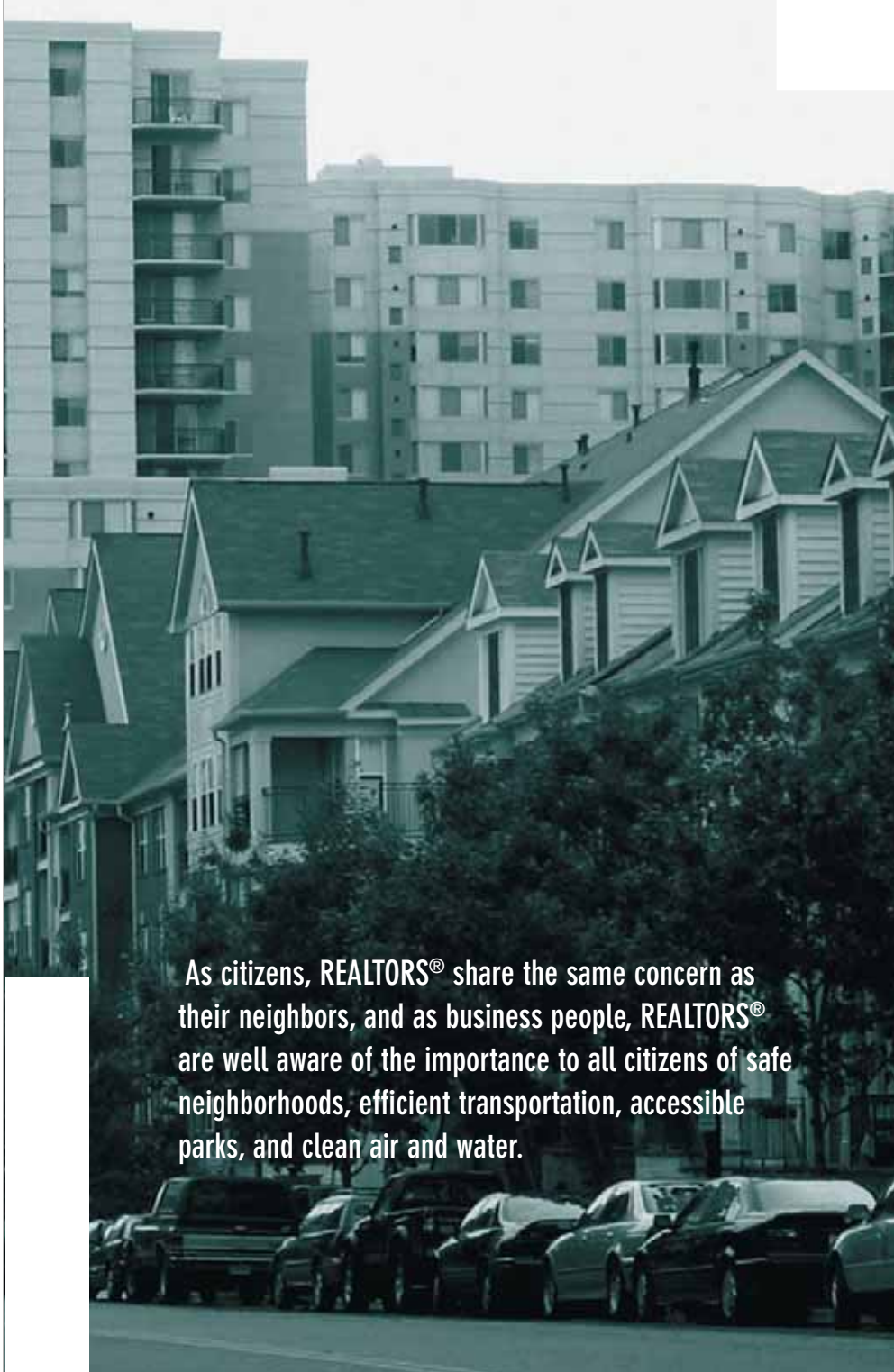
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# Introduction to Smart Growth



As citizens, REALTORS® share the same concern as their neighbors, and as business people, REALTORS® are well aware of the importance to all citizens of safe neighborhoods, efficient transportation, accessible parks, and clean air and water.

# I. Introduction: REALTORS® and Smart Growth

Since the end of World War II, the U.S. population has doubled to 300 million people and continues to grow by three million people annually, adding a new person every 13 seconds. This rapid population growth, compounded by development patterns that encourage bigger houses and longer commutes, is forcing us to face an important question: How should our communities grow?

The constant influx of new people demands new development, but the form it takes is likely to be critical to the long-term quality of life and economic stability of our towns, cities and nation. In recent years our metro areas have sprawled outward. It has been easier for developers to gobble up fields and forests with new subdivisions while leaving older areas to languish, with declining population, decaying infrastructure and a slumping tax base. As farms surrender to big-box stores and woods give way to asphalt, there is mounting frustration over increased traffic, decreased open space, inadequate public services, overcrowded schools, lack of affordable housing and loss of community vitality. In our most economically vibrant metros, many young families face a painful choice between close-in neighborhoods that are expensive even when they are less-than-desirable, and ever more-distant subdivisions that condemn them to a life spent behind the wheel.

The approach to planning and development that has come to be known as smart growth grew out of an effort by policy makers, real estate professionals, planners and urban designers, environmentalists, key employers and many ordinary citizens to find ways to ease these tensions. It is an attempt to find a middle way between growth-at-any-cost and the “no-growth” reaction to it. The idea is to involve citizens, public officials and myriad stakeholders in working together to plan

ahead for development according to a set of common-sense principles. The vision is that communities get better as they grow, while remaining both economically viable and environmentally responsible.

The Urban Land Institute describes smart-growth principles as a way “to identify a common ground where developers, environmentalists, public officials, citizens, and others can all find acceptable ways to accommodate growth.” Usually this means working to steer development to the most suitable places and organize it into better-connected, more compact forms. With excellent design and forethought, people can live well on less land. In fact, they can live better, because their communities will be more walkable and generally more convenient, and their environment will be less degraded by miles of strip malls and parking lots. And these well-planned neighborhoods hold their value, rather than becoming almost disposable, as so many post-war suburbs have become.

Though they may be applied differently in various communities, smart-growth concepts generally involve:

- Using land more efficiently;
- Preserving open space and the environment;
- Creating more transportation options, including rail and bus transit and sidewalks, to ease traffic;

- ▶ Building more attractive, well-designed neighborhoods that allow for walking and community interaction;
- ▶ Increasing density where appropriate to make better use of infrastructure;
- ▶ Expanding housing choices as well as affordable housing opportunities;
- ▶ Mixing housing, retail and employment uses in order to create complete neighborhoods where daily needs are close at hand.

While few people disagree with the intent of these principles, a host of ingrained policies and practices stand in the way of putting them to work. This includes everything from conventional zoning to road design to retailers' inertia. We'll address these and other challenges in this toolkit.

## REALTORS® and Smart Growth

REALTORS® appreciate the increasing interest in preserving and improving communities' quality of life and addressing the challenges of growth. As members of the community, we share the same concerns as our neighbors. And as business people, we are well aware of the importance to homebuyers and all citizens of safe neighborhoods, efficient transportation, accessible parks and open space and clean air and water.

"Under the Code of Ethics, all REALTORS® have an obligation to improve their communities and sell quality of life," says Tim Calnen, who has spent more than 25 years with the Connecticut Association of REALTORS®. He cites the Code's Preamble:

*Under all is the land. Upon its wise utilization and widely allocated ownership depend the survival and growth of free institutions and of our civilization. REALTORS® should recognize that the interests of the nation and its citizens require the highest and best use of the land and widest distribution of land ownership. They require the creation of adequate housing, the building of functioning cities, the development*

## The goals of smarter growth

Smart Growth America, a national coalition of organizations supporting smart-growth principles, identifies several key outcomes that good planning and development should produce:

- ▶ A seat at the table for everyone with a stake in the community.
- ▶ Broad choices among safe, convenient and attractive neighborhoods.
- ▶ Ready access to jobs, daily necessities and fun, with less time in traffic.
- ▶ Thriving cities, suburbs and towns.
- ▶ Protection for what's best about the places we live.
- ▶ Lower personal costs and efficient use of our tax money.
- ▶ A shot at the American dream of opportunity for all.

*of productive industries and farms, and the preservation of a healthful environment.*

Noting that the Code dates to 1913, Calnen says, "Even then, they were thinking about balanced and divergent uses of land."

Beyond the Code of Ethics, there are specific reasons REALTORS® may want to advocate for smart-growth planning and development:

- 1 **Quality of life.** REALTORS® care about the quality of their own communities, as well as the quality of the community in which their clients are buying and selling homes.
- 2 **Problems of excessive regulations.** Too many regulations can distort the real estate market and make homes less affordable, reducing choice in the housing marketplace.
- 3 **Opportunities for new housing markets.** Tastes in housing types and locations

is diversifying rapidly, but meeting this demand will require new thinking in planning, zoning, designing and marketing for compact, walkable communities.

- 4 **Future inventory of homes.** What gets built today determines what REALTORS® will be selling tomorrow.

How state and local governments meet the challenge of rapid growth affects the very livelihood of REALTORS® and the vital interests of our customers – America’s homeowners, property owners and tenants. The final sections of this toolkit demonstrate how REALTORS® are already making a difference – by educating their communities about growth, by promoting revitalized neighborhoods, by working for better schools and streets and the policies needed to create them.

REALTORS® are a positive force in our communities because we understand neighborhoods inside and out. We know the housing markets and the impact local conditions will have on housing values, choice, and affordability. As REALTORS® become vocal advocates for forward-looking planning and development, we position ourselves as leaders in our communities, helping to foster educated discussions and creative solutions. This toolkit will provide the information necessary for REALTORS® to become involved. It details how smart growth is implemented and provides tools for increasing public participation. It shares smart-growth success stories of individual REALTORS® and associations all across the country. NAR’s goal in creating this resource is to ensure that REALTORS® have the knowledge they need in order to work on behalf of the quality of life in their communities.

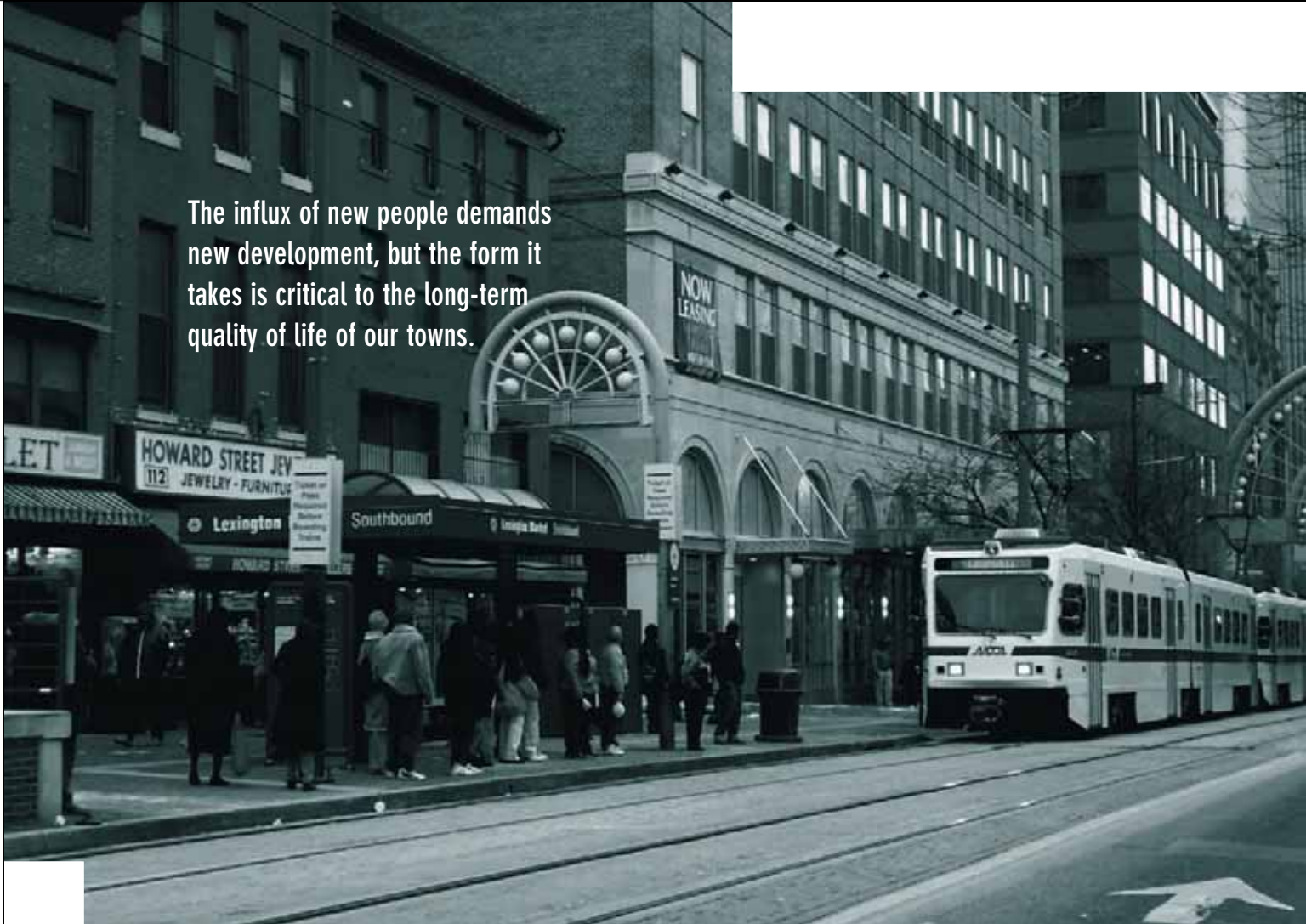




# Smart Growth in Principle



The influx of new people demands new development, but the form it takes is critical to the long-term quality of life of our towns.



## IIA. The Origins of Smart-Growth Planning and Development

**B**y the mid-1990s – 50 years after the end of World War II had kicked off a sustained boom in housing and road-building, – “growth” had become something of a bad word in many communities around the country. Because it often seemed unplanned and unfocused, growth and development had come to be associated with the disappearance of treasured landscapes, a rise in traffic congestion, environmental degradation and other negative implications for quality of life. The world seemed increasingly to be divided into “pro-growth” and “no-growth” camps.

It was around that time that the concept of “smart growth” emerged and began to gain in popularity. Developed as a collaboration among key thinkers in city planning, urban design, real estate development, environmentalism, transportation, business, government and other fields, smart growth would be a third way. Growing “smart” would mean, first, that towns, cities and metro regions would acknowledge that growth and change are a nearly inevitable fact of life. Next, it would mean involving citizens

Today, many cities, towns, and regions across the nation are using smart-growth concepts to address local issues and make development decisions. Some local discussions focus on the problem of traffic congestion and how to manage it. In other places, the public pays attention to development overtaking farmland and other open space. Some conventional, post-war suburbs are fulfilling their desire for a more traditional pattern of development that creates pedestrian-friendly community centers with retail, office, and a mix of housing types,

“Smart growth is development that enhances our quality of life.”

– Ken Jackson, REALTOR®

in making a plan for the future would that ensure a wide choice in housing options for people of all incomes and ages; protect farmland and natural areas; revitalize, and not undermine, the places we had already built; and provide options for how to get around, and avoid unnecessary travel. The hope was that by doing these things, communities would get better as they grow. Or, as South Carolina REALTOR® Ken Jackson succinctly puts it: “Smart growth is development that enhances our quality of life.”

from apartments and townhouses to stand-alone houses. Below are a few examples of how smart-growth ideas are being put to work:

**Preserving land for open space.** In recent years, voters have approved billions of dollars for open space purchase through nearly 650 state and local ballot measures. According to the Trust for Public Land’s LandVote database, more than 78 percent of the conservation finance ballot measures put to voters between 1999 and 2003 were approved, generating



more than \$26 billion to preserve land for recreation, farming or environmental health. With funds for outright purchases limited, however, new techniques are being developed to help communities preserve farmland and forests and protect watersheds and wildlife habitat. These can include conservation easements, transfer of development rights, and purchase of development rights, clustering of development and other methods, to be discussed later in this toolkit.

**Providing transportation options.** In addition to building new roads, communities are working to coordinate development with transportation to make it easier to walk, bicycle, or take transit, or even to reduce the need to travel for daily needs. Dozens of communities are investing in new transit service, and transit usage has steadily increased since the mid-1990s. Providing transportation options can remove some cars from the roads and reduce congestion, and can also provide greater mobility for those without cars. Transportation improvements can be as simple as providing safer pedestrian routes by building sidewalks, or as large as building metropolitan transit systems that can include improved bus service, light rail, heavy rail, or commuter rail. Many major metropolitan areas, including Denver, Atlanta, Minneapolis-St. Paul, Dallas, Salt Lake City, Baltimore, and San Diego have upgraded their transit systems in recent years. These alternative

modes of transportation work particularly well where land uses are mixed and densities are high.

### Revitalizing downtowns and neighborhoods.

Though they are often neglected, downtowns and older neighborhoods are centrally located and have infrastructure in place to handle some of the new development that has been eating up open space.

Brownfields, which are abandoned or underused

industrial and commercial properties that may be contaminated (former gas stations, vacant warehouses, abandoned rail yards), can be cleaned up and put back into productive commercial or residential use. In recent years, new housing construction has made a comeback in many major cities – from Washington, D.C., to Kansas City, Missouri, to Portland, Oregon – after decades of inactivity. REALTORS® note a growing trend of young singles and couples as well as empty-nesters seeking convenient, close-in neighborhoods.

### Reexamining local zoning codes.

Zoning was created to protect residential neighborhoods from the noxious activities of an earlier industrial age. Unfortunately, in many places today, the crude tool of conventional zoning has resulted in such extreme separation of even compatible uses – one kind of housing from another, for example, or homes from schools and convenient shopping – that it is impossible to build complete communities. Many communities now are adopting new forms of zoning that allow for the widest range of housing: single-family homes, apartments, townhouses, condominiums, and mixed-use development (such as apartments over shops). In designated areas, they are once again allowing people to live near shops, restaurants and offices, thereby creating more options for more people. New “form-based” codes

worry less about segregating uses, and more about specifying the kind of development that a community wants, speeding approvals for developers who can provide it. Communities such as Arlington, Virginia, Emmaus, Pennsylvania, and Petaluma, California that have adopted these new ordinances usually have found favorable upturns in their real estate markets.

**Reforming regulations.** Subdivision and development regulations often require expensive, overly wide streets that encourage faster traffic and discourage pedestrians. In addition, school-building planners typically require large school sites with big parking lots, ensuring that schools will not be nestled within walkable neighborhoods, but rather will be built on busy roads at the edge of communities. Building codes designed to regulate new construction often make the rehabilitation of older homes and apartments economically unfeasible. These are examples of the unintended consequences of regulations that make it difficult to build communities in a smart way. Many communities are tackling these problems by changing the regulations. Smart Building Codes have been adopted in states and localities to create more appropriate standards for older buildings. Educators are changing site regulations and building design requirements to permit new schools to be built on small sites within neighborhoods. Localities and state highway departments are

trying different approaches, such as narrower streets, traffic calming, and roundabouts to slow traffic and make neighborhoods safer.

**Town centers in the suburbs.** Many suburban areas were built without a “downtown,” but as the population has increased, there is a growing need and market for giving them a focal point that also serves communities needs. These new high-density downtowns are popping up with increasing frequency around the United States and can include offices, stores, and homes in a pedestrian-friendly urban environment.

## Smart growth tackles some big questions

How can cities and suburbs grow in population while avoiding the negative consequences both of automobile-dependent sprawl and poorly planned density, while preserving the home ownership levels and private space that Americans cherish?

Can more and more of us live the “good life,” but without creating a nightmare of traffic jams, throw-away landscapes and environmental degradation?

## IIB. Changing Demographics, Changing Markets, Changing Attitudes

**M**any recent changes in planning and development arise from demographic trends, cultural shifts, and changing markets. The classic suburban development model that grew up in the post-war 1950s was aimed at a housing market dominated by new families who were having children as quickly as they could.

Today, though, for the first time ever, households of single persons outnumber those of adults with children at home (including single parents), 32 percent of the total versus 31 percent. Married couples with kids are an even smaller segment, 23.5 percent. As recently as 1970, couples with children accounted for more than 40 percent of households. The effect on real estate markets is palpable, Michael Carliner, an economist with the National Association of Home Builders, told the Los Angeles Times in August, 2005. Singles, he said, “place a greater priority on being close to the action. They are not worried about school districts or space, so they put a higher priority to being close in. That’s been a factor in boosting demand for urban or close-in suburban housing.” Generation Xers, those born between 1965 and 1981, are postponing childbirth, and gravitating toward cities in the meantime. Many are looking, not for their parents’ house in a subdivision on the metro fringe, but for neighborhoods that combine the convenience and vibrancy of urban neighborhoods with the family-safe features promised by conventional suburbs.

In addition, as baby-boom households become empty nesters, the fastest growing household type is couples without minor children living at home. By 2010, 36 million households, nearly a third of the total, will be empty nesters, and the occupants will live more years in that state than any previous generation.

At the same time, the changing nature of work and the shift from an industrial to an information/service economy is making new arrangements possible and preferable. Twenty years ago there was no market for “live-work” units, while today the demand is strong and growing. Professionals and others who increasingly spend at least some time working in home offices are looking for neighborhoods that integrate the coffee shop, lunch spots and business supplies and services they need. Many parents are raising their children single-handedly and would rather spend time with the kids than commuting to work. Some opt to run home-based businesses, while others join the growing ranks of telecommuters. Demand for new housing in most large central cities has increased greatly since the mid-1990s, fueling demand for loft-style housing, live-work units, and condominiums, which accounted for a record-high 13 percent of all homes sold in 2005.

### Attitudes About Growth and Development

Marketing surveys and polls are documenting these cultural shifts and changing preferences. A September, 2004 poll by NAR and Smart Growth America found the prospect of lengthening commutes is leading more Americans to seek walkable neighborhoods closer to employment centers – a tenet of smart growth communities.

Asked to choose between two communities, six in ten prospective homebuyers chose a neighborhood that offered a shorter commute, sidewalks and amenities like shops, restaurants, libraries, schools and public transportation within walking distance over a sprawling community with larger lots, limited options for walking and a longer commute. Those who are in the market to buy a home are also more likely to say they want to be in or near a city as opposed to living in a farther out suburb or rural area.

For the purposes of the NAR/SGA survey, a smart growth community was described as a mix of apartments, condos, townhouses, and detached homes on various-sized lots with

Americans selecting those communities over communities with bigger lots and longer commutes. This is significant because minorities are an increasing part of the home-buying public.

NAR polls consistently show that people are not opposed to growth but they do want it managed more. For the past several years, the National Association of REALTORS® has conducted surveys that show people favor growth, but not necessarily at the expense of losing open space or worsening traffic.

Surveys in 2001 focused on these specific topics, providing a broader spectrum of people's views while introducing some

Even in California, where everyone has a love affair with the car, people want options. They want to keep their car, but they don't want to be in it all day.

— Kay Runnion, government affairs director for Ventura County Coastal Association of REALTORS®

sidewalks and places to shop, eat, read, and go to school within walking distance. It was also described as a place with nearby public transportation and a one-way commute of less than 45 minutes. A sprawling community was described as a place with only single-family detached houses on one-acre lots without sidewalks, where places to shop, eat, read, and go to school are within a few miles. Public transportation is distant or unavailable and a one-way commute is 45 minutes or more. After hearing detailed descriptions of two communities, Americans favored the attributes of walkable, smart growth communities over sprawling communities with longer commutes 55 percent to 45 percent.

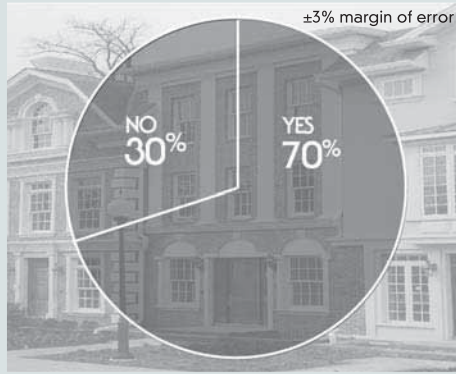
Women and minorities are even more likely than other Americans to choose a walkable neighborhood that has a shorter commute, with 59 percent of women, 57 percent of Hispanics and 78 percent of African-

solutions, including a clear call for increased public transportation. A 2002 survey, conducted with the National Association of Home Builders, suggested market-based incentives were the preferred way of achieving smart growth as opposed to regulations.

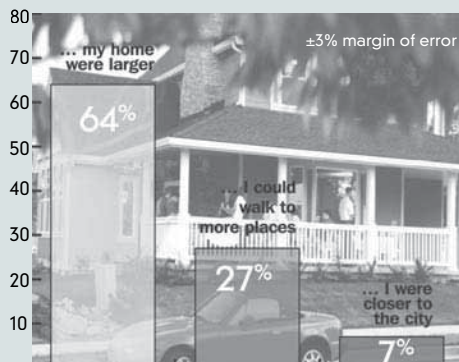
### Open Space Survey

When asked how they felt about increased residential and commercial growth in the March 2001 open space survey, voters were three times more likely to support growth (37%) than to disapprove of it (11%). And half indicated that their position on growth depended “on the situation and circumstance.” The same survey showed that some want growth to be managed, but uncertainty arises around how much land or growth management is necessary. An overwhelming majority (82%) stated that decisions about land use and open space

**Were a sufficient number of homes available in your price range?**



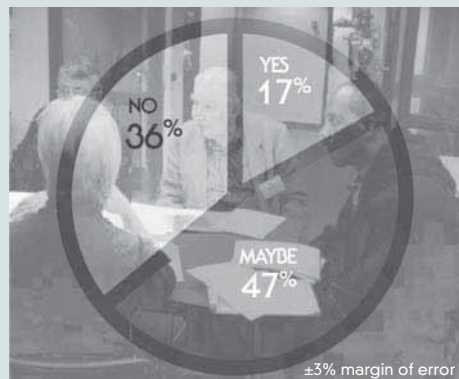
**Which of the following statements do you agree with? I wish...**



**Rate the importance of the following community amenities...**



**Would you buy a home in a Smart Growth neighborhood?**



Source: NAR/NAHB 2002 poll of recent homebuyers.

should be made at the local level by town, city, or county governments. More than half of the public (54%) said it believes in more management of growth because “problems associated with growth need to be addressed.” But, a sizable 42% disagreed, saying instead that growth should be managed less because “there are already too many government regulations about how people can use their land.” Where people live, as well as gender, had some bearing on their opinion: Those living in more rural areas wanted less management (53%) than urban (42%) or suburban (38%) dwellers, while nearly two-thirds (61%) of suburban women favored more management.

In the open space survey, two of three respondents said they worry about loss of open space to commercial and residential development. However, they placed different values on different types of open space. In areas under development pressure, the survey found 80 percent of voters support preserving farmland, natural areas, stream corridors, true wilderness, and historic sites, but fewer (58%) supported preserving fallow fields no longer used for farming. A strong majority also supported creating open spaces with specific community purposes, such as playgrounds (75% in favor), soccer and baseball fields (61%), and neighborhood parks (60%).

Americans clearly support the purchase and preservation of open space, though not necessarily at any cost. In the 2001 open space survey, 75% supported local governments and non-profit groups like land trusts to buy and preserve open space. However, the public’s enthusiasm wanes as the price tag increases. Support for land purchase and preservation dropped to 50% if it would require a \$50 property-tax increase and plummeted to 31% if it meant a \$100 tax hike.

The surveys suggest the public feels growth and land stewardship are positive activities, not mutually exclusive goals. “Voters are telling us that they believe growth can accommodate

wise stewardship of the land,” noted Portland, Oregon REALTOR® Pat Kaplan, NAR Treasurer at the time of the survey.

## Transportation Survey

Traffic is the other chief concern when it comes to growth.

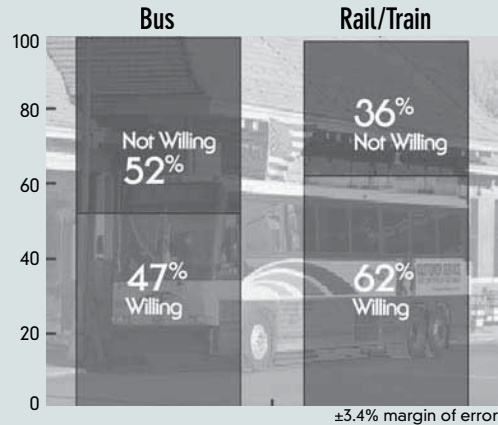
A NAR transportation survey in October 2001 showed that two out of three Americans are increasingly concerned about traffic congestion, with 62% saying traffic congestion is getting worse and 69% expecting it to worsen in the next five years. As for some of the causes, 64% blamed lack of convenient and accessible alternative transportation, and 60% said too much commercial and residential development has created more traffic. While 46% agreed that businesses and homes should be built closer together to shorten commutes and limit congestion, 51% disagreed.

The same survey also showed that the public definitely wants investment in public transportation and believes the government isn’t doing enough in this area. The results found that most voters are dissatisfied with the way their local governments are handling traffic congestion and public transportation. Nearly 60% ranked their local government “fair” or “poor” for easing traffic congestion on local roads and highways, and more than 50% said their governments are doing a “fair” or “poor” job providing practical and convenient public transportation.

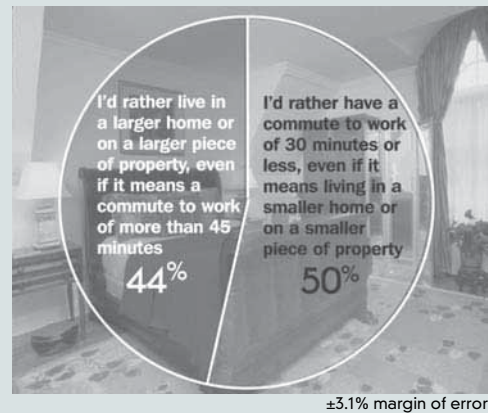
In the 2001 transportation survey, most commuters said they would be willing to use mass transit instead of driving themselves to work if it were convenient, safe, and available. About two out of three people said they would be willing to use car pools or ride shares, 62% said they would be willing to commute by rail or train, and nearly half, 47%, said they’d be willing to commute by bus.

These attitudes have persisted. NAR’s 2004 smart growth survey showed that half of all Americans believe improving public

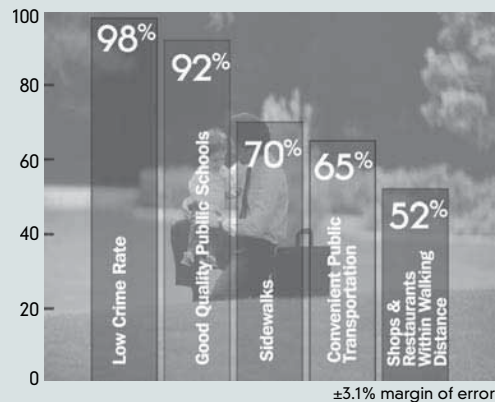
Would you be willing to commute using public bus, rail or train, if they were convenient, safe and available?



Which statement do you most agree with?



How important was each issue in forming attitudes and opinions about where voters chose to live?



Source: NAR 2001 poll.



“Voters are telling us that they believe growth can accommodate wise stewardship of the land.”

Pat Kaplan, Portland, Oregon REALTOR® and NAR Treasurer at the time of the survey

transportation is the best option to solving long-term traffic problems. Less than 20% believed that building new roads is the answer. Consistently, NAR surveys show that improving public transportation and developing communities where people do not have to drive long distances are more popular than building new roads.

Whatever the policy mechanism, Americans overwhelmingly want government funds

targeted at existing communities before putting money into new developments farther from cities and older suburbs. In the 2004 survey, nearly nine in ten people (86%) said they want improvements in existing communities to receive priority funding over incentives for new development in the countryside (12%).

To find out more about NAR smart growth polling, see: [www.realtor.org/polling](http://www.realtor.org/polling)

## IIC. The Principles of Smart Growth

**W**ith the market for walkable, mixed-use neighborhoods growing, citizens becoming increasingly anxious about fallout from poorly planned growth, and increasing numbers of metro areas running into limits to their financial and environmental resources, how should our cities grow in the future? The set of principles that have come to be referred to as smart growth arose from attempts by thousands of government officials, planners, environmentalists, business thinkers, development and real estate professionals and ordinary citizens to answer that question.

Smart growth is less a set of prescriptions than it is a way of thinking about how to make great communities with lasting value. To grow “smart” means involving citizens in choosing a future that provides housing options for people of all incomes and ages; protects farmland and open space; revitalizes neighborhoods and offers a variety of convenient options for getting around. The state of Maryland, whose 1997 Smart Growth act helped to popularize the term, identified three key goals: To steer development toward land designated by local communities as appropriate for new growth; to steer development away from designated natural and cultural areas, agricultural lands and environmentally sensitive zones; and to ensure that development makes efficient use of land and the roads, sewers, schools and other infrastructure we all pay for.

None of these goals can be accomplished unless the resulting development is appealing to current – and future – residents. In fact, making better communities that age gracefully is one of the best arguments for applying smart growth concepts. For that reason, much of the innovation being done under the smart-growth banner is aimed at making places that are more convenient, affordable, beautiful and

safe. The goal is to make neighborhoods that are walkable and complete, with daily needs close at hand, and that are distinguishable one from another, rather than having a one-size-fits-all look and feel.

You might hear some people say that “smart growth means different things to different people.” That’s true in the sense that state and local communities are free to implement their “smart” plans as they see fit. Nevertheless, the central principles discussed below are almost universally recognized as defining smart growth, and they have been embraced not only by many of the nation’s key conservation, environmental, historic preservation, affordable housing and business organizations, but also by the national associations of planners, developers, real estate professionals, local government officials and federal agencies. For a partial list of endorsing organizations visit [www.smartgrowth.org/sgn/partners.asp](http://www.smartgrowth.org/sgn/partners.asp)

*The following section is derived from the 10 principles adopted by the Smart Growth Network, an alliance of government, professional, business and other agencies that have embraced smart growth. Learn more about the Smart Growth Network at [www.smartgrowth.org](http://www.smartgrowth.org)*

## Smart Growth Network's Ten Principles of Smart Growth

- 1 Create Range of Housing Opportunities and Choices
- 2 Create Walkable Neighborhoods
- 3 Encourage Community and Stakeholder Collaboration
- 4 Foster Distinctive, Attractive Communities with a Strong Sense of Place
- 5 Make Development Decisions Predictable, Fair and Cost Effective
- 6 Mix Land Uses
- 7 Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas
- 8 Provide a Variety of Transportation Choices
- 9 Strengthen and Direct Development Towards Existing Communities
- 10 Take Advantage of Compact Building Design

### 1. Create Range of Housing Opportunities and Choices

Providing quality housing for people of all income levels is an integral component in any smart growth strategy. Housing is a critical part of the way communities grow, as it constitutes a significant share of new construction and development. More importantly, however, it is also a key factor in determining households' access to transportation, commuting patterns, access to services and education, and consumption of energy and other natural resources. By

using smart growth approaches to create a wider range of housing choices, communities can mitigate the environmental costs of auto-dependent development, use their infrastructure resources more efficiently, ensure a better jobs-housing balance, and generate a strong foundation of support for neighborhood transit stops, commercial centers, and other services.

No single type of housing can serve the varied needs of today's diverse households. Smart growth represents an opportunity for local communities to increase housing choice

not only by modifying their land use patterns on newly-developed land, but also by increasing housing supply in existing neighborhoods and on land served by existing infrastructure. Integrating single- and multi-family structures in new housing developments can support a more diverse population and allow more equitable distribution of households of all income levels across the region. The addition of units – through attached housing, accessory units, or conversion to multi-family dwellings – to



existing neighborhoods creates opportunities for communities to slowly increase density without radically changing the landscape. New housing construction can be an economic stimulus for existing commercial centers that are currently vibrant during the work day, but suffer from a lack of foot traffic and consumers in evenings or weekends. Most importantly, providing a range of housing choices allow all households to find their niche in a smart growth community – whether it is a garden apartment, a row house, or a traditional suburban home – and accommodate growth at the same time.

## 2. Create Walkable Neighborhoods

Walkable communities are desirable places to live, work, learn, worship and play, and therefore a key component of smart growth. Their desirability comes from two factors. First, walkable communities locate within an easy and safe walk of goods (such as housing, offices, and retail) and services (such as transportation, schools, libraries) that a community resident or employee needs on a regular basis. Second, by definition, walkable communities make pedestrian activity possible, thus expanding transportation options, and creating a streetscape that better serves a range of users – pedestrians, bicyclists, transit riders, and automobiles. To foster walkability, communities must mix land uses and build compactly, and ensure safe and inviting pedestrian corridors.

Walkable communities are nothing new. Outside of the last half-century, communities worldwide have created neighborhoods, communities, towns and cities premised on pedestrian access. Within the last fifty years public and private actions often created obstacles to walkable communities. Conventional land use regulation often prohibits the mixing of land uses, thus lengthening trips and making walking a less viable alternative to other forms of travel. This regulatory bias against mixed-use development is reinforced by private financing policies that view mixed-use development as riskier than

single-use development. Many communities – particularly those that are dispersed and largely auto-dependent – employ street and development design practices that reduce pedestrian activity.

As the personal and societal benefits of pedestrian friendly communities are realized – benefits which include lower transportation costs, greater social interaction, improved personal and environmental health, and expanded consumer choice – many are calling upon the public and private sector to facilitate the development of walkable places. Land use and community design play a pivotal role in encouraging pedestrian environments. By building places with multiple destinations within close proximity, where the streets and sidewalks balance all forms of transportation, communities have the basic framework for encouraging walkability.

## 3. Encourage Community and Stakeholder Collaboration

Growth can create great places to live, work and play – if it responds to a community’s own sense of how and where it wants to grow. Communities have different needs and will emphasize some smart growth principles over others: those with robust economic growth may need to improve housing choices; others that have suffered from disinvestment may emphasize infill development; newer communities with separated uses may be looking for the sense of place provided by mixed-use town centers; and still others with poor air quality may seek relief by offering transportation choices. The common thread among all, however, is that the needs of every community and the programs to address them are best defined by the people who live and work there.

Citizen participation can be time-consuming, frustrating and expensive, but encouraging community and stakeholder collaboration can lead to creative, speedy resolution of development issues and greater community



understanding of the importance of good planning and investment. Smart growth plans and policies developed without strong citizen involvement will at best not have staying power; at worst, they will be used to create unhealthy, undesirable communities. When people feel left out of important decisions, they will be less likely to become engaged when tough decisions need to be made. Involving the community early and often in the planning process vastly improves public support for smart growth and often leads to innovative strategies that fit the unique needs of each community.

#### **4. Foster Distinctive, Attractive Communities with a Strong Sense of Place**

Smart growth encourages communities to craft a vision and set standards for development and construction which respond to community values of architectural beauty and distinctiveness, as well as expanded choices in housing and transportation. It seeks to create

interesting, unique communities which reflect the values and cultures of the people who reside there, and foster the types of physical environments which support a more cohesive community fabric. Smart growth promotes development which uses natural and man-made boundaries and landmarks to create a sense of defined neighborhoods, towns, and regions. It encourages the construction and preservation of buildings which prove to be assets to a community over time, not only because of the services provided within, but because of the unique contribution they make on the outside to the look and feel of a city.

Guided by a vision of how and where to grow, communities are able to identify and utilize opportunities to make new development conform to their standards of distinctiveness and beauty. Contrary to the current mode of development, smart growth ensures that the value of infill and greenfield development is determined as much by their accessibility (by car or other means) as their physical orientation to and relationship with other

## Density and Your Community

Density provides a variety of benefits to our communities and cities:

**1. Density makes walkable neighborhoods.** Walkable neighborhoods have possible residential and non-residential land uses close to each other. Shops, houses, restaurants, schools, etc. are located within close proximity to each other, providing people the convenience to go out to eat, walk to school, or purchase a quart of milk within a 5-10 minute walk.

**2. Density supports housing choice and affordability.** Higher density gives developers the flexibility to integrate diverse housing types in a given development, primarily by expanding allowable housing types to include both single and multifamily units. One common result of higher density is expanded housing choice. Higher density means less land per unit, reduced site preparation, and lower per unit infrastructure costs, all factors that reduce the hard costs of construction. This generally allows developers to provide more housing at a lower cost to the homeowner.

**3. Density expands transportation choices.** Higher density development expands transportation choices by making it easier to use non-automobile transportation – walking, bicycling, bus or rail, by locating activities closer together. Transportation choice gives people the freedom to select from a variety of transportation modes as they complete their daily travel. Transportation choice makes it possible for persons to choose the means of travel that makes most sense for them.

**4. Density helps minimize air pollution.** Since higher density communities can provide greater transportation choice, it is often the case that their residents drive less. One San Francisco study found that people in compact neighborhoods made 42-percent fewer auto trips than their counterparts in less compact neighborhoods. Also, with activities closer together, vehicle trips are shorter – with less vehicle miles traveled, less pollution is produced.

**5. Density enables protection of open space and provision of parkland.** Density allows communities to accommodate greater amounts of development on a given parcel(s) of land. This compact development relieves some of the pressure to develop open spaces. As a result, communities are able to preserve existing open space, create internal neighborhood parks and protect environmentally-sensitive lands.

**6. Density helps protect water quality.** As communities employ density to protect open space, they also achieve water quality benefits. Density protects water quality by minimizing the impervious surface per household. This in turn reduces storm water runoff.

**7. Density reduces infrastructure cost.** It is cheaper to serve more households in a smaller, denser area than to serve the same number of households across a larger, dispersed geographic area. Communities are recognizing the redundancy of paying for new infrastructure when existing infrastructure is underutilized.

buildings and open space. By creating high-quality communities with architectural and natural elements that reflect the interests of all residents, there is a greater likelihood that buildings (and therefore entire neighborhoods) will retain their economic vitality and value over time. In so doing, the infrastructure and natural resources used to create these areas will provide residents with a distinctive and beautiful place that they can call “home” for generations to come.

## 5. Make Development Decisions Predictable, Fair and Cost Effective

For a community to be successful in implementing smart growth, it must be embraced by the private sector. Only private capital markets can supply the large amounts of money needed to meet the growing demand for smart growth developments. If investors, bankers, developers, builders and others do not earn a profit, few smart growth projects will be built. Fortunately, government can help make smart growth profitable to private investors and developers. Since the development industry is highly regulated, the value of property and the desirability of a place is largely affected by government investment in infrastructure and government regulation. Governments that make the right infrastructure and regulatory decisions will create fair, predictable and cost-effective smart growth.

Despite regulatory and financial barriers, developers have been successful in creating examples of smart growth. The process to do so, however, requires them to get variances to the codes – often a time-consuming, and therefore costly, requirement. Expediting the approval process is of particular importance for developers, for whom the common mantra, “time is money” very aptly applies. The longer it takes to get approval for building, the longer the developer’s capital remains tied up in the land and not earning income. For smart growth to flourish, state and local governments must make an effort to make development decisions about smart growth more timely, cost-effective, and predictable for developers. By creating a fertile environment for innovative, pedestrian-oriented, mixed-use projects, government can provide leadership for smart growth that the private sector is sure to support.

## 6. Mix Land Uses

Smart growth supports the integration of mixed land uses into communities as a critical component of achieving better places to live. By putting uses in close proximity to one another, alternatives to driving, such as walking or biking, once again become viable. Mixed land uses also provide a more diverse and sizable population and commercial base for supporting viable public transit. It can enhance the vitality and perceived security of an area by increasing the number and attitude of people on the street. It helps streets, public spaces and pedestrian-oriented retail again become places where people meet, attracting pedestrians back onto the street and helping to revitalize community life.

Mixed land uses can convey substantial fiscal and economic benefits. Commercial uses in close proximity to residential areas are often reflected in higher property values, and therefore help raise local tax



## Density-related “myths”

**Myth #1: Density creates traffic congestion.** In the absence of other modes of transportation – rail or bus transit, walking, and bicycling – any development will add to neighborhood trips and congestion. To counteract this trend, communities need to increase the viability of non-auto modes of transportation. This counters congestion by providing options for people to make trips either on foot, by bicycle or rail and bus transit, rather than only by car. Density makes a wider range of transportation choices viable. The following features help increase non-auto travel:

- Sidewalks on both sides of all streets.
- Pedestrian routes that are straight, direct, and unimpeded.
- Parking behind structures and buildings closer to the sidewalk.
- Windows and doors of buildings facing the street and sidewalk directly, providing “eyes on the street” that enhances safety.

**Myth #2: Density clashes with existing communities.** It is possible to integrate density into a neighborhood so that it does not engender public disapproval. One poorly designed dense development can become a lightning rod for community opposition to density in successive years. New higher density development should fit into the vicinity into which it is being introduced. Successful dense developments will incorporate public participation into the design and approval process to ensure that community goals are met. Rather than increasing

opposition, a well-run public process will result in less opposition and more certainty for builders.

**Myth #3: Density-driven development will cost more in the long run.** Many jurisdictions are concerned about the fiscal impact of new development – particularly residential development. Concerns arise that new dense developments will overtax existing resources – schools, roads – and cost the community much more than lower density developments. In truth, dense developments help use existing resources most efficiently and cost the community much less than the same number of units accommodated in low-density development.

**Myth #4: Density eats up privacy and green space.** Well-designed dense residential developments include public and private spaces and provide residents with the opportunity and space to gather and socialize. Common open and civic spaces can include plazas, small parks, and squares within a development. Private open space includes balconies, courtyards, porches, and gardens connected to residences that overlook or are adjacent to the public realm: Streets, alleys, and parks.

**Making Density Work.** To make density work, to make it acceptable and even sought after, requires working with the community to create a well-designed, well planned development. Planning and designing as a team can minimize the perceived negative impacts of density, and maximize positive outcomes.





receipts. Businesses recognize the benefits associated with areas able to attract more people, as there is increased economic activity when there are more people in an area to shop. In today's service economy, communities find that by mixing land uses, they make their neighborhoods attractive to workers who increasingly balance quality of life criteria with salary to determine where they will settle. Smart growth provides a means for communities to alter the planning context which currently renders mixed land uses illegal in most of the country.

## 7. Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas

Smart growth uses the term "open space" broadly to mean natural areas both in and surrounding localities that provide important community space, habitat for plants and animals, recreational opportunities, farm and ranch land (working lands), places of natural beauty and critical environmental areas (e.g. wetlands). Open space preservation supports smart growth goals by bolstering local economies, preserving critical environmental areas, improving our community's quality of life, and guiding new growth into existing communities.

There is growing political will to save the "open spaces" that Americans treasure. Voters in 2000 overwhelmingly approved

ballot measures to fund open space protection efforts. The reasons for such support are varied and attributable to the benefits associated with open space protection. Protection of open space provides many fiscal benefits, including increasing local property value (thereby increasing property tax bases), providing tourism dollars, and decreases local tax increases (due to the savings of reducing the construction of new infrastructure). Management of the quality and supply of open

space also ensures that prime farm and ranch lands are available, prevents flood damage, and provides a less expensive and natural alternative for providing clean drinking water.

The availability of open space also provides significant environmental quality and health benefits. Open space protects animal and plant habitat, places of natural beauty, and working lands by removing the development pressure and redirecting new growth to existing communities. Additionally, preservation of open space benefits the environment by combating air pollution, attenuating noise, controlling wind, providing erosion control, and moderating temperatures. Open space also protects surface and ground water resources by filtering trash, debris, and chemical pollutants before they enter a water system.

## 8. Provide a Variety of Transportation Choices

Providing people with more choices in housing, shopping, communities, and transportation is a key aim of smart growth. Communities are increasingly seeking these choices – particularly a wider range of transportation options – in an effort to improve beleaguered transportation systems. Traffic congestion is worsening across the country. Where in 1982 65 percent of travel occurred in uncongested conditions, by 1997 only 36 percent of peak travel occurred did so.

## NAR Principles for REALTORS® and Smart Growth

In 1999 a special Presidential Advisory Group on Smart Growth developed five guiding principles specifically for REALTORS®:

**1. Provide Housing Opportunity and Choice:** Home ownership is the cornerstone of the American dream and deserves a preferred place in our system of values as it contributes to community responsibility; civic, economic, business, and employment stability; and family security and well-being. These objectives can be met through market-driven housing approaches that foster a wide range of urban, suburban, and rural housing choices at all price levels to suit a diverse population.

**2. Build Better Communities:** Real estate of all types flourishes best in livable communities that offer a high quality of life at a reasonable cost. Livable communities offer a variety of affordable housing choices, good schools, low crime, quality public services, efficient transportation systems, ample recreation and park areas, open space, strong employment base, and an economically viable commercial sector. To promote these essential livable community elements, growth policies should encourage market-driven and culturally diverse growth patterns that sustain and enhance a community's quality of life.

**3. Protect the Environment:** To maintain a region's quality of life and to protect the environment, governments at all levels

should consider policies and programs that aid the control of pollution; provide for programs that encourage preservation of natural resources, significant lands and properties of historic significance; and further encourage, through incentives, the protection of endangered species, aquifers, rivers/streams, agricultural lands, wetlands, scenic vistas, natural areas, and open space. Government must recognize the importance of local decision-making, private property rights, and the value of a healthy economic sector.

**4. Protect Private Property Rights:** Private property rights are fundamental to our free-market economic system and are protected by the 5th and 14th Amendments to the United States Constitution. The continued strength of our nation's economy depends on the preservation of the right to freely own, use, and transfer real property.

**5. Implement Fair and Reasonable Public Sector Fiscal Measures:** To support adequately the infrastructure needs of communities resulting from growth, governments at all levels should cooperate in the adoption of balanced, fair, equitable, and incentive-based approaches to finance and pay for the development, expansion, and maintenance of roads, schools, water, and sewer facilities. Revenue and financing mechanisms established to pay for necessary infrastructure costs should be shared proportionally by those segments of the population served by improvements.

In fact, according to the Texas Transportation Institute, congestion over the last several years has worsened in nearly every major metropolitan area in the United States.

In response, communities are beginning to implement new approaches to transportation planning, such as better coordinating land use and transportation; increasing the availability of high quality transit service; creating redundancy, resiliency and connectivity within their road networks; and ensuring connectivity between pedestrian, bike, transit, and road facilities. In short, they are coupling a multi-modal approach to transportation with supportive development patterns, to create a variety of transportation options.

## 9. Strengthen and Direct Development Towards Existing Communities

Smart growth directs development towards existing communities already served by

infrastructure, seeking to utilize the resources that existing neighborhoods offer, and conserve open space and irreplaceable natural resources on the urban fringe. Development in existing neighborhoods also represents an approach to growth that can be more cost-effective, and improves the quality of life for its residents. By encouraging development in existing communities, communities benefit from a stronger tax base, closer proximity of a range of jobs and services, increased efficiency of already-developed land and infrastructure, reduced development pressure in edge areas thereby preserving more open space, and, in some cases, strengthening rural communities.

The ease of greenfield development remains an obstacle to encouraging more development in existing neighborhoods. Development on the fringe remains attractive to developers for its ease of access and construction, lower land costs, and potential for developers to assemble



larger parcels. Typical zoning requirements in fringe areas are often easier to comply with, as there are often few existing building types that new construction must complement, and a relative absence of residents who may object to the inconvenience or disruption caused by new construction.

Nevertheless, developers and communities are recognizing the opportunities presented by infill development, as suggested not only by demographic shifts, but also in response to a growing awareness of the fiscal, environmental, and social costs of development focused disproportionately on the urban fringe. Journals that track real estate

By encouraging buildings to grow vertically rather than horizontally, and by incorporating structured rather than surface parking, for example, communities can reduce the footprint of new construction, and preserve more green space. Not only is this approach more efficient by requiring less land for construction, it also provides and protects more open, undeveloped land that would exist otherwise to absorb and filter rain water, reduce flooding and storm water drainage needs, and lower the amount of pollution washing into our streams, rivers and lakes.

Compact building design is necessary to support wider transportation choices,

**“[Smart growth is] Growing in an economically efficient manner so that the new addition provides a positive contribution to the greater whole of the built environment.”**

**– Vince Graham, founder and developer of the award-winning smart growth community I’On near Charleston, South Carolina**

trends routinely cite the investment appeal of the “24-hour city” for empty nesters, young professionals, and others, and developers are beginning to respond. A 2001 report by Urban Land Institute on urban infill housing states that, in 1999, the increase in housing permit activity in cities relative to average annual figures from the preceding decade exceeded that of the suburbs, indicating that infill development is possible and profitable.

## **10. Take Advantage of Compact Building Design**

Smart growth provides a means for communities to incorporate more compact building design as an alternative to conventional, land-consumptive development. Compact building design suggests that communities be designed in a way which permits more open space to be preserved, and that buildings can be constructed which make more efficient use of land and resources.

and provides cost savings for localities. Communities seeking to encourage transit use to reduce air pollution and congestion recognize that minimum levels of density are required to make public transit networks viable. Local governments find that on a per-unit basis, it is cheaper to provide and maintain services like water, sewer, electricity, phone service and other utilities in more compact neighborhoods than in dispersed communities.

Research based on these developments has shown, for example, that well-designed, compact New Urbanist communities that include a variety of house sizes and types command a higher market value on a per square foot basis than do those in adjacent conventional suburban developments. Perhaps this is why increasing numbers of the development industry have been able to successfully integrate compact design into community building efforts. This despite

current zoning practices – such as those that require minimum lot sizes, or prohibit multi-family or attached housing – and other barriers – community perceptions of “higher density” development, often preclude compact design.

REALTORS® across the country have been educating themselves and their communities about the principles of smart growth. Read about the Florida Association’s Smart Growth Task Force and the Michigan Land Use Academy in Section V.

## ONLINE RESOURCES

*NAR Smart Growth homepage:*  
**[www.realtor.org/smartgrowth](http://www.realtor.org/smartgrowth)**

*Smart Growth Network:*  
**[www.smartgrowth.org](http://www.smartgrowth.org)**

*Smart Growth America:*  
**[www.SmartGrowthAmerica.org](http://www.SmartGrowthAmerica.org)**

*American Planning Association:*  
**[www.planning.org/sgreader](http://www.planning.org/sgreader)**

Topics in  
Smart Growth





The vision driving smart growth is that communities get better as they grow while remaining both economically viable and environmentally responsible.

## IIIA. Open Space

**A**s recently as a century ago, the term “open space” would have sounded strange to most Americans. Though industrialization had brought a lot of people to the rapidly growing cities, the U.S. was largely a rural country. But as our nation has become increasingly urban, with most people now living within the orbit of a city, the concept of open space – the land we choose not to build upon – has growing salience.

Although vast areas of the country remain undeveloped, this is little comfort to residents of rapidly spreading metro areas, who see viable farms, forests, coastal marshes and other treasured landscapes and ecologically sensitive lands overtaken or marred by poorly planned development. Development in urban areas is increasing at a faster rate than in the past and farmland loss rose dramatically during the 1990s. While the percent of U.S. land that is developed is estimated to be between five and seven percent, the American Farmland Trust estimates that 15 percent of all land developed in U.S. history was developed in the most recent five-year period. Between 1992 and 1997, the nation lost 1.2 million acres of farm and ranch land each

year – 51 percent higher than the previous 10 years.

Ironically, even as we have become a more urban nation, we have actually become less conscientious about planning for public green space, particularly in rapidly developing suburbs. In the late 1800s and early 1900s, city governments and venerable landscape architects like Frederick Law Olmsted – creator of New York’s Central Park and Washington D.C.’s National Zoo – made green space an integral part of the developing landscape, and cities large and small created public parks. After World War II, when America’s growth shifted to the suburbs, plans often called for developers

simply to leave a certain percentage of land within their projects undeveloped, resulting in “open space” of little real value or perceived benefit. In recent years, more people are realizing that this haphazard approach is not in the public’s best interest and are looking for new ways to protect and plan for open space that meets local needs and preserves the character of a place.

A fundamental concept of smart planning is that communities must make





a conscious choice about what land will be developed and what will remain open, whether as a park, preserve, working farm, wetland, stream buffer, wildlife habitat or other function. In recent years a growing number of states and localities have approved bond and other financing to buy and protect land. Though popular, these measures rarely provide enough money for all the land that communities may find necessary or desirable to protect. For that reason, communities across the country are developing a range of techniques for designating and protecting natural and open areas. These can include making careful decisions about the expansion of infrastructure to support development, or drawing actual boundaries for urban services. In some cases, the public or non-profits may purchase the “development rights” on property, rather than the land itself, or may allow developers to purchase those rights in exchange for

higher density in a zone that is designated for development. Subdivisions may “cluster” homes on smaller lots, leaving large tracts undeveloped. These and other techniques are described in detail in Section IV, “Smart Growth in Practice.”

## ONLINE RESOURCES

*Trust for Public Land:*

**[www.tpl.org](http://www.tpl.org)**

*American Farmland Trust:*

**[www.aft.org](http://www.aft.org)**

*Land Trust Alliance:*

**[www.lta.org](http://www.lta.org)**

*Project for Public Spaces:*

**[www.pps.org](http://www.pps.org)**

## IIIB. Transportation

**T**raffic congestion is one of the biggest irritants of modern life in most American communities. In NAR surveys, people consistently rank traffic congestion as one of their top concerns. A substantial majority also say that merely laying more pavement is unlikely to solve the problem by itself. They intuitively realize what many transportation and planning experts have come to understand in recent years: The underlying problem is not a shortage of pavement, but rather the way we build cities and metro regions.

When it comes to transportation, most Americans have little choice but to drive everywhere for everything they do. We love the mobility cars can provide, but the need to spend growing numbers of hours behind the wheel is not happening by choice. Rush hour travel times have tripled over the past two decades, while the average annual delay per person increased from seven hours in the early 1980s to 26 hours in 2003, according to the *Urban Mobility Study* by the Texas Transportation Institute (TTI).

A number of factors are involved, but they fall into three main categories:

### 1 Road system design

In the last few decades, road networks have been built, not as an interconnected grid system that offers many routes, but according to a hierarchy that forces large volumes of traffic onto a few key corridors. Subdivision streets end in cul-de-sacs rather than connecting, and all traffic must leave through one or two exits, usually onto a collector street that leads to a busy arterial road. These same arterials, which carry all the area's commercial traffic, lead to freeways that are overloaded with local traffic, even when they ostensibly are designed as "interstates" or "bypasses".

### 2 Haphazardly planned development

Many local governments, particularly in rapidly growing areas, allow development to happen in

a way that overwhelms road systems. Arterials become clogged with cars entering and leaving shopping centers and drive-throughs, each with their own driveway and large parking lot. And because the developments don't connect to each other and walking and bicycling are hazardous, people must drive from one store to another. Under conventional zoning, the strict separation of stores from offices, offices from homes, and schools from neighborhoods prevents building mixed-use districts where people could accomplish many things with fewer, shorter car trips or by walking.

### 3 Lack of alternatives

Meanwhile, many communities lack convenient public transportation services, when they have transit at all. In some ways this is a chicken-and-egg conundrum: Places designed for automobile dependence make transit service difficult or impossible to provide, because destinations are too spread out, and walking to and from stops or stations is dangerous or uninviting. These areas are too spread out for economical rail service or buses that come often enough to be convenient. In many of the same areas, pedestrians along the high-speed roads must make do with a dusty dirt track through the grass, and people riding bicycles feel unwelcome and unsafe.

With so many people having to make long commutes to find housing they can afford, the rising costs of gasoline, insurance and



vehicles themselves is creating its own burden. Americans now spend three times more on transportation than they do on health care. According to the Surface Transportation

transportation, and a higher percentage of their income to transportation, than people who live in close-in places with more options. The Center for Transit Oriented

**“The elements of smart growth are all about livability and transportation is the thing that can make an area least livable.”**

**– Pat Kaplan, REALTOR®, of Kaplan Real Estate Group**

Policy Project (STPP), U.S. transportation costs consumed nearly 20 cents of every dollar spent in 2001, second only to housing, which cost about 33 cents of every dollar. An average family pays \$7,633 annually for cars, insurance, gas, maintenance, and other expenses, compared to about \$13,000 for housing and \$2,000 for health care. People who live in isolated suburbs pay more for

Development has created a Housing and Transportation Affordability Index that assesses this relationship in 42 cities.

Regardless of location, low-income families feel the transportation pinch the most. The poorest 20 percent of American households spend more than 40 percent of their income on transportation, which often puts home

ownership out of reach and limits their ability to improve their financial situation.

Many communities have begun to recognize these interlocking issues and are starting to plan how they grow so that development, the road network and transit service are coordinated and reinforce each other. They may continue to invest in fixes for existing road bottlenecks. But for long-term congestion relief they are working to give people more options, so that they may choose a location within a region that offers a shorter commute or fewer car trips, or a neighborhood where daily needs are close at hand. Or, they may choose to drive for some trips while taking a train, bus or bicycle for others.

“The elements of smart growth are all about livability,” says REALTOR® Pat Kaplan of Kaplan Real Estate Group, “and transportation is the thing that can make an area least livable.” Communities across the country are discovering that improving transportation corridors leads to increased home values and increased economic activity. For example, in Washington DC, the ‘Great Streets’ program improves urban transportation corridors specifically as an economic development measure. REALTOR® Linda Clark in Fort Worth, Texas tells her story of how creating a ‘complete streets’ help revitalize a commercial district in her community in Section V.

One of the most popular ways to deliver transportation choice is to begin to build what is known as “Transit-Oriented Development” (TOD), which orients new development around a convenient transit node. Other communities are working hard to improve bus and train service and create communities with ‘complete streets’ that are safe and

comfortable for walking and bicycling. See Section III for more information about transportation issues and policies.

While TTI’s 2003 study showed that congestion continues to worsen, it also highlighted that the burden would be far greater without some existing remedies. The study looked at the effect of public transportation, bus and carpool lanes, and certain intelligent transportation solutions and concluded that these remedies reduced the amount of annual congestion delay by several hours per commuter. According to the American Public Transportation Association, public transportation ridership has increased 22 percent in the last six years.

## ONLINE RESOURCES

*Community Transportation Association:*  
**[www.ctaa.org](http://www.ctaa.org)**

*Federal Highway Administration:*  
**[www.fhwa.dot.gov/csd](http://www.fhwa.dot.gov/csd)**

*Federal Transit Administration:*  
**[www.fta.dot.gov](http://www.fta.dot.gov)**

*Surface Transportation Policy Project:*  
**[www.transact.org](http://www.transact.org)**

*Texas Transportation Institute:*  
**[www.tti.tamu.edu](http://www.tti.tamu.edu)**

*Center for Transit Oriented Development:*  
**[www.reconnectingamerica.org/html/TOD/](http://www.reconnectingamerica.org/html/TOD/)**

*National Complete Streets Coalition:*  
**[www.completestreets.org](http://www.completestreets.org)**

*District of Columbia’s Great Streets program:*  
**[www.greatstreetsdc.com/](http://www.greatstreetsdc.com/)**

## IIIC. Revitalizing Cities and Older Suburbs

**T**hroughout much of the 20th century, the United States experienced unprecedented migration and growth away from cities and into suburbs. Millions of families traded real and perceived increases in crime, pollution, and congestion of the cities for the allure of larger lots, cheaper houses and less-troubled schools of the suburbs. With each passing year, the development went farther and farther from the urban core, eating up farms and forests while more and more buildings in and around downtown centers were boarded up or barely used.

In many ways, the disinvestment in neighborhoods is the flip side of the proliferation of suburban subdivisions. The departure of middle-class residents and tax dollars left schools and services to deteriorate, in some areas creating a ‘concentration of poverty’ that exacerbated crime and disengagement. Complex property laws prevented cities from doing anything when properties became vacant, attracting drug users and more crime. Strict building codes, other regulations and the complexity of revitalizing old structures kept most developers away.

And then, something unexpected happened in the late 1990s: More people started moving back into American cities. Because increased growth in older areas can help reduce demand on outlying areas, this trend could help slow the pace of suburban sprawl.

Revitalizing older neighborhoods helps curb growth in outlying areas by making efficient use of existing assets. The Urban Land Institute’s book “Making Smart Growth Work” notes that renewed interest in these areas adds also to the quality of life in metropolitan regions in several ways:

- Urban locations are highly accessible;
- Revitalized residential and commercial neighborhoods make distinctive places;

- The use of existing infrastructure capacity means less construction of new facilities;
- The revitalization of existing outdoor assets (waterfronts, parks, historic districts, scenic streets) provides recreational opportunities;
- Important cultural facilities and civic institutions, such as concert halls, museums and theaters, gain support from a denser population.

REALTORS® across the country note a trend of people seeking the convenience of close-in living and businesses rediscovering long-forgotten retail opportunities.

“You can take areas that produce a half-million dollars a year in property tax and turn them into places that produce \$20 million a year in property taxes,” says commercial REALTOR® and developer Robert Clement III, who invests in and revitalizes distressed properties in Charleston, S.C. He says his company, Clement, Crawford & Thornhill, has been nicknamed “sprawl busters” by others in the community. “For every one acre of redevelopment, you might save seven acres of greenfield.” Clement has helped convert a shuttered hospital into a bio-tech incubator and is in the process of converting about

“You can take areas that produce a half-million dollars a year in property tax and turn them into places that produce \$20 million a year in property taxes.”

Robert Clement III, Commercial REALTOR® and developer

600 acres of former industrial riverfront property into a New-Urbanist mixed-use development straddling Charleston and North Charleston.

Revitalization and infill are not limited just to housing. After bypassing urban areas and first-ring suburbs for years, retailers are rediscovering these areas. Dozens of shops and restaurants have cropped up throughout Arlington, Virginia, especially in areas conveniently located along Washington, D.C.’s subway line. The Super Stop & Shop in Boston’s South Bay Center ranks as the company’s top-grossing store, while the Whole Foods chain of grocery stores has opened several successful locations in underutilized sites within redeveloping neighborhoods. New “town centers” are emerging in former strip plazas from Silver Spring, Maryland to West

Dallas, Texas. Cities are learning techniques to make it easier to redevelop and renovate, by creating special building codes, revamping vacant property laws, and making permitting easy for developers.

### ONLINE RESOURCES

*Best Practices for Infill Development:*  
[www.realtor.org/brownfieldrelevel](http://www.realtor.org/brownfieldrelevel)

*Urban Land Institute:*  
[www.uli.org](http://www.uli.org)

*“Malls to Main Streets”:* <http://cnuinfo.stores.yahoo.net/mainma.html>

*Vacant Properties Campaign:*  
[www.vacantproperties.org](http://www.vacantproperties.org)

## IIID. Schools and Neighborhood Planning

**E**very REALTOR® knows the importance of schools to quality of life and property values. Most citizens know this, too. Yet very few jurisdictions in the country coordinate planning for growth and development with the local school system, and very few districts fully consider the impact of the design, location and operation of schools on neighborhoods and towns.

Over the last few decades we have gradually lost the traditional neighborhood school, the beautiful two-story building that fit into its surroundings, with a playground bigger than the parking lot, that most kids could safely walk to. Traditional neighborhood schools have been abandoned or threatened by one-size-fits-all standardization that favors building new over maintaining older schools. Many states follow a “two-thirds” rule: when the cost to refurbish an old school is at least two thirds of the cost to build a new facility, districts receive state funding only if they build new. Potential renovation is further restricted by inflexible building codes, often impossible for older schools to meet and updated so frequently that even new buildings can quickly become non-compliant. High acreage requirements, advocated until recently by the Council of Educational Facility Planners International (CEFPI), have forced communities to move schools out of neighborhoods to the edge of town, swallowing farms and open land to accommodate excessive site size requirements. (Acknowledging that many of its recommended size requirements were arbitrarily large, CEFPI recently amended its guidelines.)

Large, new schools built in a previously undeveloped area often act as a magnet for new residential development, drawing people and resources away from existing schools and neighborhoods. Because school districts and local governments do their planning in isolation from one another, the new growth often takes local officials by surprise, causing

them to scramble to build the roads, water mains, sewer lines and other services to support it. This uncoordinated planning is one reason many suburban schools open with classroom trailers parked outside, the critics say. Large, drive-to schools that can't fit comfortably in neighborhoods fail to serve as the neighborhood resource and focal point that they might. Rather than a neighborhood asset, today's auto-oriented schools are seen as such traffic generators that residents actually fight to keep them out.

When schools are built on the edge of town, more tax money must be spent to extend infrastructure and roads and bus more kids longer distances from home to school. For example, though Maine lost 27,000 students between 1970 and 1995, school busing costs in the state rose from \$8.7 million to over \$54 million. For the neighborhood that has lost its school, property values tend to drop substantially as residents perceive disinvestment in their community. A 1999 study produced by Case Western Reserve University and Pricewaterhouse showed that disrupting neighborhood schools reduces property values by 9.9 percent.

A lack of careful, coordinated planning between school districts and local jurisdictions exacerbates problems. School districts are often exempt from local planning decisions, leading to isolated school building and site selection choices, made without input from the communities schools are supposed to serve. Zoning and development codes that sequester shops,



jobs, and housing from schools create gulfs between daily destinations. These schools are often in areas with wide, multi-lane roads that encourage high speed traffic and hazardous intersections, cul-de-sacs and winding subdivision roads with few entrances and exits, and missing and incomplete sidewalks. This makes walking or biking dangerous and confusing, if not impossible, so kids depend on adults for transportation.

In fact, many jurisdictions actively discourage kids from walking to modern schools. In suburban DeKalb County, Georgia, 57 percent of school principals rate the area around their schools moderately to extremely dangerous for kids on foot or bicycle, according to a survey by the county health department. Neighboring Gwinnett County actually has sited schools on highways in commercial and light industrial zones in order to fetch a higher resale price should the school fall into disuse. Indeed, the phenomenon of building spread-out schools in unwalkable environments is so common it now has a name: “school sprawl”.

As a result, fewer children walk or bicycle to school. As recently as 1969 roughly half of all students walked or biked to school. In 2001 the number was closer to one in 10. A study in South Carolina discovered that children are four times as likely to walk to schools built before 1983 than to those built after that year. The report attributed the change largely to the increasingly remote and pedestrian-hostile settings of newer schools. Public health officials

now recognize the costs, in the childhood obesity epidemic. At the same time, the rise in rush-hour traffic associated with school trips has been identified by the U.S. Environmental Protection Agency as a key contributor to air quality problems in a number of cities.

Now, smart growth advocates, public health officials, historic preservationists, and advocates for small and community schools are all working together to change the way schools are built and renovated.

Smaller schools have lower dropout rates and less violence, several studies indicate. Students at small schools attend more regularly, have higher grades, and are more likely to participate in after-school enrichment activities. More adults volunteer at schools in the center of their neighborhoods than at those on the edge of town. In fact, participation in civic activities declines by 10 percent with every 10 minutes spent in traffic, according to researcher Robert Putnam, author of “Bowling Alone”. Educators nationwide confirm that smaller, central schools act as anchors and magnets for communities. Schools districts and states are taking a second look at revitalizing historic old school buildings, and many communities are taking advantage of a new federal “Safe Routes to School” program that invest transportation dollars in making it safe for kids to walk and bicycle to school. For more information, see NAR’s Public Schools Toolkit for REALTORS®.

### ONLINE RESOURCES

NAR’s *Public Schools Toolkit for REALTORS®*:  
[www.realtor.org/pubschoolstoolkit](http://www.realtor.org/pubschoolstoolkit)

*Safe Routes to School Program*:  
[www.saferoutestoschools.org](http://www.saferoutestoschools.org)

*“Why Johnny Can’t Walk to School”*:  
[www.nationaltrust.org/issues/schoolsRpt.pdf](http://www.nationaltrust.org/issues/schoolsRpt.pdf)

*Council of Educational Facility Planners International*: [www.cefpi.org](http://www.cefpi.org)



## III.E. Housing Affordability

One of the central goals of smart growth principles is to expand the range of choice in housing, both in style and location. The idea is that homes for the people who live, work and play in our metropolitan regions should be both affordable and accessible to jobs and essential services. Across the region, each jurisdiction should accommodate owner-occupied, rental and low-income housing in a mix that doesn't disadvantage any community.

Most REALTORS® are familiar with the phrase, “Drive until you qualify.” What they mean, of course, is that families in search of their piece of the American Dream increasingly must drive farther and farther into the hinterland to find homes with mortgages they can afford. This simple equation is based on the fact that large-scale housing developments are often designed for a single income bracket. While many of the subdivisions offer very similar detached homes, the price difference is based mainly on their distance from convenient city and town centers. Such homogenous development has limited the choices open to families.

Market surveys and real-life experience shows that many people would gladly buy or rent in closer-in areas, and would be happy with a townhouse, apartment or a house on a smaller

lot in a well-designed neighborhood – if they could afford it. Yet until recently the market has not offered many of these options, and close-in housing has become prohibitively expensive.

Poorly planned growth and unfair zoning practices and codes have meant reduced variety, rising costs, and limited choices in the housing market. The regulatory practices often referred to as “exclusionary zoning” mandate large lot and house sizes or forbid smaller, rental, or multi-unit buildings, essentially restricting development to one-size-fits-all, high-cost housing. Existing neighborhoods convenient to amenities are being converted to well-to-do enclaves, and the high-dollar housing built on the suburban fringe near new office and commercial campuses offers too few affordable options. The increase in average home size has

### **Housing is becoming more costly and less available to increasing numbers of people.**

- ▶ For the last several years, rents have been rising faster than wages. At the same time, workers earning the median wage of \$14 can't afford to rent a two-bedroom apartment in most markets, and 11 of the 20 fastest-growing jobs pay less than \$20,000.
- ▶ The supply of low- and moderately-priced rentals has been shrinking since

the mid-1980s, and new apartments are increasingly expensive.

- ▶ Meanwhile, affordability problems are creeping up the wage scale, according to the Joint Center for Housing Studies at Harvard University. The number of households earning between \$32-50,000 per year who must spend 30 percent or more of their incomes on housing increased 40 percent between 1997 and 2001.

also made affordability more difficult to achieve; the average home size went from 1,500 square feet in 1970 to more than 2,400 square feet in 2005. This gentrification and the isolation of job centers far from the homes accessible to many families blocks workers from opportunities promised by development. Other regulations and tax codes that deter maintenance of rental units, block the redevelopment of vacant property, and encourage new construction over preservation all bar the upkeep and replacement of rental housing.

The problem is most acute for those on the lowest end of the wage scale. Affordability issues are especially tough for the country's fastest-growing minority, Hispanics, whose ownership rates continue to lag behind those of the general population, as do those of African-Americans. In 2005, the National Low Income Housing Coalition reported that there was not a locale in the United States where a full-time, minimum-wage earner could afford fair-market rent for a two-bedroom apartment. And the U.S. Department of Housing and Urban Development (HUD) reports that approximately 5.4 million households in the United States - an all-time high - face worst-case housing needs, defined as living in severely inadequate housing or paying more than half of their income for housing.

In job centers, housing options are not being built at price ranges commensurate with the salaries of those who work nearby, burdening both employees and businesses. Businesses in regions lacking workforce housing close to reliable transit have trouble attracting employees, especially low-wage and entry-level workers like recent college graduates and service staff:

- ▶ The employer-led Silicon Valley Leadership Group (SVLG) reports that even high-wage Bay Area tech firms rank the cost of housing first and traffic congestion third as top concerns in “retaining a highly skilled workforce.”
- ▶ The Atlanta Neighborhood Development Partnership found that in the 1990s, much

of the new housing built in the 10-county region was high-end, despite the fact that two-thirds of jobs pay no more than \$40,000. As a result, Atlanta's key jobs centers have a shortfall of 185,000 homes for those earning less than \$35,000.

- ▶ Metropolis 2020 observes that in Chicago's Naperville suburb, “a high proportion of new single family homes are affordable only to workers with a household income over \$80,000, while a high proportion of jobs created [there] in the 1990s paid \$30,000 or less.”

Many communities are beginning to recognize the seriousness of this problem and the need to house firefighters and police officers, teachers and librarians, and nurses, and home health aides. Recent graduates, young couples, and grandparents all need affordable housing. They are starting to encourage diverse housing options such as ‘granny flats,’ mixed-income developments, and projects to redevelop unused buildings. They are also requiring and rewarding developers that incorporate affordable units into their projects.

Cities, towns, and suburbs can employ smart growth principles to build homes that serve all members of the community, accommodating new populations and helping current residents find what they want. Sound growth management policies provide more affordable housing than traditional land use policies, according to a report by the Brookings Institution.

## ONLINE RESOURCES

*NAR's Housing Opportunity Program:*

**[www.realtor.org/housingopportunity](http://www.realtor.org/housingopportunity)**

*Joint Center for Housing Studies, Harvard University:* **[www.jchs.harvard.edu](http://www.jchs.harvard.edu)**

*“Making the Case for Mixed Income, Mixed Use Communities”:* **[www.smartgrowthamerica.org/AtlantaAffordabilityReport.pdf](http://www.smartgrowthamerica.org/AtlantaAffordabilityReport.pdf)**

**[www.smartgrowthamerica.org/AtlantaAffordabilityReport.pdf](http://www.smartgrowthamerica.org/AtlantaAffordabilityReport.pdf)**

*“Meeting Our Nation's Housing Challenges”:* **[www.mhc.gov/MHCReport.pdf](http://www.mhc.gov/MHCReport.pdf)**

## IIIF. Public Health

**S**pread-out development was in part born out of a public health movement to separate where people lived from the factories then common in cities. “Garden cities” of suburban housing developments were also seen as an antidote to overcrowded cities where disease spread too easily. Now, both of these threats have virtually disappeared, and we are coping with a new set of health problems that are aggravated by spread-out, auto-oriented development.

**Physical Inactivity.** Only about one-quarter of Americans get the recommended amount of exercise, while approximately 40 percent of Americans are entirely sedentary. Traditional sprawling development patterns discourage, rather than encourage, everyday physical activity. People who live in spread out, sprawling areas are less likely to have easy opportunities to get physical activity in the course of a day. They may live in housing subdivisions that are isolated from stores, schools, or other destinations that they or their children may want to reach on foot.

Neighborhood streets may connect only to busy high-speed arterial roads that are unpleasant or even unsafe for walking or biking. Transit service may be infrequent or too far away. And the many places they need to visit in a day may be many miles apart, but with convenient parking just steps from the front door. That means the most obvious and practical way to get everything done is via automobile. In fact, as a result of these changes to our landscape, the number of trips that U.S. adults made on foot plummeted 42 percent between 1975 and 1995, while the annual number of miles driven per person increased four times faster than the population. This lack of activity has contributed to the obesity epidemic and is a factor in more than 200,000 deaths a year.

Fortunately, smart growth development helps reverse the trend. According to public health

research, people who live in neighborhoods with a mix of shops and businesses within easy walking distance have a 35 percent lower risk of obesity, and people in walkable neighborhoods – and those who take transit regularly – are more likely to meet minimum physical activity standards. The Centers for Disease Control and Prevention and the National Institutes of Medicine are both now recommending encouraging such ‘active living’ through changes to the built environment.

**Air and Water Pollution.** Recent studies have demonstrated that people in more sprawling places breathe more polluted air, and that the degree of the sprawl directly correlates to the severity of the pollution. The reason is that sprawling development requires more driving, which creates more emissions. In fact, the difference in ozone levels between the most sprawling and least sprawling metro areas is 41 parts per billion: enough to shift a metro area from “code green” air quality to an unhealthy “code red.” [this is from the first Measuring Sprawl” report conducted by Reid Ewing for SGA].

Research shows that the more we drive, the more smog and ozone we create, and the more these byproducts of driving contribute to rising rates of asthma in American children and in adults. In fact, during a period of rapid suburbanization between 1980 and 1995, children’s asthma rates doubled, and



one in ten Americans now suffers from the condition. Other pollutants emitted by cars, such as benzene and particulate matter, better known as soot, are associated with increased risk of lung and other cancers, particularly for those who live near major roadways. Ninety percent of total cancer risk in the Los Angeles Basin is attributable to toxic air pollutants emitted by mobile sources. See: South Coast Air Management District Multiple Air Toxics Exposure Study (MATES-II) at [www.aqmd.gov](http://www.aqmd.gov)

Sprawling development also degrades water quality, mainly by creating more “impervious surface” so rainwater laden with automobile oil, trash and other pollutants rushes into nearby streams.

Smart growth solutions can help address both air and water quality, and some jurisdictions are encouraging smart growth developments as a way to meet air quality standards.

**Traffic Safety.** Traffic crashes are a leading cause of death and injury in the United States, killing about 42,000 people every year, and people living in sprawling areas are more likely to die either as motorists or as pedestrians. Sprawling developments typically include high-speed roads that are more hazardous for people on foot and bicycle, while smart growth neighborhoods encourage slower traffic and include sidewalks and other essential facilities for safe walking and bicycling.

Studies find that the most sprawling metropolitan areas, built with the longest distances between destinations, and the most car-centric road designs, have the highest traffic injury and fatality rates and are the most dangerous for walkers, cyclists, **and** drivers. For example, in the nation’s most sprawling region, Riverside, California, 18 of every 100,000 residents die each year in traffic crashes. The eight least sprawling metro areas all have traffic fatality rates of fewer than 8 deaths per 100,000.

Smart growth helps address traffic safety by creating “complete streets” that work for everyone who is using them, and by retrofitting streets with “traffic calming” measures that slow traffic. Perhaps more importantly they allow more people to get out of their cars – and studies show that the more people out walking and bicycling, the safer the streets.

#### ONLINE RESOURCES

*Active Living by Design:*  
[www.activelivingbydesign.org](http://www.activelivingbydesign.org)

*Measuring the Health Effects of Sprawl:*  
[www.smartgrowthamerica.org/  
healthreport.html](http://www.smartgrowthamerica.org/healthreport.html)

*Mean Streets 2004: Traffic and Pedestrian Safety:* [www.transact.org/  
report.asp?id=235](http://www.transact.org/report.asp?id=235)

## III.G. Economic Progress and Fiscal Prudence

Americans are paying \$84 million a day (\$31 billion annually) to live in communities that are laid-out inefficiently, according to the 2005 book, *Sprawl Costs: Economic Impacts of Unchecked Development*, the culmination of a 10-year research effort at Rutgers University and the Brookings Institution. “We are all paying a staggering price for sprawling development in this country, and that price will only go up as gas prices increase,” writes coauthor Robert Burchell. “Sprawling communities need longer public roads, increase the cost of new water and sewer hookups by 20 percent to 40 percent, impose higher costs on police and fire departments and schools, and more. These costs are passed on to businesses and residents through higher taxes and fees and sometimes through fewer public services. And in most cases, sprawling developments do not generate enough property taxes to cover these added costs.”

Shifting just 25 percent of low-density development to more compact growth would save American taxpayers billions of dollars, according to *Sprawl Costs*. For example, we would save:

- \$2.6 billion over 25 years (from 2000 – 2025) because 4.6 million fewer water and sewer hookups would be needed for single-family, detached homes;
- \$110 billion over 25 years in road construction costs because the need for local roads would be reduced by 188,000 lane miles;
- \$24 million/day in costs associated with the automobile because Americans would drive 56 million fewer miles each day (calculated when gasoline was less than \$2 a gallon.)

In November, 2002, Federal Reserve governor Edward Gramlich cited another study by the Research Institute for Housing America in telling a Fed-sponsored conference that smart growth strategies could save \$250 billion in infrastructure costs over the next 25 years.

“Fix it first.” Even as we’re over-investing in subsidizing new sprawl development,

we’re dramatically under-investing in maintenance, repair and upgrading of infrastructure in existing areas. This is economically unsustainable in the long haul, notes Professor Burchell. As rising gas prices squeeze taxpayers and budgets tighten for state and local governments, more and more officials – in states from Massachusetts to Pennsylvania to Tennessee – are abandoning traditional subsidies for sprawl development and adopting a “Fix it First” policy. Where they are undertaking new capital projects, they are insisting that hard-won infrastructure investments go as far as possible. They’re investing in sensible economic development, preparing for future growth, and properly accounting for and deploying the scarce resources they possess.

### Preserving and expanding the tax base.

When economic vitality departs existing areas for sprawling new locales, remaining taxpayers suffer a double whammy of declining services and rising tax rates, even as residents of the receiving areas see their taxes rise to accommodate new growth. By emphasizing strategies such as the revitalization of depressed areas, the reuse of aging buildings, redevelopment of dying strip centers and



development of vacant and abandoned properties, communities can build the tax base for the benefit of both city and suburb dwellers. A prime example is the cleanup and use of “brownfield” industrial sites. According to one estimate, every acre of brownfield that is redeveloped saves 4.5 acres of open space [President Bush during signing ceremony for Brownfields Act, 2002].

**Strengthening regional economies.** Smart growth is critical to the long-term economic sustainability of metropolitan regions. When employers can’t recruit a reliable workforce because of grueling commutes; when working parents can’t find housing that puts them within reach of both jobs and their children; when key industries are scattered randomly so that they have all the disadvantages and none of the important benefits of aggregation; when quality of life begins to erode – people and businesses leave and economies decline. Beyond that, however, there is growing research demonstrating that productivity

and overall economic performance are improved when smart growth elevates regions’ employment density, improves transportation efficiency, and reduces city-suburb gaps in economic health.

**Community character, quality of life and the “creative class”.** Richard Florida, author of “The Rise of the Creative Class,” offers yet another argument in favor of the kinds of communities smart growth aims to produce. According to Florida, metropolitan regions that are mostly placeless sprawl lacking in vibrant centers of urbanity are competing poorly in the changing economy. In a 2003 article for *Washington Monthly*, he wrote:

*“My research finds mobile, demanding creative workers migrating to certain kinds of places they favor: places where they can find not just “a job” but lots of opportunities, and where they can find participatory amenities – active outdoor sports, not just stadiums; café-and-gallery “street-level” culture, not the symphony. They also seek places of demographic diversity, openness to newcomers, and stimulating cultural interplay. And the catch is, such regional qualities tend to be self-reinforcing. A region with many creative industries and creative-class workers will thus attract more of both, while the losing regions – well, they lose them.”*

## ONLINE RESOURCES

*Smart Growth is Smart Business:* [http://sgusa.convio.net/site/PageServer?pagename=smart\\_business](http://sgusa.convio.net/site/PageServer?pagename=smart_business)

*Workforce Development and Smart Growth:* [http://www.fundersnetwork.org/info-url\\_nocat2778/info-url\\_nocat\\_show.htm?doc\\_id=51633](http://www.fundersnetwork.org/info-url_nocat2778/info-url_nocat_show.htm?doc_id=51633)

*Investing in a Better Future:* [http://www.brookings.edu/urban/publications/200403\\_smartgrowth.htm](http://www.brookings.edu/urban/publications/200403_smartgrowth.htm)

## IIII. Smart Growth in a Rural Setting

**A**dapted from the Urban Land Institute, as published in “Solving the Problem of Sprawl: 10 Principles for Smart Growth on the Suburban Fringe” in *On Common Ground Magazine*, Winter 2006.

America is a nation with an unquenchable thirst for developing land. And the majority of that growth is in the ever-expanding suburbs. Planners, researchers, developers and even the staunchest conservationists concede that there is no way to stem the demand for suburban and exurban growth. So the bottom line is – if it is a foregone conclusion that growth in the U.S. will continue to occur farther and farther from central cities – what can be done to make sure that growth is smart, not sprawl?

The Urban Land Institute (ULI) has published *Ten Principles for Smart Growth on the Suburban Fringe* to outline clear, attainable methods for solving the sprawl riddle while building the best urbanism possible.

Michael Pawlukiewicz, ULI’s Director of Environment & Policy Education, directed the team that compiled the report that opens with the staggering fact that “across the country, land is being developed faster than ever before: more than two million acres of open space is converted each year.”

“We know there will be a lot of growth in the U.S. According to the Census Bureau, we’ll grow by 50 million people in the next 20 years,” Pawlukiewicz said. “Even though we would like those people to live in cities or close-in suburbs, the fact is most of the population growth will continue in the farther suburbs.

Pawlukiewicz also noted that even though people will continue moving to the fringe, this nation can build with better development patterns to avoid the problems that sprawl

development of the past 50 years has given us. Sprawl has created traffic jams, degraded the environment and misused land.

“We have to move toward compact nodes of development,” he said. “As we identify appropriate sites for these development nodes we must also make sure we identify and protect land for recreation, agriculture and habitat conservation. We have to make sure that development and the protection of natural areas and resource areas go hand in hand.”

Pawlukiewicz said transit-oriented development can be a powerful tool for smart growth – but communities must be sure to coordinate transportation investments with planning for smarter land use. He also stressed the importance of promoting compact, walkable and mixed-use communities where everyone has transportation choices including walking, public transportation and driving.

Robert Lang, director of the Metropolitan Institute at Virginia Tech and part of the research team for the *Ten Principles* publication, said suburbia needs to focus on smart growth principles such as building compact multifamily subdivisions that conserve land.

“When preserving green space, it must be integrated into an overall plan. Much of suburbia’s green areas are chopped up in pieces and don’t really add up to a habitat,” he said. “Typical exurbia is comprised of multifamily homes adjacent to retail and separated by a pedestrian-unfriendly fence or large lot single family homes built chock-a-block.”



Lang said a conventional subdivision built without using smart growth principles typically has very limited connectivity that abuts retail and is often separated by a wall. He noted the irony that a resident in a subdivision house closest to retail actually has the farthest trip because he must wind through the subdivision to reach way out and over to it.

“Without smart growth principles, the cycle is cheap – developers come in and build chock-a-block and conservation principles are not used. It’s not an enduring form,” he said.

Pawlukiewicz said local land-use policy must have a vision for an appropriate and sustainable future and then organize policies, codes and regulations to make it easy and profitable for the private sector to implement that vision.

“Everybody blames developers for sprawl and while they are not without fault, most of what they develop is in keeping with public zoning codes and land-use regulations,” Pawlukiewicz

said. “In most suburbs, sprawl is easy and profitable to build. Local governments are mostly responsible for regulating land use. Their policies make it difficult to build mixed-use communities or use better urban-design practices like putting buildings close to the street or to narrow the streets to make them safer for pedestrians. The codes and regulations must be changed so that it is easy and profitable to do the right thing, the smart thing. The sprawl that we see in the U.S. is, in fact, the implementation of public policy.”

## 10 Principles for Smart Growth on the Suburban Fringe

### 1 Create a Shared Vision for the Future...and Stick to It

A successful visioning process is rooted in a community’s landowners, developers, elected officials, environmental groups, citizen activist groups and local business. Temptations will emerge that run counter to the vision in the form of appealing short-term economic development opportunities. If a way cannot



be found to make the proposal enhance the vision, it should be rejected.

## **2 Identify and Sustain Green Infrastructure**

Green infrastructure is a network of habitat, parks, greenways, conservation easements and working lands sustaining native species, natural ecological processes, plus air and water resources. Between 1982 and 1997, the amount of urbanized land in the U.S. increased by 47 percent while the nation's population grew by only 17 percent. Considering those numbers, it becomes obvious that green infrastructure is a community's natural life-support system and must be strategically planned and managed as carefully as built infrastructure.

## **3 Remember that the Right Design in the Wrong Place Is Not Smart Growth**

Traditional design – with its back alleys, front porches and spaces where kids play and neighbors congregate – is critical, but not the only component of smart growth. Design must be integrated with local climate, land conditions, transportation facilities and economically viable development that preserves open space and natural resources, infrastructure that serves existing and new residents, compact development such as new town centers, and other factors that take a holistic approach to stamping out sprawl.

## **4 Protect Environmental Systems and Conserve Resources.**

Take advantage of building orientation, prevailing winds and tree cover for cooling. Manage the effect of the sun's rays for enhancing or limiting heating. Conserve water by using conservation-designed appliances and plumbing fixtures, harvested graywater, recycled water and natural (non-piped) drainage systems and pervious paving to recharge aquifers.

## **5 Provide Diverse Housing Types and Opportunities.**

Direct growth to walkable mixed-use subdivisions that offer more diverse housing types such as: rental and ownership of single-family houses with yards, townhouses and multi-family apartment

buildings to meet the varied lifestyles of people living in the suburbs.

## **6 Build Centers of Concentrated Mixed Uses.**

Sustainable urbanized fringe development has a convenient mix that meets people's daily needs: homes, schools, stores, services and amenities. A concentration of mixed uses on the fringe provides a critical mass and a sense of place that gives communities a strong identity and a heart. Mixed-use projects create a destination with housing, employment, retail and public services. Successful communities include a full range of uses and activities: office, retail, entertainment, hotels, housing and civic institutions.

## **7 Use Multiple Connections to Enhance Mobility and Circulation.**

Traffic congestion is a big problem in conventional suburbs because clusters of residential subdivisions with only one entry and one exit concentrate the traffic onto and off arterial roads, which quickly become clogged because of the lack of connectivity and alternative routes. To avoid becoming a placeless collection of disaggregated subdivisions, a network made up of vehicular, pedestrian, cycling, park and open-space connections must be planned. Communities should create a template for a street grid with a hierarchy of connected streets to guide development and promote connectivity.

## **8 Deliver Sustainable Transportation Choices.**

Smart Growth communities provide a range of transportation choices, but to be sustainable, these alternatives must be built in rather than added later to a car-based culture. Staged development of real estate and transportation facilities ensures that a range of options will be available to travelers – walking, cycling, transit, carpooling, telecommuting and driving – and that each will be adequately supported.

## **9 Preserve the Community's Character.**

America's commercial landscape, largely due to the proliferation of chain stores and franchises, has deteriorated from the unique to uniform, from stylized to standardized.

National franchises and chain stores can change their standard building designs to fit local character, but only do so in communities savvy enough to reject off the shelf architecture and demand customized, site-specific design that addresses local historic preservation, site planning and vernacular architectural concerns.

**10 Make It Easy to Do the Right Thing.**

One major barrier to better development

on the fringe is local regulation. Most local zoning and subdivision regulations make it easier and faster to build conventional low-density, auto-dependent developments than undertake Smart Growth on the suburban fringe. Developers build sprawling projects because they are easier and cheaper to construct. Local officials should make local regulations more flexible to encourage mixed uses, narrower streets, compact development and other smart practices.



# Smart Growth in Practice



4



Smart growth planning and development practices are about creating great places and allowing communities to shape what gets built so that it works well for both current and future generations.

# IVA. Planning and Regulation

## Community-Based Planning: Choosing a Future

From the Boston Tea Party to modern day public hearings, the United States has a great tradition of public involvement. The nation’s democratic ideals were born out of frustration by citizens who felt their voices were not being heard, and more than 225 years later, public participation remains the hallmark of America’s democracy.

In many ways, smart growth grew out of a sense among many citizens that they were not being heard on questions of growth and development. By the late 1970s, a no-growth sentiment was popular in many areas where citizens had learned to fight highway construction, urban renewal, sprawling

development and other growth-at-any-cost changes to their communities. One impetus behind smart growth is to enable citizens and their elected representatives to plan ahead for growth and change and to choose a future of their own making, rather than fight blindly or resign themselves to a declining quality of life.

“Part of the smart growth movement is a reaction to a lack of control,” says David Wluka, a former land-use planner and now the principal of Wluka Real Estate outside of Boston. Rather than oppose any and all development, citizens who share a vision and a plan can focus on the “greater good” for their community, he adds.



This section focuses on the growing range of innovative ways to engage members of a community in choosing their future. We’ll examine techniques for helping people develop big-picture visions for towns, cities and metro areas, as well as ways to turn those visions into concrete plans using design workshops, called *charrettes*, that incorporate the concerns and ideas of citizens in real-

## What is Public Participation?

Every community has different needs and priorities, from improving transportation and housing choices to creating economic redevelopment or a better sense of community. The people best able to define those needs and priorities are those who live in a community or who hold a stake in it, such as business owners and land owners.

Both citizens and planners expect a return on their investment in a public process. For citizens, the primary investment is time, and they want to spend it wisely. If they get involved in the planning process, they want their involvement to be meaningful and to have some impact on the final result. Planners, who commit time and money, need the planning process to be functional while instilling trust in the public that the process works.

The International Association for Public Participation has established seven core values that should be embraced when seeking public involvement:

- 1 The public should have a say in decisions about actions that affect their lives.
- 2 Public participation includes the promise that the public's contribution will influence the decision.
- 3 All participants should be able to communicate their interests in the process.
- 5 Organizers must seek out and facilitate the involvement of those potentially affected.
- 5 Participants should be involved in defining how they participate.
- 6 Participants must receive the information they need to participate in a meaningful way.
- 7 The public participation process communicates to participants how their input affected the decision.



## Uses of “visioning”

In a description of various public involvement techniques for transportation decision-making, the Federal Highway Administration (FHWA) notes that visioning is most effective in the early stages of establishing or revising policies because it demonstrates openness to new ideas and concepts suggested by the public. And, for maximum impact, it should have the active support of elected officials, agency heads, and community groups. In summary, FHWA says visioning is useful:

- ▶ to set the stage for short-range planning activities
- ▶ to set new directions in policy
- ▶ to review existing policy
- ▶ when integration between issues is required
- ▶ when a wide variety of ideas should be heard
- ▶ when a range of potential solutions is needed

time revisions of plans and drawings. We'll also explore some of the technological and analytical tools being developed to make these efforts easier and more accessible.

## Scenario Planning: Creating a Shared Vision for the Future

In recent years a number of places have developed long-range blueprints for future growth and change, often with a horizon stretching 20 years, based on focused, public conversations about the trade-offs and tensions involved in community change. This process of crafting a vision can be done at the city, regional, or state level.

These efforts are usually led by a government agency, but not always. As the following examples from Utah and Washington, D.C. show, non-governmental coalitions can also lead the way. Initial input from the general public and specifically identified stakeholders – such as business owners, farmers, conservation groups, etc. – is solicited through public opinion surveys and questionnaires, but much of the real work happens in hands-on workshops. Usually, the process generates two or more scenarios, showing a range of options for density in various places, transportation investments and the like. The public is given an opportunity to express a preference for one of the scenarios, which may be adopted as the shared vision to guide future planning and development.

## Envision Utah

Since the late 1990s a highly unusual planning effort called Envision Utah has involved thousands of citizens in making decisions about how and where their state will focus its growth. A principal mover behind this undertaking has been Robert Grow, a now-retired businessman who sees citizen-centered planning as vital not only to the state's economic future, but also to preserving options for his children and grandchildren.

In 1997, Grow, former president of Geneva Steel, agreed to be the first Chair for Envision Utah, a public-private partnership created to develop a growth strategy for Utah. As a member of the advisory board for Utah's Department of Community & Economic Development, he had seen all the projections about the state's growth, and he knew Utah was not prepared to shape it in a way that would preserve the state's stunning beauty and high quality of life.

While his home state is largely rural, the vast majority of its population – and most of the projected future growth – is concentrated in an environmentally sensitive corridor along the Wasatch Mountains, stretching 100 miles to the north and south of Salt Lake City. The population of this sliver of Utah is expected to swell from 1.6 million in 2000 to 5 million by 2050.

The mountains, lakes and deserts of Utah, 80 percent of which is federal property, limit the amount of land available for communities to expand. Planners estimate that about 1,000 square miles of developable land remains in the Greater Wasatch Area. Grow and other Utah leaders worried that, without some immediate action, the area would soon be overwhelmed by traffic problems and growing personal and social costs.



Led by a coalition of business, civic and government leaders, Envision Utah began by listening to people, thousands of them. Citizens were invited to a series of more than 150 public workshops where, through innovative planning tools, they were able to show how they wanted to shape future land use, transportation and open space preservation. Then, Envision Utah invited every household in the region to complete a survey on the region's future. Ultimately, nearly 17,500 Greater Wasatch Area residents filled out and returned the Envision Utah growth survey. Nearly 2,000 residents attended one of 50 town meetings.

In the end, citizens said they wanted more investment in public transit and affordable housing, more reliance on cycling and walking, more preservation of open spaces and more town-like development along key transportation spines. The chosen Quality Growth Strategy departs dramatically from current trends, conserving 171 square miles of land that otherwise would be developed; offering expanded choices in housing and neighborhood types; reducing vehicle emissions and traffic congestion; and saving \$4.5 billion on transportation, water, sewer and utility infrastructure.

Envision Utah's efforts have gained support from the state, local governments, developers, conservationists, and the general public. Since January 1997, Envision Utah has seen dramatic shifts in public opinion regarding planning for quality growth. The state legislature passed the Quality Growth Act establishing a Quality Growth Commission; a region-wide rail transit system is up and running, with plans for future expansion; and developers are building new and innovative projects incorporating Envision Utah's Quality Growth Strategies.

### ONLINE RESOURCES

*Envision Utah* at [www.envisionutah.org](http://www.envisionutah.org)

*Much of the analysis for Envision Utah was performed by the planning firm of Fregonese-Calthorpe, which has since performed similar roles for Southern California, southern Louisiana post-Katrina, and other areas. For a look at those and other projects, see [www.frego.com/projects.html](http://www.frego.com/projects.html)*

## Metro Washington, D.C. gets a Reality Check

In February, 2005, about 300 decision-makers from 21 jurisdictions in the Washington, D.C. region played ‘Reality Check,’ a one-day exercise sponsored by the Urban Land Institute’s (ULI) Washington district council.

Designed to foster collective thinking about the region’s growth, the event brought together a diverse group of stakeholders, including politicians, developers, environmentalists, and business and civic leaders. Using giant maps and Lego® blocks to represent densities of jobs and housing, participants worked together to create several scenarios for accommodating the 2 million additional residents and 1.6 million new jobs expected by 2025. The local leaders brought together for ‘Reality Check’ were asked to create a set of principles governing growth in the region and to develop scenarios for where that growth should go. Participants readily achieved consensus on key principles:

- ▶ Preserve and protect natural areas and green space;
- ▶ Create new development near transit;
- ▶ Maintain a balance of jobs and housing; and
- ▶ Focus new development back into the urban core.

Developing scenarios that could be implemented without overwhelming political resistance proved far more difficult. Most agreed that certain areas near transit stations, in existing town centers and suburban edge cities, should be targets for growth, but many local officials thought it would be hard to win acceptance of the necessary levels. “It’s easy to put a Lego on a map,” said Gerry Connolly, who chairs the Fairfax County, Virginia, Board of Supervisors, “but the policy implications of putting that Lego there as opposed to somewhere else are very profound. As a region and as individual jurisdictions, we’ve got our work cut out for us.”

After the exercise, the ULI and the D.C. region’s Smart Growth Alliance pulled together the results into a report and seven-minute DVD that are being used to help focus public discussions about the regional implications of local planning and development decisions. A similar exercise was planned for the state of Maryland.

*For more on the Washington metro Reality Check, see [www.realitycheckwashington.org/](http://www.realitycheckwashington.org/)*

*For the results of a similar exercise in Los Angeles, visit [www.uli-la.org/realitycheck](http://www.uli-la.org/realitycheck)*

Photos courtesy of Urban Land Institute



## New Tools for Interactive Planning

### Planning by *charrette*: *An intensive and collaborative planning workshop*

Increasingly popular for high-impact projects, charrettes are accelerated design workshops that bring all parties together in one place for four or more consecutive days to collaborate on development plans. The forum allows everyone from architect to real estate marketer to neighbor to address their needs and concerns in the design process.

Until a few years ago, the word charrette was an obscure term of art within the architecture profession. Although it still is not a household word, the charrette – an intensive, multi-party planning and design workshop – seems to pop up wherever there are tough calls to be made about development or redevelopment. In the weeks after Hurricane Katrina, the Congress for the New Urbanism organized a huge charrette in Biloxi, Mississippi to help 11 towns plan for their rebuilding, with numerous follow-on charrettes within the towns themselves. Likewise, many communities throughout Louisiana have relied on charrettes to kick-start their planning.

A charrette is a planning workshop that allows a multidisciplinary team – including planning and design practitioners, real estate and retail experts, developers, local government officials – to consult with residents and other stakeholders as they develop plans and designs for a particular area. Charrette-based planning occurs within a compressed time frame, typically several days. By involving a full range of experts and stakeholders at the outset, charrettes can help planners anticipate and adapt to a range of potential pitfalls, whether technical or political. In addition, a charrette promotes joint ownership of the solution and attempts to diffuse traditional confrontation between residents and developers.

Charrettes are as much an educational event as a planning exercise. The result is that everyone – from key decision-maker to citizen – becomes aware of the complexities of development and

design issues, and everyone works together to try to accommodate them. But citizens and stakeholders don't have to take a week off from work to participate. The design team works continuously during the *charrette*, but all others come together at specific times for group session or in small working groups. At the same time, anyone is free to check on the progress of the drawings, discussions, and envisioning plans throughout the charrette. In this way, residents and local officials can participate meaningfully, but without giving up their nights or Saturdays for weeks on end.

Designed to incorporate people's unique talents, charrettes build something that no one person could achieve alone. They are best used in situations with real projects when development is imminent. Charrettes can be particularly useful in contentious situations that require conflict resolution because they bring together decision makers for a concentrated period of time to create a detailed, feasible agreement that can otherwise take months to achieve.

Unlike many public meetings, a charrette is expertly facilitated so everyone is heard and no one dominates. Compressed work sessions are also used to promote creative problem solving by accelerating decision-making and reducing unconstructive negotiation tactics. Another unique trait of charrettes is a series of feedback loops that enable design ideas to be created from a public vision and presented within hours for further review, critique, and refinement. For participants, feedback fosters a holistic understanding of complex problems and illustrates the impact of their involvement. For planners, these loops form a foundational plan that reflects all vital viewpoints. This results in true buy-in from everyone involved, which increases support and decreases the likelihood of challenges prior to implementation.

### *After the charrette: Implementation*

Public involvement and design are not over when the charrette is complete. Next, the implementation phase begins, the design team makes any final refinements, and the plans are

## Addressing Traffic Issues with a Charrette

A version of this piece, by Bill Lennertz of the National Charrette Institute, first appeared in “Choosing Our Community’s Future” available at [www.smartgrowthamerica.org](http://www.smartgrowthamerica.org)

Before the building of interstate highway I-680, Walnut Creek, California, was predominantly bungalow and ranch homes nestled among walnut orchards. The arrival of a major highway interchange, adjacent to the Pleasant Hill station of the Bay Area Rapid Transit (BART), began to change what was once a quiet agricultural valley into a regional transportation hub.

In the early 1980s, Contra Costa County adopted a specific plan for the 140-acre area around the station that called for a high-density mix of housing, offices and

proposed a public design workshop – a charrette – to plan a project for the site.

A consultant team of planners, architects, transportation engineers, and economists held an initial public meeting six weeks before the start of the charrette to inform the public about the charrette process and to solicit their ideas for the neighborhood. During the meeting, citizens worked in small groups to discuss how the project related to the area and what a vision for the developed site might look like. The consultants then took this input and combined it with other critical information

**After three proposals to develop the parking lots around rail transit station crashed and burned, local officials turned to the collaborative charrette process to create a plan that everyone could embrace.**

shops. In the 1980s and early 1990s the area experienced substantial growth, with the addition of 2,400 housing units, hotels and offices. When the transit agency and local officials decided to act on a longstanding plan to develop the 18 acres of parking lots immediately adjacent to the station, citizens balked. Three subsequent development proposals fared no better. Citizens believed the plans would create a traffic nightmare, and that they were given limited opportunities to provide input on the development proposals and when they were engaged there were too few options on the table. They dug in and fought the development to a standstill.

In 1999, after a failed attempt to plan a regional entertainment complex on the property, County Supervisor Donna Gerber

such as market demand, financing requirements and site constraints to develop preliminary concepts for the site.

A month later, the consultant team began a six-day charrette that was open to interested citizens and included stakeholder meetings with neighbors, a technical advisory committee, bicycle and pedestrian groups, BART representatives and others.

The primary point of contention for the neighborhood was traffic. Over the years, people watched as traffic on Treat Boulevard became worse and worse. The most vocal neighbors distrusted the existing traffic studies because they were based on the county’s two-year-old traffic counts, which they viewed as outdated.

## Addressing Traffic Issues with a Charrette continued

On the second day of the charrette, the neighborhood leadership emphasized the problem with the validity of the traffic counts. The charrette manager and county planners then decided at that moment to order new counts to begin the next day. This quick action was an important breakthrough because it validated citizen concerns that previously had been brushed aside.

Still, participants had deep doubts. “No matter how well you design it,” they insisted, “the traffic will only get worse.” The design team recognized that the project could not move forward without a concrete answer to this objection so they scheduled an ad hoc transportation meeting for the next evening of the charrette. With 60 people in attendance, the consultants reviewed the growth trends in the county and demonstrated that the development proposed for the site likely would be built somewhere else within the county if not at this specific location. They also showed that building in the conventional spread-out fashion

would make the overall traffic problem in the county far worse. Because of its proximity to the major transportation access points, the station area was the best place for this development, they said. In addition, the new traffic analysis found that the alternatives under consideration in the charrette would add only 5% more traffic to Treat Boulevard. Once the traffic issue was addressed to everyone’s satisfaction, the charrette was able to proceed to the creation of a design solution for the property.

The design team worked with all of the input from these meetings and developed alternative concepts, which were refined from further input, presented again, and refined still further in several cycles. In the course of the six-day process a plan emerged that would guide the look and feel of the project, installation of walkways and parks, street and transit circulation, and more. The resulting consensus vision ended the six-year deadlock. In 2002, the board of County Supervisors unanimously approved the plan with no one speaking in opposition.

presented to the public at a charrette follow-up meeting – a critical component of the overall process.

As someone who has been involved in many charrettes, REALTOR® Wluka says, “They’re wonderful tools, especially while they last, but the afterglow can fade quickly. The charrette process has to have a follow-up ready to go immediately.”

### ONLINE RESOURCES

*The National Charrette Institute:*  
[www.charretteinstitute.org](http://www.charretteinstitute.org)

### Public Opinion Surveys

Public opinion surveys, or polls, are a useful technique when decision makers need to learn more about public sentiments – where the public stands on key issues and what their priorities are going forward. They can also be used to assess changing views over time.

Surveys can be formal or informal and can be conducted at any time, through questionnaires, telephone interviews, or in person. Formal surveys are developed and administered in a scientific way, using a limited random sample chosen to statistically represent a larger group. Designed to provide a composite view of a larger population,

formal surveys are best used when an entity seeks to measure the level of support for a particular initiative, plan, or project. Informal surveys – such as online polls – often involve larger numbers of people, but the responses are self-selected and cannot be extrapolated to a larger population. They are best used to supplement public meetings, such as *charrettes* and visioning sessions.

### ***NAR polling assistance for state and local associations***

REALTOR® Pat Kaplan, former chair of NAR’s Smart Growth Advisory Group, says she finds surveys and polls “helpful and very effective.” She also notes that NAR does regular surveys and polls about smart growth and says, “NAR can assist state or local REALTOR® associations with undertaking similar polls, which can be incredibly effective.” Learn more about NAR’s polling assistance program at: [www.realtor.org/polling](http://www.realtor.org/polling)

### **Evaluating projects and plans: Using scorecards, audits and juried awards**

Over the last several years a number of states, municipalities and non-governmental organizations have developed a range of tools to rate the degree to which policies, codes and project designs advance the goals of smarter growth. Many of these take the form of scorecards, which award letter grades or points for each element of the locally adopted principles.

Others are tools for auditing the codes and policies that local governments have in place, in order to identify those that promote or impede progress toward goals outlined in comprehensive plans and policy declarations. The questions and answers in a scorecard or audit can help shape the discussion of a community’s development goals, and they serve as both an educational tool and an assessment tool. *(Continued page 56)*

## **Visual Preference Survey**

In a Visual Preference Survey, participants are asked to view a series of images and rank them on a scale from -10 to +10, +10 being “highly acceptable on the one hand to -10 being highly unacceptable on the other in response to the question: “How should we build new developments in the future?” In the example below, the image on the left received an average score of -4 and the image on the right received an average score of +5. *(See page 54.)*

Courtesy A. Nelesen Associates, Inc.



Older urban neighborhood



Renewed urban neighborhood

## Show Me a Picture: Visual aids for decision-making

### Visual Preference Surveys

A visual preference survey allows respondents to view photographs of different neighborhood features and rate them. The survey is often administered in public forums as a set of slides, but it also can be presented on a written ballot or in a web-based format. Participants often view and compare two photographs of different houses, streetscapes, or other scenes. Visual preference surveys can clearly illustrate preferred architectural styles, building setbacks, the site layout of a new development, size and scope of proposed transportation facilities, new landscaping possibilities, the potential appearance of a revitalized downtown corridor, and other design elements. The information can help decision-makers get a clear sense of how policies and regulations help or hurt in creating the kind of places their constituents respond to most positively. (See box on page 53.)

### Computer-aided Imaging

Constantly evolving computer-aided imaging allows for the creation of two-dimensional views and three-dimensional models to showcase a potential project before it is built, adding or removing certain features. When planners and architectural firms use computer generated-images or models in a public forum, it allows the public to see a realistic view of what a new development might look like, often enabling more constructive public input. The images at the right were developed by Urban Advantage to help community members see how their community can change.



## Taking the LEED in Greening the Neighborhood

Since its introduction a few years ago, the LEED rating system developed by the U.S. Green Building Council (USGBC) has gained wide acceptance as a way both to teach best practices in resource-efficient building design, and to recognize the builders and buildings that use them. Under LEED, projects can earn Certified, Silver, Gold, or Platinum status by meeting rigorous criteria in several categories: sustainable sites, water efficiency, energy and atmosphere, indoor environmental quality, materials and resources, and innovation in design.

Critics of the LEED system have argued that it gives too little weight to the building's context. For example, a brand-new office building in a cornfield reachable only by car could rate higher for energy savings than a renovated in-town building accessible by subway, foot, bike, and car. At the same time, acknowledges urban designer Doug Farr, the USGBC could criticize New Urbanist and smart growth advocates for neighborhood designs that fall short on minimizing storm-water runoff, night-sky lighting, or the heat-island effect.

"We wanted to see if we could work together to come up with a rating system for green, smart-growth neighborhoods," said Farr, a Chicago New Urbanist and green architect responsible for several LEED-rated buildings himself. Farr has been representing the Congress for the New Urbanism (CNU) in a three-way planning effort among CNU, the USGBC, and the Natural Resources Defense

Council (NRDC), which has expertise in both smart growth and environmental design. The collaboration produced a 15-member panel of experts that is establishing rating criteria for what is being called LEED-ND, for neighborhood development. The program will be piloted in the fall of 2006, comments and revisions will be made in 2007, and the full program is expected to be launched in 2008.

Farr sees the ND designation as adding at least two new rating categories: location and linkage. "For location you would ask: Is it leapfrog development or in a preferred growth area? Is there a plan for transit or other infrastructure? The other [linkage] addresses neighborhood patterns – pedestrian linkages, having something to walk to."

The draft rating system awards point not only for physical design, but also for economic and social goals, such as including affordable housing near jobs. Those goals have an environmental component, in that housing close to jobs and public transportation can reduce the air and energy impacts of long car commutes. But the context – Is there too much or too little low-income housing nearby? What are local needs? – is likely to vary so widely that standard-setting could be very difficult, Benfield said.

### ONLINE RESOURCES

*The U.S. Green Building:* [www.usgbc.org/DisplayPage.aspx?CMSPageID=148](http://www.usgbc.org/DisplayPage.aspx?CMSPageID=148)





On the following page we offer an abbreviated version of one sample scorecard for illustrative purposes.

### ONLINE RESOURCES

*U.S. EPA's Smart Growth Scorecard web site:*  
[www.epa.gov/smartgrowth/scorecards/index.htm](http://www.epa.gov/smartgrowth/scorecards/index.htm)

## Innovations in Zoning and Development Codes

*Adapted from "Getting the Codes Right: Form-based codes may be the key to future community plans" by David Goldberg, in On Common Ground Magazine, Spring 2006.*

### The critique of conventional zoning

Conventional zoning – referred to as “Euclidean” after the Supreme Court case that legalized it, *The Village of Euclid v. Ambler Realty* – divides the normal functions of the city into districts restricted by use. In the beginning, zoning was rationalized as a way to separate homes from smokestacks, stockyards and other noxious uses. Today, critics say, it often is used to separate compatible uses from one another. Not only are houses forbidden to locate near shops, but even

Only weeks before Katrina laid waste to key sections of his historic town, Gulfport Mayor Brent Warr had come into office with a promise to overhaul the city’s zoning and development practices. Even he didn’t realize what a dramatic revision that would be. After the storm, Warr recognized quickly that the conventional zoning and other codes – which called for strict separation of uses, deep setbacks and auto-oriented streets – were unlikely to recreate the human-scale feel of the city’s walkable, one-of-a-kind historic fabric.

Two months after the storm, when the Mississippi Renewal Forum brought 110 New Urbanist designers and planners to the coast for eight days, Warr was there day and night, sharing his ideas and vision and absorbing all that he could from the visiting experts. At the end, he had a large part of his answer, a new approach to guiding development known as form-based codes.

“It’s the best way we know to get something like the traditional look and feel,” says Warr.

And conventional zoning, as critics would have it, is the best way to continue stamping out the typical, asphalt-heavy development patterns the Gulf Coast was seeing before the storm. While the city is likely to make the code an optional overlay, he is confident it will be used. “I’d lay 70 to 80 percent odds that form-based codes will shape a lot of what gets built or rebuilt in Gulfport.”

## A SAMPLE SCORECARD

### How do you know when its “smart” growth?

The following scorecard shows how a community can evaluate whether new development will be an overall benefit. It was adapted from a tool used by the state of Maryland to judge whether plans and proposals meet standards under the state’s Smart Growth program.

The criteria reflect the three goals of steering development *toward* land designated locally as appropriate for development and *away from* designated agricultural, open space, cultural and environmentally sensitive areas, and ensuring that development makes *efficient use* of land. Each criterion can be rated as “poor”, “good”, “very good” or “excellent”.

#### Location

- ✓ The project location reinforces and logically extends existing and planned development.
- ✓ The project redevelops a brownfield site or a site/location receiving state or local assistance to support redevelopment.

#### Public Services and Infrastructure

- ✓ The proposal uses existing or planned water and sewer lines.
- ✓ The proposal aligns with existing and planned school capacity.
- ✓ The proposal uses existing or planned road capacity, without overtaxing it.
- ✓ The proposal makes use of existing or planned public transportation service.

#### Compactness and Efficiency

- ✓ The density is appropriate to the location (for example, 10 units/acre

for bus service, 20 or more for areas adjacent to rail stations)

- ✓ Site area devoted to parking is minimized, and any surface parking is behind or beside buildings.
- ✓ Development is clustered to provide the same or higher density with large areas of open space.

#### Diversity of Use

- ✓ The project provides a mix of land uses or for single use projects, adds to the diversity of uses within 1/2 mile.
- ✓ Different uses or types are physically mixed in the project or within the adjacent (1/4 mile radius) neighborhood.

#### Housing Diversity

- ✓ The project provides different housing types and/or increases the diversity of housing options in the immediate (1/4 mile) neighborhood.
- ✓ The project provides a variety of housing prices affordable to different income levels and/or increases the diversity of housing prices in the immediate (1/4 mile) neighborhood.
- ✓ Housing types and/or price levels are physically mixed in the project or within the immediate adjacent neighborhood.
- ✓ At least 10% of the residential units provided are affordable to those making less than median income, or are at a price level or type that meets an explicitly stated housing goal of the local government.

## Transportation & Accessibility

- ✓ Frequently visited uses are within a half-mile of the proposed project, and are easily accessible to pedestrians. Uses include grocery, other retail, restaurants; school or day care; park, public space or recreation/entertainment; jobs center; other services, such as post office.
- ✓ The project provides two or more transportation options (e.g. walk, bike, bus, rail) in addition to the car that are readily available to the majority of people using the project.
- ✓ The project road system connects to and logically extends external street and transportation systems at multiple locations.
- ✓ The project is located on an existing interconnected street system, or provides an internal street system that is interconnected.
- ✓ The proposed or existing streetscape and parking designs are safe and pedestrian friendly.

## Community Character and Design

- ✓ Buildings are oriented to maintain or establish a consistent edge from the street.
- ✓ Building exterior designs are visually interesting, pedestrian friendly and establish or add to area design character.
- ✓ Public spaces (community centers, recreational facilities, parks, plazas, open space) are provided and accessible.
- ✓ Project maintains or rehabilitates existing structures for continuing use.

## Environmental Protection

- ✓ The project design and location is likely to benefit regional air quality

(reduces the number and/or length of vehicle trips over conventional, auto-oriented development).

- ✓ The project uses “green building” design techniques for site selection, construction and operation practices, energy and water use efficiency, and provides healthy building spaces.
- ✓ The project avoids development on wetlands, streams, shorelines and related buffer areas.
- ✓ The project avoids development on slopes steeper than 15% or on unstable soils likely to erode, on floodplains, or on habitat for threatened or endangered species.
- ✓ The project uses design techniques such as clustering and vertical development to avoid sensitive environmental features, minimize development area and/or maximize areas of contiguous open space on site.
- ✓ The project relieves development pressure on natural resources on or off site through use of transfer of development rights, long-term protection strategies or other means.

## Stakeholder Participation and Community Development

- ✓ Inclusive citizen and stakeholder participation begins early and is conducted throughout the project approval process.
- ✓ The proposed project meets identified community and area needs and plans.
- ✓ The proposed project positively impacts employment opportunities in the community.
- ✓ The project helps to create or maintain a balance of housing and jobs within a 5-mile radius.

different housing types are segregated from each other, so that large houses are separate from small houses, stand-alone houses are segregated from apartments and townhouses, and so on. The radical separation of uses requires a car trip for every activity, and so zoning and development codes demand wide roads and on-site parking for every building. Conventional zoning could be regarded as the DNA of sprawl.

Planners and architects have begun to address the shortcomings of Euclidian zoning with a variety of innovative systems, including form-based codes, overlay districts, and special rehabilitation codes.

### Coding for character: Form-based codes

As an alternative, planners and designers looking to meet the growing demand for more walkable, traditional town centers and neighborhoods have been developing form-based codes. Conventional zoning focuses on isolating uses and controlling density, while saying very little about how a community should look and feel. Form-based codes regard use as only one factor in making an appealing community. Form-based codes regulate use to an extent, but primarily specify the form of buildings that are appropriate to a given street or neighborhood. This can allow a place to evolve over time, but without radically altering the character. “Think of the warehouse districts that have morphed into trendy arts districts with street-level shops and galleries and lofts above,” says Peter Katz, president of the Form-Based Codes Institute ([www.formbasedcodes.org](http://www.formbasedcodes.org)). “The form of the buildings hasn’t changed much, but the internal uses have all changed. Under use-based zoning, such a change would be considered drastic, because the land-use category has gone from industrial, at one end of the spectrum, to residential, at the other, although to the average onlooker, the place looks pretty much the same.” A form-based code could help to encourage such adaptation by removing many of the regulatory hurdles to be cleared.

While conventional zoning relies on huge books of text, form-based codes make use of graphics and illustrations along with text to indicate what kind of place is envisioned – whether a town center, a neighborhood with a walk to shopping district, a sleepy village or a bustling central business district. And while zoning codes often exist independent of, and sometimes in opposition to, a community’s plans and vision, form-based codes are designed to be a blueprint for making a shared vision for a place a reality.

Indeed, because such codes, and the process that produces them, have the potential to reduce the regulatory head-banging and ad hoc decision making, they are growing in popularity, says Paul Crawford, a California planner who now has helped to write 22 of them. A veteran of a county planning department and author of 80 conventional zoning plans before turning to form-based codes, Crawford developed California’s first code for Sonoma in 1999. “When a community is clear about what kind of development fits and what doesn’t, it makes the decision-making more predictable for everyone involved,” says Crawford.

“A lot of communities are rewriting their general plans with high-minded goals of sustainability, walkability, et cetera, but they’re not rewriting their zoning ordinances,” says Peter Katz, former director of the Congress for the New Urbanism. “If you know what it is you want to see built, and you know what it looks like, form-based codes make it easy.”

Though form-based codes generally are a recent phenomenon, the modern take on them emerged 25 years ago, when Andrés Duany and Elizabeth Plater-Zyberk designed Seaside, Florida. The husband-wife team wanted the new town to have the form and comfortable function of a traditional Southern town, but they did not want it to have the overly master planned look of a place designed by a single architect. Duany himself says he got the idea from practices that were common in the streetcar suburbs and new towns built into the 1920s.

### Planning based on the “transect”

In order to apply a form-based code, a community first has to decide through a planning exercise what kind of place they’re coding for. That is, planners decide where on the scale from most rural to most intensively urban each area falls. In doing so, most rely on some version of the rural -to- urban *transect*, a concept borrowed from ecological studies that categorize wildlife habitat.

The transect describes a range of human habitat, from rural hamlet, to the larger village, to the more complex town and finally the densest urban center. By historic convention and function, each environment has its own standards for the elements of human settlement: building, street, lot, land use, amount and character of public and open space, etc. Townhouses, for example, might be out of place in a rural hamlet, but they are appropriate, and even necessary, in a town center. In lectures on the topic, Duany likens it to footwear: The shoes you would wear to muck stables would not be appropriate to wear to a black-tie ball.

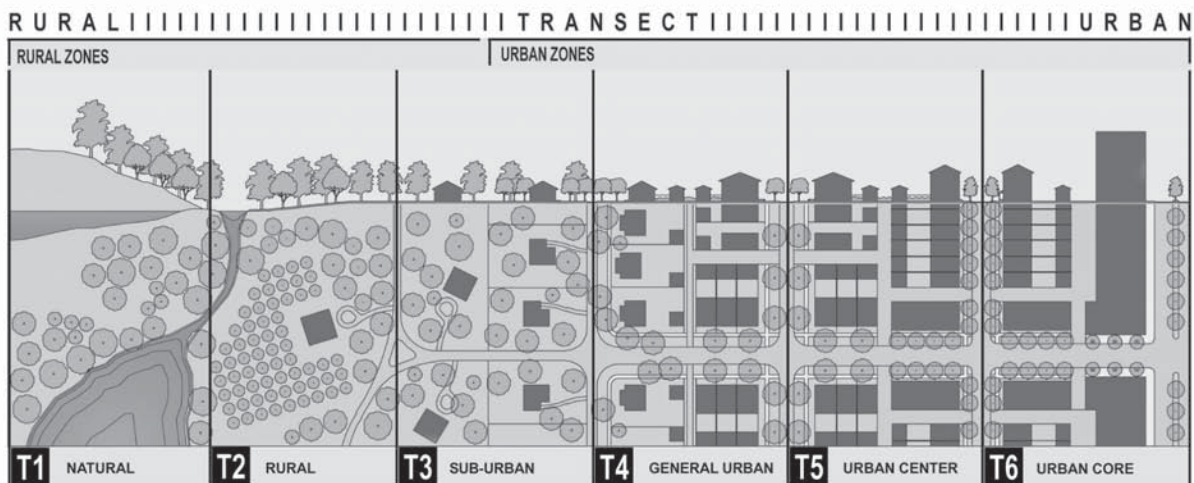
These environmental features can, and do, vary from region to region and city to city. For that reason, planners “calibrate” the code based on the characteristics of the place where they’re working, by going into the field and measuring, say, the usual setbacks of houses

or street widths and other features of the local places that the community would like to emulate. These are then incorporated into the standards for each transect zone, or T-zone.

Ideally, the roads that cut across many transect zones would change designs to reflect each environment, says Sandy Sorlien, who writes form-based codes for Duany-Plater Zyberk. “In rural zones a road might be a high-speed highway, because there aren’t people walking, shopping or children playing. As it gets to town the design needs to reflect the speed you want people to drive. That may mean narrowing the lanes, on-street parking and roundabouts. Rural areas don’t have curbs and sidewalks, but streets in town do.”

### Ventura, California

Ventura, California is finalizing a code for a downtown district that is expected to be one of four areas with form-based overlays, says William Fulton, a Ventura council member and a leading expert on planning in California. “In a mixed-use district, this gets us out of micro-managing what goes on inside buildings,” he says. Traditionally a slow-paced oil- and agriculture- oriented town, set between the ocean and the mountains, Ventura has become a favored landing place for Santa Barbara commuters, with growth tensions mounting as a result. The city has decided to manage growth by steering it to



Courtesy of Duany Platter-Zyberk and Company

the four designated higher-density zones and paying careful attention to urban design through form-based codes, Fulton said.

In adapting their approach, Ventura can look to the experience of Petaluma, Calif., the first to adopt the SmartCode by Duany Plater-Zyberk & Co. That Bay Area town adopted the code in just nine months, after a seven-year effort to complete and adopt a more conventional, use-based plan and zoning ordinance for redeveloping 400 acres of its downtown. For the citizens who had been pushing mightily for a way to code their vision for the area, the code was a godsend, said Mike Moore, the city's community development director. But implementation has been a little sticky, he said, in part because of the haste with which it was adopted.

### *Working out the bugs*

Lesson number one is that it is hard to make a form-based code work as an overlay on traditional zoning if you don't amend the citywide zoning ordinance to adjust the process to accommodate it, both Moore and Crawford, who worked on the codes, agreed. "One of the things we were trying to do with this code is avoid making people go through multiple processes, variances, et cetera, to build something that otherwise meets the plan and the code," Moore says.

While it is relatively easy to write a form-based code for an undeveloped greenfield site or to fill the gaps in established pattern, it is much more difficult to write as a guide to transition from, say, a low-density strip retail or light industrial district to a walkable neighborhood. That can require an almost parcel-by-parcel assessment, Crawford says, which can take time and money, but the result also can be worth the investment.

*California in the vanguard of an "explosion"* Momentum for zoning reform is building, says Fulton. "We're on the verge of an explosion," Fulton predicts. "In the next couple of years

we'll see dozens of form-based codes adopted. It may seem ironic that California, in many ways the motherland of automobile-oriented design, is blazing the trail in coding for mixed-use districts.

"It is because of the reliance on the automobile that California is figuring out more quickly than other places that this isn't working anymore," says Crawford. "Because of the state's issues with transportation, air quality and housing affordability, planners statewide are looking for ways to accommodate increased density and more compact urban form in ways that are acceptable, if not preferred, by citizens. The form-based codes are likely to be more successful at implementing that vision than conventional zoning codes."

That communities from the Deep South to the once-wild West are looking to form-based codes shows that something big is afoot, says Sorlien. "This is a sea change in land use, after 50 or 60 years of not building this way. There will be a learning curve at all levels so we will all struggle together to figure it out and make it better. That's what makes this fun and exciting."

### *Other innovations in development codes*

Form-based codes are just one of several techniques designed to overcoming the shortcomings of traditional zoning. Many communities are adapting their conventional zoning rules, as well as subdivision and other development codes to encourage development of walkable, mixed-use neighborhoods and other smart growth goals. Here's a sample of some of the other innovative approaches:

#### *Allowing new life for old buildings*

##### **Rehabilitation Subcode – New Jersey**

The Rehabilitation Subcode is a comprehensive set of code requirements for existing buildings. It is a stand-alone subchapter containing all the technical

requirements that apply to a rehabilitation project. The Rehabilitation Subcode is part of New Jersey's Uniform Construction Code. Read more about New Jersey's comprehensive smart growth program later in this section.

*See: [www.state.nj.us/dca/codes/rehab/index.shtml](http://www.state.nj.us/dca/codes/rehab/index.shtml)*

### ***Mixed-use overlay districts***

#### **South Salt Lake City Municipal Code - Salt Lake City, Utah**

The purpose of the Transit Oriented Development (TOD) Overlay District is to encourage property owners to develop their property using transit oriented design principles through the use of incentives while preserving rights under the existing district designation. Although the underlying zoning remains in place, the TOD District designation encourages mixed-use development close to TRAX (light rail) and transit systems while enhancing and complementing existing and adjacent development.

*See: [www.envisionutah.org/library/media/papers/doc/South Salt Lake zoning ordinance.doc](http://www.envisionutah.org/library/media/papers/doc/South%20Salt%20Lake%20zoning%20ordinance.doc)*

## **ONLINE RESOURCES**

*NAR's "Zoning Reform Has Begun: Form-Based Codes": [www.realtor.org/formbasedcodes](http://www.realtor.org/formbasedcodes)*

*The Smart Growth Network's compendium of innovative zoning and other development codes: [www.smartgrowth.org/library/byldrtype.asp?typ=5&res=1152](http://www.smartgrowth.org/library/byldrtype.asp?typ=5&res=1152)*

*The Local Government Commission's "Smart Growth Zoning Codes: A Resource Guide": <http://www2.lgc.org/bookstore/detail.cfm?itemId=34>*

*or a brief fact sheet: [www.lgc.org/freepub/land\\_use/factsheets/form\\_based\\_codes.html](http://www.lgc.org/freepub/land_use/factsheets/form_based_codes.html)*

*A summary version of the SmartCode, a form-based code developed by the New Urbanist firm DPZ: [www.tndtownpaper.com/Volume5/smartcode.htm](http://www.tndtownpaper.com/Volume5/smartcode.htm)*

*The Form-based Codes Institute: [www.formbasedcodes.org](http://www.formbasedcodes.org)*

# IVB. Smart Growth Policies

## Introduction

While the private sector does most of the building in the United States, government policies play a powerful role in shaping the form it takes. Policy is the critical link between planning and the physical reality of a built community. Many a visionary plan or proposed development project has languished, failed or turned out worse than in it otherwise might have because policies at the federal, state or local level were not in sync. Likewise, smart, flexible and innovative policy approaches underlie many of the success stories found elsewhere in this tool kit.

Without attempting to be comprehensive, the following pages offer a sampling of some of the most promising policy reforms and innovation. While there is some discussion of federal policy, the emphasis is on the local and state policies over which engaged and passionate REALTORS® are most likely to have influence. They are organized according to their central goal – such as preserving open space or encouraging affordable housing – but most are aimed at working in concert with other policies to achieve multiple benefits. That is the nature of the smart-growth approach.

## Preserving Important Landscapes

### Public Purchase of Land

The most direct way for a community to preserve open space is for the government to purchase land outright. This technique has been politically popular at the state and local level with voters approving billions of dollars through hundreds of ballot measures in both urban and rural communities. According to the Trust for Public Land's LandVote database, more than 78 percent of the conservation finance ballot measures put to voters between

1999 and 2003 were approved, generating more than \$26 billion.

The state of Florida has the world's largest conservation land acquisition program [*please see sidebar*]. Since 1999, the Florida Forever program has acquired more than five million acres of land. In 1998, 73 percent of Florida voters approved a change to the state constitution that gave the state Legislature authority to enact Florida Forever, which is funded by bonds backed by the state's real estate transfer tax. Other states, including Maryland, Delaware, New Jersey, and Rhode Island also purchase land through statewide programs. South Carolina has

## A pair of helpful manuals

The U.S. EPA has sponsored publication of two popular policy manuals, each of which offers 100 policies for implementing the 10 principles endorsed by the Smart Growth Network. Both essential books are free:

### *Getting to Smart Growth: 100 Policies for Implementation*

Download a PDF version at: [www.smartgrowth.org/pdf/gettosg.pdf](http://www.smartgrowth.org/pdf/gettosg.pdf)

### *Getting to Smart Growth II: 100 More Policies for Implementation*

Download a PDF version at: [www.smartgrowth.org/pdf/gettosg2.pdf](http://www.smartgrowth.org/pdf/gettosg2.pdf)

Request a hard copy by e-mailing [smartgrowth@epa.gov](mailto:smartgrowth@epa.gov) or call EPA's Development, Community, and Environment Division at 202-566-2878.





established a Conservation Land Bank. At the local level, seven Massachusetts communities adopted the Community Preservation Act in 2002. It allows communities to raise property taxes up to 3 percent to purchase open space, preserve historic buildings, and develop affordable housing. The same year, voters in Dakota County, Minnesota, supported a \$20 million bond referendum to preserve open space and farmland.

### Clustering for Open Space

Cluster development situates houses closer together to increase density on some portion of a development site, while leaving other portions free of buildings. Usually requiring a change in zoning, it trades traditional large individual lot sizes for open tracts of land designed for common use. It can save infrastructure costs by reducing the length of roads and utility lines in new developments. Other benefits include the preservation of critical land features and the creation of community gathering areas within a development. Some suburban residents oppose cluster zoning because they don't like the perception of higher density or the close proximity to neighbors, although the overall number of units has not increased. The communal open spaces also require maintenance, often through a dues-funded homeowners association.

Clustering has been used in many places, including the towns of Plainville and Lexington in suburban Boston, in Ohio counties such as Lake, Madison, Summit, and Wayne, in various locations in Florida and several other eastern states. Zoning law changes to allow clustering are under consideration or on the books in many other states. In the past, the use of clustering often resulted in only remnants of land being saved, leaving “leftover” spaces that were neither useful nor attractive. A newer incarnation of clustering, called “conservation subdivision” preserves larger tracts of land that can better maintain agricultural use or achieve natural landscape preservation. One caveat about conservation subdivisions: While they are appropriate in places where other actions are being taken to retain a semi-rural feel, widespread development of single-use conservation subdivisions with only one housing type can contribute as much to automobile dependence and traffic as conventional subdivisions.

### Conservation Easements

Under conservation easements, a landowner may retain ownership of a property while forgoing development or disturbance of the areas intended to remain as natural areas or farmland. Conservation easements often are granted to a non-profit third party, and the landowner receives a tax benefit or other monetary compensation. In effect, the conservation easement removes the right to develop the property, and may even preclude the harvesting of natural resources such as timber. Conservation easements run in perpetuity, ensuring that open space remains open. Conservation easements are often done in tandem with cluster development zoning and/or the purchase or transfer of development rights under government-designated programs, which are described below.

### Transfer of Development Rights (TDRs)

An alternative to zoning techniques like clustering, TDR programs allow planners to redirect growth from one part of a community to another. The approach eliminates or

reduces the right to develop one area, usually to preserve low density development or open space, and transfers the rights to a different site where higher density is encouraged and supported. Using TDRs requires communities to establish “sending” and “receiving” zones. The development rights are “sent” from the designated low-density land (the sending district) to the area slated for higher density

and increased development (the receiving district). The development right becomes a separate article of private property with economic value. For a TDR program to be fair, a true market value must be created. The value assigned to the TDR should reflect the amount necessary to compensate a property owner for the lost value resulting from density reduction or other restrictions imposed on the

### Florida Forever

The Florida Division of State Lands administers what they bill as the world’s largest conservation land buying program, Florida Forever. The program began in 1999 and extends Florida’s long history of preserving endangered lands. It authorized the sale of bonds worth \$3 billion over the following ten years to acquire and protect lands, as well as restoring damaged ecosystems and developing water resources. The bonds are paid back through an excise tax on recording some documents at the courthouse, including documents associated with real estate transactions.

The program has acquired more than one million acres of land since 1999, protecting 190 rare and endangered species and more than 7,000 archaeological and historic sites. The program protects natural floodplains, fragile coastline, wetlands, groundwater recharge areas, forest lands, significant water bodies, and habitat conservation areas. The acquisition list is approved annually by the governor and his cabinet, upon recommendation by the Acquisition and Restoration Council.

In addition to directly acquiring land, the program purchases conservation easements. A recent conservation easement protected 880 acres of sandy highland between Orlando and Lake

Okeechobee, including an Air Force installation, the Avon Park gunnery and bombing range. The easement will also prevent sprawling development from encroaching on the Air Force base.

*See: [www.dep.state.fl.us/lands/acquisition/FloridaForever/](http://www.dep.state.fl.us/lands/acquisition/FloridaForever/)*

### South Carolina Conservation Land Bank

South Carolina established a statewide Conservation Land Bank in 2002. The land bank is designed to preserve open space in a state with a population that is projected to grow by 25 percent between 2000 and 2015. The program buys property or conservation easements from willing landowners in order to protect wetlands, natural resource lands, historical properties, and archeological sites.

In two years the bank has preserved almost 33,000 acres and has partnered in the purchase of an additional 40,000 acres. The bank is funded by placing 25 cents of each Documentary Deed Stamp recording fee into a trust. More than \$30 million has been invested in protecting open space, Civil War sites, and historic homes. The program was strongly supported by the South Carolina Association of REALTORS® and a broad coalition of environmentalists, civic, and business groups.

*See: <http://sccbanc.sc.gov>*

sending zone. TDRs have been effectively used in rapidly growing areas, often to preserve the once-rural nature of a place, such as the Pinelands area of New Jersey, around Lake Tahoe, and in several Colorado and California communities. In Montgomery County Maryland, TDRs are sold on the open market and listed in the Multiple Listing Service.

### Purchase of Development Rights (PDRs)

PDRs allow governmental agencies to purchase development rights outright as a means for preserving natural resources or agricultural areas. About 20 states have implemented PDR programs, including Pennsylvania, New Jersey, New York, Maryland, Virginia, Colorado, and Montana. In addition, more than 50 local and regional jurisdictions have their own PDR programs. According to the American Farmland Trust, “PDR is a popular land protection technique because it pays willing landowners to permanently restrict the use of their land to farming, ranching, or forestry.” PDRs have proven an effective mechanism for preserving dwindling working landscapes; however, because landowners volunteer to join a program, PDRs do not always preserve resource areas to the extent desired.

### Transportation Policy Options

*Following is a brief overview of the role transportation policy can play in smart growth. For a fuller discussion of transportation policy, funding and REALTOR® involvement, please see “Transportation: A Toolkit for REALTORS®”, available from NAR at [www.realtor.org/transporttoolkit](http://www.realtor.org/transporttoolkit)*

Ensuring that transportation investments and development decisions work together is critical to creating communities of lasting character and economic vitality. Over the last few decades, however, transportation and land use functions typically have been undertaken within separate government “silos”. In recent years, communities around the

country have been finding ways to make sure that transportation infrastructure and the development that it supports operate in tandem to help people get where they are going more efficiently, without spending as much time driving. Here is a roundup of some of the most innovative ideas.

### Shorten Distances

Putting the destinations of daily life closer together addresses a wide range of transportation challenges, by helping to reduce the need to make trips and reducing the length of the trips that are necessary. The benefits are especially notable when this is done in conjunction with high-quality transit service.

### Transit-Oriented Development (TOD)

As discussed in Section III, 3: Building Support, of this toolkit, the aim of transit-oriented development is to cluster housing, stores, and jobs close to transit lines. If done right, TOD puts both people and key destinations close to transit stops, and offers people who live or work near those stations a variety of dining, shopping and other options within walking distance. Many state and local governments are encouraging development near transit. For example, Pennsylvania recently created the Transit Revitalization Investment District program to help fund development of vacant or underused property within a half-mile of a transit stop or station. See the state profiles of New Jersey and



Massachusetts and the sidebar on California's support for TOD later in this section.

See [www.10000friends.org/growth/transportation](http://www.10000friends.org/growth/transportation)

### ***Housing Incentive Program (HIP)***

Several California communities are rewarding communities by providing extra transportation funds to places that build compact housing near transit. In the California Bay Area, the

Metropolitan Transportation Commission provides money to local governments according to how many market rate and affordable bedrooms are in new developments in areas near transit. The HIP money goes to improve access via foot, bicycle or transit, such as pedestrian and bicycle facilities that connect the new housing to the transit station or crosswalks or sidewalks linking the new development to nearby destinations.

See [www.mtc.ca.gov/planning/smart\\_growth/hip.htm](http://www.mtc.ca.gov/planning/smart_growth/hip.htm)

## **Metro Atlanta's Livable Centers Initiative**

Greater Atlanta, the biggest metropolis in the Southeast, is now trying to combine regional and local action to plan transportation and land use together. In 1999, the 10-county Atlanta Regional Commission launched the Livable Centers Initiative, providing \$5 million over five years for communities to plan ways to redevelop existing town centers, create new walkable Main Streets, or retrofit "edge cities" to be pedestrian-friendly, all to make more destinations easily accessible by transit, driving, biking or walking. Resulting community plans were eligible for a share of \$350 million in federally funded transportation improvements. One such plan calls for turning Perimeter Center – a suburban mall and office center with three MARTA rail stations – into a transit village. Another calls for building mixed-income housing on what had been parking, near an underused MARTA station in Decatur. In Midtown Atlanta near the Georgia Tech campus, extensive development integrating offices and housing is taking place. The program has been renewed for several more years and has expanded to cover aging commercial strips as well as town centers.

### **Improving Transportation Options**

As the time lost to traffic congestion grows, many people are looking for better options. In many cases much of the solution lies in fixing road design flaws or making new connections. Even after those expenditures, many people feel stuck, because alternatives such as transit, bicycling or walking are not available, not convenient, or unpleasant. In the last few years that has been changing, as communities invest in new options. REALTORS® can help their clients by being aware of the latest transportation options that improve quality of life in a neighborhood.

### **New Types of Transit**

The number of light rail transit lines in US cities has exploded in the last decade. These trains are less expensive to build than traditional subways and more flexible. They can run in their own right of way, or in the street, and are well suited to Transit Oriented Development. From Minneapolis to Houston, Sacramento to Newark, New Jersey, communities have invested in light rail lines, usually by combining federal funds from the "New Starts" transit program with local, voter-approved transit bonds. From 2003 through 2005, more than 70 percent of public transport bond measures for light rail and other projects were approved by voters.

See [www.cfte.org](http://www.cfte.org)

In Denver, where the first light rail lines exceeded expectations, voters have approved the ambitious "FastTracks" program, which will

build an additional 119 miles of light rail and commuter rail, 18 miles of bus rapid transit, and expanded bus service across the region.

*For more on Denver and Fastracks, see [www.rtd-denver.com](http://www.rtd-denver.com)*

Other communities have taken the mystery

### Better Buses

Bus Rapid Transit (BRT) service can operate on existing streets or on a dedicated right-of-way and functions more like rail, with limited stops and stations where riders pay prior to boarding the vehicle. Some communities have also invested in old-fashioned streetcars that tend to travel more slowly and often serve tourist destinations.

Some communities are using technologies to speed up buses on city streets. In Los Angeles, the Metro Rapid bus lines use “signal prioritization” technology that hold green lights for buses. Stops also have electronic signs that tell waiting riders when the next bus will arrive. The Metro Rapid buses travel 25 percent faster than regular buses, and ridership has shot up.

*See [www.mta.net/projects\\_programs/rapid/overview.htm](http://www.mta.net/projects_programs/rapid/overview.htm)*

out of using the bus by starting special, signature bus lines. The brightly painted buses run frequently so no schedule is needed, and their simple circular routes are easy to understand. Many of them also charge low fares. Begun in Boulder, Colorado with lines named the Hop, Skip, and Jump, other cities have followed suit. In Washington DC, several downtown Business Improvement Districts and local transportation agencies funded two “Circulator” shuttle lines that circulate

through downtown.

### Walkability

When destinations are close enough together, bicycling and walking can be the fastest and most economical way to get around. They provide the added benefit of regular physical activity, without a time-consuming trip to the gym. But people will not walk or bicycle unless they can do so safely and comfortably.

Many communities are promoting the creation of more walkable environments by paying attention to the details. For example, they may invest in programs to complete gaps in the sidewalk system, or install crosswalks signals that countdown the time to cross and/or provide audible signals for blind pedestrians.

*See [www.walkinginfo.org](http://www.walkinginfo.org)*

### Traffic Calming

Creating a safer environment for bicycling and walking can mean intentionally slowing down cars, or ‘calming’ traffic. Engineering techniques such as speed humps, roundabouts, and sidewalk bulb-outs at corners that shorten pedestrian crossing distances all slow down cars and reclaim streets, and can dramatically reduce crashes. In new neighborhoods, these techniques can be used in lieu of cul-de-sacs in order to allow streets to connect without fear of speeding “cut-through” traffic.

*See [www.trafficalming.org](http://www.trafficalming.org)*

### Safe Routes to School

A new federal initiative, the Safe Routes to School program, is directing more than \$600 million into neighborhoods across the country to make it safer for children to walk and bicycle to school. Grants are administered by

the State Department of Transportation and funneled to communities to fix hazards and slow traffic on roads that serve schools, as well as to build pathways, bike lanes and sidewalks near schools. Ten to 30 percent of the funding in each state must be used for non-infrastructure activities such as enforcement, encouragement and education programs.

See [www.americabikes.org/SRTS.asp](http://www.americabikes.org/SRTS.asp)

### Bicycle-Friendly Communities

Communities investing in better bicycle infrastructure don't stop at building separated bike paths. They are creating integrated bicycle networks with bike lanes, wide curb lanes and shoulders, convenient bicycle parking, and bicycle racks on buses. Davis, California is an unusual example because the city was able to create an entire urban trail network. In most cities, trails that link to on-street bike lanes are a more practical option. Cities such as Chicago, Seattle, and Gainesville, Florida, have all created outstanding bicycle programs.

See [www.bicycletfriendlycommunity.org](http://www.bicycletfriendlycommunity.org) or [www.bicyclinginfo.org](http://www.bicyclinginfo.org)

### Car Sharing

Car sharing programs make it easier for people to avoid car ownership by giving them convenient access to a car when they occasionally need one. Car-sharing vehicles are parked in neighborhoods, and members reserve them for a few hours at a time using web and telephone-based reservation systems. In some cities private car-sharing firms or non-profits partner with the city and the transit agency to reserve parking spaces on city streets or at transit stations. Cities such as San Francisco and Portland encourage new residential developments in city neighborhoods to include a car sharing space in their tenant garages.

See [www.carsharing.net](http://www.carsharing.net)

## Recognizing the Value of Transportation Alternatives

The economic benefits of transportation alternatives are often unrecognized and overwhelmed by hidden subsidies to automobile travel. A number of policies try to level the playing field.

### Mortgage options

Studies have documented that people who live in areas with better transportation options spend a smaller portion of their income on transportation. Several places are experimenting with mortgage options that recognize the financial benefits of buying a home with good transportation options. The Location-Efficient Mortgage calculates potential savings based on whether the home

## New guidance for road designers

In the spring of 2006, the Institute for Transportation Engineers unveiled a street design manual that urges road engineers to design their projects to fit in with and enhance the neighborhoods through which they pass. "Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities" is a joint effort between the Institute of Transportation Engineers and the Congress for the New Urbanism, sponsored by the Federal Highway Administration and the Environmental Protection Agency. The manual describes several "context zones", categorizing urban areas into discrete ranges of density and intensity of development, and sets forth an array of thoroughfare types consistent with each zone's characteristics.

For more, or to download a copy, see: [www.ite.org/css/](http://www.ite.org/css/)

is close to transit and other factors, and offers a low down payment, competitive interest rates, and flexible guidelines to allow more people to buy homes., It is available in Chicago and a few other cities.

See [www.locationefficiency.com](http://www.locationefficiency.com)

Fannie Mae offers a low-down-payment Smart Commute pilot mortgage in Washington DC and a few other cities that boosts applicants' qualifying income, increasing their buying power by about \$10,000.

See [www.fanniemae.com/housingcommdev/solutions/environment.jhtml](http://www.fanniemae.com/housingcommdev/solutions/environment.jhtml)

Baltimore, Maryland has partnered with employers to offer simple "Live Near Your Work" grants that award first-time homebuyers as much as \$2,000 for closing costs when they buy near their place of employment.

See [www.livebaltimore.com/hb/inc/lnyw](http://www.livebaltimore.com/hb/inc/lnyw)

### Commuter choice programs

Driving to work is often subsidized by free parking offered as a tax-free employee benefit, while those who walk, bicycle, carpool, or take transit get nothing. Federal tax law was changed recently to allow employers to offer tax-free transit passes or vanpool support, and to allow employees to take these in lieu their free parking benefit.

See: [www.commuterchoice.com](http://www.commuterchoice.com)

Transportation Demand Management programs combine many elements to help reduce the demand for driving by helping people find alternative commutes.

See: [www.vtpi.org/tdm](http://www.vtpi.org/tdm)

### Congestion Pricing

A few places are experimenting with making drivers pay to drive on roads at times of high demand. Orange County California operates express lanes with a toll that varies based on the degree of congestion. The New Jersey Turnpike has also instituted variable tolls. The Federal Highway Administration is financing a

variety of value-pricing pilot projects.

See: [www.fhwa.dot.gov/policy/otps/valuepricing](http://www.fhwa.dot.gov/policy/otps/valuepricing)

### Doing Transportation Differently

Some transportation agencies are doing more than adding a few options for other modes – they are changing the way they undertake daily operations.

**Context Sensitive Solutions** programs aim to bring more stakeholders into the transportation planning process and ensure that roads fit into local communities. In New Jersey, the State Department of Transportation has adopted a Future in Transportation strategy (NJ FIT) that integrates land use into transportation decision-making and involves many stakeholders. In one instance, the new policy has resulted in a decision to table a new highway bypass in favor of improving local road connections.

See: [www.contextsensitivesolutions.org](http://www.contextsensitivesolutions.org) or [www.state.nj.us/transportation/works/njfit/about/campaign.shtm](http://www.state.nj.us/transportation/works/njfit/about/campaign.shtm)

### Complete Streets

State, regional, and local governments are adopting 'complete streets policies' to ensure that their transportation agency designs and maintains every road project to meet the needs of all types of road users – drivers, transit riders, bicyclists, and pedestrians of all ages and abilities. [Please see box on page 72, "South Carolina's Complete Streets Policy"].

See: [www.completestreets.org](http://www.completestreets.org)

### Parking

Parking regulations often create vast community-deadening parking lots, and free parking encourages automobile use. A number of parking strategies can provide reasonable amount of parking and shift the cost of parking to the user of the parking space. Cities such as Seattle have reduced or waived traditional minimum parking requirements, allowing developers to put in fewer spaces when the use is expected to generate fewer cars, when car-sharing is provided, or in downtown

## A Public Transit Glossary

**Buses and Bus Rapid Transit:** In most cities, buses are the primary form of public transportation, accounting for 58 percent of mass transit nationwide. Increasingly communities are looking to improve bus efficiency with express service, limited-stop service, or bus rapid transit (BRT), which combines some qualities of rail transit – such as higher frequency, fewer stops, and pre-paid ticketing – with the flexibility of buses. It's also possible to simply run buses more frequently to boost ridership.

**Light rail:** About 20 American cities, from Boston and Baltimore to Salt Lake City and San Diego, have adopted light rail systems. They operate in a right-of-way not generally separated from other traffic with two-car trains powered by an overhead electric line.

**Heavy rail:** About a dozen major metropolitan areas across the United

States have developed electrified heavy rail systems, including Washington, D.C. (Metro), Atlanta (MARTA), Chicago (CTA), and Oakland (BART). Often called subway, rapid transit or rapid rail, the separate rights of way offer high speed and platform loading of multiple cars.

**Commuter rail:** More than 30 U.S. cities have plans to create commuter rail systems, in addition to 20 urban areas that already provide the railroad passenger service between a city center and adjacent suburbs. Also known as regional rail or suburban rail, the service exists in cities such as Dallas, Anchorage, Philadelphia, and Stockton, California, and systems are under consideration in places like Las Vegas, Colorado, Cincinnati, and Nashville.





## A Closer Look at Innovations in Two States

### South Carolina Complete Streets Policy

In order to make the most of its transportation construction investments, South Carolina is working to turn its state-funded roads into multi-modal corridors known as “complete streets.” The state Transportation Commission has adopted a policy that accommodations for walking and bicycling should be an integral part of the Department of Transportation’s planning, design, construction and operating activities. The policy also requires counties and cities that receive state or federal highway funding to fully integrate bicycling and walking into projects and activities receiving these funds.

The policy is known as a complete streets policy because it goes beyond the more typical approach of using special bicycle and pedestrian plans to designate only some roads for improvement. More comprehensive complete streets policies include accommodation for disabled travelers and for transit.

In South Carolina, the initial policy has been followed with extensive training workshops and seminars for planners and engineers, and with engineering directives that provide new guidelines for incorporating facilities such as bike lanes to state highways. A number of local jurisdictions, including Spartanburg and Columbia, have passed their own complete streets resolutions.

See [www.scdot.org/getting/bikeped/BP\\_milestones.shtml](http://www.scdot.org/getting/bikeped/BP_milestones.shtml) or [www.completestreets.org](http://www.completestreets.org)

### California’s Support of Transit Oriented Development

California’s Department of Transportation (Caltrans) has been working to support transit-oriented development (TOD), gradually implementing recommendations

from a 2000 study initiated by Caltrans. The report notes that focusing development around transit stations provides mobility choices, increases transit ridership and leads many residents to reduce driving, which in turn can increase a household’s disposable income while reducing energy consumption and air pollution. The study also says TOD has helped to reduce infrastructure costs, boost economic activity, and contribute to affordable housing.

The agency is providing technical assistance to local agencies through a “Transit-Oriented Development Compendium,” a comprehensive toolbox for developers and public agencies. It also maintains a detailed, searchable database of TOD projects in the state, and has issued a report on how to manage parking at TODs.

The legislature has passed a measure requiring the state to offer surplus lands at the appraised value to local governments for TOD development, and has exempted small TOD housing projects from environmental standards. The state is also studying improved coordination of regional land use and transportation planning in a pilot project in Merced County. Mainstream transportation funds usually reserved for highway construction are being used to build parking garages at TOD stations, in order to free up surface park-and-ride lots for mixed-use development projects. Other recommendations in the 2000 study, such as providing state funding for TOD and creating tax-increment financing districts, have not yet been implemented.

Other states supporting TOD include Maryland, New Jersey, Pennsylvania, Florida, and Massachusetts. A federal study of state support of TOD can be found at [www.contextsensitivesolutions.org/content/reading/nchrp\\_25-25-20](http://www.contextsensitivesolutions.org/content/reading/nchrp_25-25-20)

See: [www.dot.ca.gov/hq/MassTrans/tod.htm](http://www.dot.ca.gov/hq/MassTrans/tod.htm)



areas where many other travel options are available. In mixed-use developments, parking can be shared, doing double or triple duty when different types of destinations (such as offices, restaurants, or cinemas) draw people at different times or days of the week. For example, in Indianapolis, a large new retail and entertainment center that would have needed 6,000 parking spaces under traditional minimum parking requirements was able to build just 2,815 with shared parking.

Charging for parking, particularly at the curb, can reduce demand and encourage turnover, while providing funding for neighborhood improvement projects.

See: [www.epa.gov/dced/parking.htm](http://www.epa.gov/dced/parking.htm)

## Revitalizing Communities

The redevelopment of existing urban, suburban and rural properties already served by infrastructure, including industrial “brownfields” that need to be decontaminated, stimulates growth and improves a community’s economic vitality. Development in existing neighborhoods is an approach to growth that can be cost-effective while providing residents with a closer proximity to jobs, public services and amenities. Many communities are focusing on a variety of techniques to make redevelopment easier.

In Portland, Oregon, a portion of Belmont Dairy was incorporated into residential lofts, affordable apartments, and more than 25,000 square-feet of retail space. Denver’s former Lowry Air Force Base has been converted into a walkable community with a mix of offices, shopping, houses, apartments and civic buildings. The former 55-acre Sears, Roebuck and Co. headquarters on Chicago’s west side is now the mixed-income Homan Square

## Adapting and redeveloping closed military bases

Having a military base close or reduce operations can be traumatic for communities. The challenges may seem daunting, but many communities have transformed former bases into valuable assets. Indeed, many of these redevelopments have become showplaces for the entire community – boosting the economy, creating jobs, providing homes, and protecting the environment. Two excellent resources are available to help:

### *Beyond the Fence: A REALTORS® Guide to Military Base Closure, Realignment and Encroachment*

The publication is designed so that REALTORS® can know how to get involved to help communities cope with the substantial economic challenges that arise when bases are proposed for closure or expansion.

See: [www.realtor.org/beyondthefence](http://www.realtor.org/beyondthefence)

### *Turning Bases Into Great Places: New Life for Closed Military Facilities*

This guidebook discusses how to create a vision for former installations that provides housing and transportation choices, creates a mix of jobs and housing, and makes the most of natural assets. See: [www.epa.gov/dced/military.htm](http://www.epa.gov/dced/military.htm)

community with 600 houses, townhouses, and apartments, plus nearly a million square feet of retail space and a 70,000-square-foot community center.

REALTOR® Associations in Baltimore, and York, Pennsylvania have taken a lead in helping revitalize urban areas; read their profiles in Section V.

The following three resources, as well as several others, are available on the NAR web site at: [www.realtor.org/brownfieldrevel](http://www.realtor.org/brownfieldrevel)

#### **Best Practices to Encourage Infill**

**Development:** This report, prepared by Robinson & Cole for NAR, addresses what actions governments can take to address the unique challenges posed by infill development, including property acquisition, assembly, and financing; tax liens and titles, and environmental contamination.

*See: [www.realtor.org/infilldevelopment](http://www.realtor.org/infilldevelopment)*

**Economic Development Case Studies:** This NAR series of case studies examines seven redevelopment projects across the country that have served as catalytic projects for urban revitalization in their communities.

*See: [www.realtor.org/econdev](http://www.realtor.org/econdev)*

#### **A Guide to Tax Increment Financing (TIF):**

This NAR report provides insight into how TIF programs work to bring tax revenues to communities, some of the ways communities have used TIF programs, and examples of TIF statutes and case law.

*See: [www.realtor.org/tifreport](http://www.realtor.org/tifreport)*

**Tax-increment financing and other tax incentives.** Many cities use tax-increment financing to promote redevelopment in designated areas, devoting the associated improved tax revenues to paying for bonds that are used to install infrastructure needed to jump-start revitalization. Some, such as Atlanta, are including affordability requirements as conditions for use of TIF funds.

## Addressing vacant and abandoned properties

Rapid growth on the fringes of many metropolitan regions has pulled investment from urban cores and inner-ring suburbs, leaving abandoned buildings and vacant properties. Abandonment takes many forms – houses left behind because of suburban migration, industrial downsizing, and predatory lending practices, once vibrant downtowns turned into ghost towns, or local retail stores abandoned when large, regional centers moved in. No matter how the phenomenon manifests itself, the increasingly profound effects of vacant properties are the same: lower tax revenues, higher municipal costs, and serious environmental and public health consequences. Before communities can plot their comeback, they must address the scourge of vacant properties.

The National Vacant Properties Campaign, a consortium of national, state and local organizations sharing best practices and techniques for combating abandonment, provides a wealth of resources on its web site: [www.vacantproperties.org](http://www.vacantproperties.org)

## State policies

Following are examples of policies that three states have used to promote economic revitalization and redevelopment.

### *Recycling Land in Pennsylvania*

Contaminated industrial sites can be a real barrier to revitalization. Pennsylvania has worked hard not just to remove barriers to the cleanup of contaminated brownfield sites, but to make cleanup easy and predictable – and even profitable. The state's Land Recycling Acts of 1995 set uniform easy-to-follow cleanup standards, rejecting earlier models that relied on time-consuming and unpredictable site-specific negotiations. Landowners are invited to choose one of three sets of standards, based on the needs of their site. Standardized review procedures ensure no surprises, and once they meet the standard, they receive liability protection.

A number of programs in the state offer millions of dollars in financial assistance for brownfield cleanup and development. The state pays communities to conduct inventories of their brownfield sites. Individual landowners and local governments are eligible to receive a variety of grants and loans to initiate clean ups. Other programs provide funding to help communities invest in developing the sites once they are ready for re-use. A Brownfield Action Team (BAT) program assigns a single Department of Environmental Protection manager to handle all the bureaucratic aspects of a cleanup site, including assistance in applying for funding and permits with other agencies. The sites selected for BAT must be in places already designated for revitalization.

The program has cleaned up well over 2,000 of Pennsylvania's estimated 10,000 to 12,000 brownfield sites, releasing thousands of acres of prime real estate for redevelopment.

*See: [www.depweb.state.pa.us/landrecwaste/cwp/view.asp?a=1243&Q=462045&landrecwasteNav=1](http://www.depweb.state.pa.us/landrecwaste/cwp/view.asp?a=1243&Q=462045&landrecwasteNav=1).*

### **Michigan Fast Track Land Bank Authority**

The state of Michigan is a leader in helping communities bring abandoned and vacant properties back into productive reuse. Across the United States, antiquated property laws have prevented local governments from gaining clear title to abandoned properties, or from preparing it for effective redevelopment. Property often sits neglected while delinquent property owners, speculators who have bought tax liens, and the local government argue in court. Often the only method to dispose of property is through auctions to the highest bidder, preventing the local governments from consolidating properties or seeking new owners with plans for appropriate redevelopment.

The typical neglect and delay in dealing with abandoned properties has been eliminated in Michigan. First, a state law passed in 1999 streamlined the procedures for foreclosing on tax delinquent properties. Then in 2003 the state passed a package of new laws aimed at

helping local governments finance the upkeep of vacant properties and take whatever steps are necessary to make them productive again. The legislation created a Fast Track Land Bank Authority that authorizes local governments to create land banks that can renovate or redevelop properties in their inventory, and to sell the property as they see fit or even to rent it out. The law gives the land banks the power to finance land clean-up and restoration in a variety of ways, including by issuing bonds. The banks are also able to keep the proceeds from sales or rentals, and for five years half of the property taxes from properties sold out of their inventories go back to the land bank.

All the properties held by a land bank are now also classified as brownfields, or contaminated sites. This means local governments can use state and federal brownfield grant, loan, and tax programs to help clean them up and redevelop them. The Genesee County land bank has taken full advantage of this designation, and has received EPA grants and loans as well as setting up a tax increment financing (TIF) program for the properties.

*See: [www.michigan.gov/cis/0,1607,7-154-34176-00.html](http://www.michigan.gov/cis/0,1607,7-154-34176-00.html)*

### **Missouri Historic Preservation Tax Credits**

Revitalizing existing communities can come to a dead stop when property owners are confronted with buildings in need of extensive repair and rehabilitation. But this robust statewide program is encouraging the rehabilitation of hundreds of historic homes and commercial properties across Missouri. The program has ranked first in the nation in the number of projects completed and approved.

Under the Missouri program, owners of commercial property and rental real estate can apply for a tax credit equal to twenty-five percent of rehabilitation costs for historic properties, or properties that contribute to a historic area. Unlike federal preservation tax credits, homeowners can also take advantage of the Missouri program for major rehabilitation projects. The Missouri credit



can be combined with the 20 percent federal historic preservation tax credit.

A study by Rutgers University found that the program has helped drive heritage tourism in the state and has brought new revenue to cities and counties.

*See: [www.dnr.mo.gov/shpo/TaxCrdts.htm](http://www.dnr.mo.gov/shpo/TaxCrdts.htm). See also, Rhode Island at [www.rihphc.state.ri.us/credits](http://www.rihphc.state.ri.us/credits)*

## Coordinated Planning

One of the first steps toward growing smarter is to think ahead about how to accommodate growth, invest public dollars and make sure policies line up with communities' goals for the future. The visioning innovations described in the earlier section on planning and regulation address this need. The next step is to coordinate that planning among the various levels of government, among the agencies at each level of government and among the jurisdictions

within metro areas. The notion is that no agency or level of government can meet its goals if one entity is working at cross purposes with another.

REALTOR® Associations in Washington and New Mexico have taken an active role in statewide planning initiatives; see their profiles in Section V. REALTOR® Ken Jackson shares his experiences in serving on a local planning commission in Section V.

This is often easier said than done, of course. Following is a look at three states that have taken on the job of coordinating planning, as well as some challenges they have faced.

### *Washington Growth Management Act*

Washington's Growth Management Act has been in place since 1990, but it has been amended a number of times and has sparked controversy as it has brought a stringent new set of planning and growth requirements to growing counties and cities across the state. The Act applies to large counties that have grown at least 17 percent over the past ten years, and small counties where population has grown by 20 percent or more, as well as the cities within them. These local governments must identify and protect critical areas while focusing growth in designated growth areas. The local governments must prepare comprehensive plans and enact development regulations that are in line with the comprehensive plan. Three Growth Management Hearing Boards resolve disputes over compliance with the act, including appeals on new regulations or boundaries of urban growth areas.

The law sets out 13 goals for the comprehensive plan, including reducing sprawl, using existing infrastructure, and encouraging multi-modal transportation. The goals also specify the importance of natural resource-based industries, such as fishing and logging, and call for the protection of property rights and a speedy permitting process.

The Washington REALTORS® has been successful in offering amendments to the GMA that include providing for and clarifying rural

development procedures, creating industrial land banks, a buildable lands inventory process, and the ability to challenge local land use decisions through the courts, rather than or in addition to the GMA Regional Hearings Boards. (See Section V.)

See: [www.smartgrowth.wa.gov](http://www.smartgrowth.wa.gov)

### **Wisconsin Smart Growth Legislation**

Wisconsin has chosen to pursue smart growth by making sure that communities plan ahead – with plenty of citizen involvement. The state’s Comprehensive Planning Law will ensure that by 2010, almost every city and county in the state will have a comprehensive plan to guide future development. The law provides grants to local communities to pay for about half of the cost of developing the plans. By May of 2006, 819 cities, villages, towns, planning commissions and tribes – about 60 percent of Wisconsin jurisdictions – had received planning grants.

The law defines nine elements, or chapters, to every comprehensive plan. They require communities to identify issues and

opportunities; plan for housing, transportation, utilities, and land use; preserve agricultural, natural, and cultural resources; and promote economic development and intergovernmental cooperation. The final chapter is about implementation – the law requires that cities and villages of 12,500 citizens or more adopt a model traditional neighborhood development ordinance and a conservation subdivision ordinance to help shape development patterns.

The law also establishes 14 planning goals, including promoting redevelopment, providing transportation choices and affordable housing, and building community identity by revitalizing Main Streets. Communities applying for state planning grants must also agree to establish “smart growth areas,” where state and local infrastructure resources will be concentrated. The public gets many and varied opportunities to have their say about the plan. In fact, a separate public participation plan is one of the first steps in any planning process.

See: [www.1kfriends.org/Community\\_Planning/WI\\_Comprehensive\\_Planning/WI\\_Planning.htm](http://www.1kfriends.org/Community_Planning/WI_Comprehensive_Planning/WI_Planning.htm)



### *Pennsylvania's Intergovernmental Cooperation Law*

An important aspect of good planning is talking to your neighbors. Pennsylvania has given clear legislative authority to local governments so they can plan and act cooperatively. The law recognizes that in modern metropolitan areas, individual municipalities are working in a far larger economic market that spans the region, where growth is not in the control of any one jurisdiction. In many places a failure of cooperation has ended up spurring sprawl, as developers use inconsistent ordinances to choose development on the edge, where regulations and costs are lower for them, but higher for the region as a whole.

The law encourages jurisdictions to enter into cooperative agreements for making sure their zoning and land-development ordinances are consistent with one another. It encourages communities to jointly develop comprehensive plans that span their boundaries. The plans can designate areas for future growth and for preservation on a region-wide basis. Communities with such regional plans are supported by the Commonwealth with planning funds, authority to share tax revenue, and other benefits.

*See: [www.newpa.com/default.aspx?id=20](http://www.newpa.com/default.aspx?id=20)*

### **Community Design**

Many communities have found that it is not enough merely to make a plan if there is no clear vision for how to implement it in a way that produces the character, form and function that citizens desire. Likewise, it's not enough merely to say what communities don't want to see in terms of development; to get a satisfactory result, they have to describe what it is they do want in terms of community design.

In Vermont, as the example below explains, citizens have expressed a preference for growth that takes the form of the New England towns that have long characterized



the region. In California, the state has given communities new latitude in using form-based codes to guide community design. In neither case does state government policy dictate what must be built where. Rather, it offers guidance as to what the community will support with tax dollars and government services.

### **Vermont Growth Centers**

Vermont has a long-established development pattern of compact towns and villages, often with a "village green," surrounded by farms and forests. The state is invoking that tradition in its new (2006) designation of "growth centers," places that will get priority in a variety of state programs. The new designation allows local governments to apply voluntarily for growth-center status for existing cities and towns, as well as for well-defined parcels adjacent to existing developed areas. The centers must have public spaces and a focal point, a mix of uses, and must maintain the historic development

pattern of compact villages and urban centers separated by a rural countryside.

In addition to giving “growth centers” funding priority, the state is allowing them to become tax-increment financing (TIF) districts. Inside TIF districts, local governments are allowed to use a portion of property tax revenues from new developments to pay for the infrastructure improvements that made the new activity possible in the first place.

The new legislation was supported by the Vermont Association of REALTORS® (VAR). To broaden the acceptance of the new legislation, VAR sought support from NAR to develop a course on the principles of smart growth in partnership with the Vermont Forum on Sprawl. To learn more, contact Bob Hill at rdh@vtrealtor.com.

*See: [www.vtsprawl.org/Resources/legislation/legislation-2006.htm](http://www.vtsprawl.org/Resources/legislation/legislation-2006.htm)*

### California Form-Based Codes

While zoning codes are strictly a local matter, the State of California is making clear to municipalities that new zoning forms are legal – and are even encouraged.

Conventional zoning is usually based on building use, and strictly separates homes from shops and businesses. Such zoning has been blamed for creating sprawl – and named as a barrier to mixing together housing, retail, and business. California’s old law regulating general plans seemed to imply that separating uses was necessary, so in 2004 the state passed a law that encourages what are known as “form-based codes.” As discussed earlier in the section on innovations in zoning and development codes, these zoning codes focus on the regulation of building form, such as how far a building is set back from the street, and its height. They allow communities to achieve desired designs while mixing together different types of uses, and are a common way of achieving smart growth.

*See: [www.lgc.org/freepub/PDF/Land\\_Use/fact\\_sheets/form\\_based\\_codes.pdf](http://www.lgc.org/freepub/PDF/Land_Use/fact_sheets/form_based_codes.pdf)*

## Housing Affordability

In most metro areas today, no single entity is responsible or accountable for ensuring that families of all incomes can find a decent home within reasonable proximity to jobs and essential services. Meanwhile, virtually every local jurisdiction has the right to impose zoning provisions that exclude families of modest means, and very many do. Mandates for large lots and larger houses with expensive finishes drive up prices while bans on attached, mixed-income and other forms of lower-cost construction drive down the affordable supply. Meanwhile, sheer demand for urban living and shorter commutes is driving prices in many close-in neighborhoods beyond the reach of teachers, firefighters and others of modest income. Now, rising gas prices are adding to the “transportation cost” of homes that are distant from jobs and activities.

Faced with these circumstances, communities across the country are trying a range of innovative policies and public-private approaches to increase the availability of affordable homes in proximity to jobs and urban amenities. Following is a brief overview of several policies available to promote affordable housing in the locations where demand is high.

The REALTORS® Association in Ventura County California has helped promote affordable housing through its HOME program. See Section V for a case study.

**Inclusionary zoning.** In hot housing markets, some cities are requiring that developments of a certain size contain a share of houses that meet local affordability goals. These usually involve granting a density bonus in exchange for affordable units. Washington, D.C., Boston, Atlanta and San Francisco are among the jurisdictions adopting these policies.

*See NAR’s “Field Guide to Inclusionary Zoning” and other resources at [www.realtor.org/inclusionaryzoning](http://www.realtor.org/inclusionaryzoning)*



## Vermont Housing and Conservation Trust Fund

Vermont has been meeting the need to fund both open space preservation and affordable housing since 1987 when it created the Vermont Housing and Conservation Trust Fund. While many states have Housing Trust Funds (often funded by real estate conveyance taxes or recording fees), Vermont was the first to link affordable housing to preservation. The fund has awarded more than \$142 million dollars for affordable housing and preservation, leveraging \$500 million more from private sources.

Linking housing and preservation has helped promote smart growth. For example, about one-quarter of the affordable housing units supported by the fund are in buildings eligible for the National Register of Historic Places. Such “dual goal” projects help communities integrate two seemingly divergent needs. In some cases farms preserved by the fund have incorporated new affordable housing units; in others housing groups supported by the fund have agreed to protect streams and open space at the site of new and rehabilitated affordable housing.

Hawaii and Connecticut have recently created similar programs, and Rhode Island is working to revive a program modeled on Vermont’s that has never received funding.

*See: [www.vhcb.org/coalitions.html](http://www.vhcb.org/coalitions.html)*



**Regional, fair-share housing plans.** To help ensure that no jurisdiction ends up with too much of one kind of housing, whether at the low or high end, some metro regions are creating multi-jurisdictional plans that help to allocate subsidized housing in a fair way, while ensuring that other forms of affordable homes match the jobs available.

**Mixed-income projects** can help defray infrastructure costs for lower-priced units by including them with more expensive units. Mixed-income projects have proven highly successful in the last few years. Many have been created through the federal HOPE VI program, which replaced dilapidated high-rise public housing with new projects that mix subsidized and market-rate homes.

**Increased travel options** can allow families to drive less, even owning fewer cars, thereby saving money that can go toward improved housing options. This is the principle behind location-efficient mortgages, which allow buyers in walkable neighborhoods with good transit access to qualify for larger sums than they otherwise would, because of the money saved on vehicles.

**Permissive policies on granny flats and other accessory units.** Allowing home owners to create an accessory apartment on their

property, either for personal use or rent, can help expand the housing supply while supplementing home owners' income.

“**Smart**” **rehabilitation codes** that make it less costly to put older buildings to use. New Jersey has been a pioneer in this area.

**Re-use of vacant properties.** Many cities and older suburbs are discovering ways to work with the private sector to work quickly to put tax-delinquent and abandoned properties back into service as affordable homes.

## Other useful resources

For a more complete discussion of these issues, see these resources:

**Knowledgeplex.org**, a project of the Fannie Mae Foundation and a number of partners, offers a vast array of affordability news, tools and forums at [www.knowledgeplex.org](http://www.knowledgeplex.org)

“**Affordable Housing and Smart Growth: Making the connection**” offers fuller explanations of policies as well as exemplary projects, at [www.epa.gov/dced/pdf/epa\\_ah\\_sg.pdf](http://www.epa.gov/dced/pdf/epa_ah_sg.pdf)

**The Affordable Housing Design Advisor** offers a large gallery of public, private and non-profit projects that took advantage of policies listed here, as well as others, to create successful, popular projects, please see: [www.designadvisor.org](http://www.designadvisor.org)

“**Conservation Based Affordable Housing: Improving the Nature of Affordable Housing**”, from The Conservation Fund, offers 16 examples of communities building affordable housing while conserving land at the same time. [www.conservationfund.org/?article=3192&back=true](http://www.conservationfund.org/?article=3192&back=true)

## Schools

*Following is a brief overview of the role school facilities policies can play in smart growth. For a fuller discussion, please see Public Schools: A Toolkit for REALTORS® [www.realtor.org/pubschoolstoolkit](http://www.realtor.org/pubschoolstoolkit)*

As every REALTOR® knows, the connection between schools and real estate is profound. The perceived quality of schools affect home values, just as the decline of housing stock and local tax base can affect school quality. A neighborhood with a traditional school nestled within walking distance of most students has one kind of character, while a neighborhood whose children must be driven to a large school on busy arterial roads have another.

In recent years, smart growth principles have converged with a movement among educators and neighborhood advocates for smaller schools that are integral to the community. Research shows that children attending smaller schools get better grades and participate more in school activities, and are more likely to go to college. Neighborhood schools also can serve multiple functions for the surrounding community outside of school hours. And in this era of high obesity rates, walking or biking to school gives kids that extra bit of physical activity that can help make a difference – provided the school is in a walkable neighborhood with safe routes to and from the school grounds.

In an article for the American School Board Journal, consultants Constance Beaumont and Barbara McCann proposed characteristics for “smart growth” schools. They are:

- ▶ Small and fit comfortably into the neighborhoods they serve;
- ▶ Encourage community involvement in planning for the facility;
- ▶ Provide high quality education;
- ▶ Located within a neighborhood where most kids can walk or bike safely;
- ▶ Act as a neighborhood focal point, with after-hours community activities; and



- ▶ Make good use of existing resources, including historic buildings, whenever possible.

For many years since the 1960s, widely adopted standards from the Council of Educational Facility Planners International undermined these goals by promoting large, drive-to school on sites of many acres. Recently, however, the standard-setting organization has rethought its guidelines to encourage renovating existing neighborhood schools and using smart growth principles in siting decisions. The new guidance can be found in the report, “Schools for Successful Communities: An Element of Smart Growth”, on CEFPI’s website: [www.epa.gov/smartgrowth/pdf/SmartGrowth\\_schools\\_Pub.pdf](http://www.epa.gov/smartgrowth/pdf/SmartGrowth_schools_Pub.pdf)

*Education World* recommends these policies as beneficial to both schools and the communities they serve, as well as the environment:

- ▶ Eliminate arbitrary acreage standards that undermine the ability of established communities to retain older schools

- ▶ Give greater emphasis to renovation, versus new construction
- ▶ School districts and local governments should collaborate on local planning
- ▶ Ensure that a minimum of 50 percent of students can walk to school

*For more on these and other policies, see the U.S. EPA’s Smart Growth and Schools site: [www.epa.gov/smartgrowth/schools.htm](http://www.epa.gov/smartgrowth/schools.htm)*

### ***Maryland School Construction Program***

Maryland allocates state funds to help local governments with school construction, and prioritizes projects that revitalize existing facilities and those in developed areas already served by public infrastructure. These policies have led Maryland to award 80 percent of its school construction dollars to existing facilities instead of new campuses on the edge of town. Maryland also makes no acreage standard recommendations; expansive school acreage requirements for playfields and parking lots are one reason

communities end up putting schools in open fields far from neighborhoods.

Other states, such as Maine and California, are promoting better cooperation between community planning agencies and school boards.

See: [www.pscp.state.md.us](http://www.pscp.state.md.us)

For more on the principles behind ending school sprawl, see Section II: ‘Topics in Smart Growth’.

To learn about a REALTOR® working on school sprawl issues, see the profile of Linda Gordon-Nichols in Section V.

Smart Growth Smart Schools Initiative: [www.smart-schools.org](http://www.smart-schools.org)

## Fiscal Prudence

Every jurisdiction hopes to invest public dollars in a way that sustains the economy while improving the quality of life of residents. Often, though, policies on property taxation, transportation funding, water and sewer extensions, school funding and the like work at cross purposes and sometimes even work against the long-term sustainability of communities.

The National Governors Association has promoted a “Fix it First” approach with these goals:

### Spend funds more efficiently by:

- ▶ Targeting state investment to areas with existing infrastructure and facilitate development in areas most suitable for growth.
- ▶ Coordinating state agency planning around common development goals.

### Increase economic competitiveness by:

- ▶ Improving existing community infrastructure to create places that are appealing for business and residential investment.

- ▶ Creating incentives to revitalize and restore the economies of targeted areas.

### Enhance quality of life by:

- ▶ Creating incentives for communities to pursue coordinated development goals.
- ▶ Removing barriers to the construction and rehabilitation of schools in established areas.

For local governments, there are various techniques available for meeting these goals. Two of them are fiscal impact analysis and impact fees that are tailored to reflect the true costs associated with location.

## Fiscal Impact Analysis

Fiscal impact analysis of proposed developments helps to determine the cost to local governments and taxpayers of providing infrastructure to serve new developments. For more on the analysis and what it means for policy, please see “Developments and Dollars: An Introduction to Fiscal Impact Analysis in Land Use Planning” at [www.nrdc.org/cities/smartgrowth/dd/ddinx.asp](http://www.nrdc.org/cities/smartgrowth/dd/ddinx.asp)

## Impact fees

Impact fees are intended to make new development pay its own way for both infrastructure and services. Often, however, there is no distinction made between development that occurs in “greenfield” areas that must be served with new infrastructure and expanded police, fire and other services, and development that occurs in areas that already are served and help to maximize previous investments. Jurisdictions that choose to impose impact fees often are better served by a system of graduated fees that reflects the benefits of development that makes efficient use of public investments.

A broader discussion of how to capture the fiscal and opportunity gains associated with better planning can be found in the book “Sprawl Costs: Economic Impacts of Unchecked Development,” available from Island Press: [www.islandpress.com/books/detail.html/SKU/1-55963-530-4](http://www.islandpress.com/books/detail.html/SKU/1-55963-530-4)

## Illinois Business Location Efficiency Act

Developers tend to like office sprawl because it is simple – in most places, putting up a new office or industrial building in a remote location is quick and inexpensive, even if the new employees end up with a long drive to work. But Illinois is giving businesses an edge if they choose locations that are served by transit and close to affordable housing for their employees. The Business Location Efficiency Act of 2006 increases corporate income tax credits offered under the Economic Development for a Growing Economy (EDGE) program by ten percent for such efficient locations. Companies in areas that don't qualify can up their EDGE credits by creating a remediation plan that may offer employer-assisted housing, shuttle services, pre-tax transit cards, or carpooling assistance.

See: [www.illinois.gov/PressReleases/ShowPressRelease.cfm?SubjectID=2&RecNum=5034](http://www.illinois.gov/PressReleases/ShowPressRelease.cfm?SubjectID=2&RecNum=5034)

## Livable Delaware

Delaware is taking a comprehensive approach to reining in sprawl and managing growth with its Livable Delaware Initiative. A critical organizing principle of the initiative is the state's commitment to appropriately direct state investments.

The foundation of the program is an updated set of "Strategies for State Policies and Spending" that direct how the state can most efficiently invest in transportation, social services, schools, and other infrastructure and services. Delaware is unusual in that it provides most of these services and infrastructure throughout the state, and stands to save significant resources with more carefully considered investments.

Delaware has designated four types of investment areas (with a detailed map): Level 1 areas are generally established cities and towns and Level 4 areas generally represent agricultural areas. The plan provides detailed investment priorities for transportation, water, housing, state facilities, parks, services and other elements for each level. For example, in Investment Level 1 areas, "State investments

and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and private investments, and enhance community identity and integrity." Level 3 areas get the lowest priority of the three 'growth' oriented areas, as development is not needed in these areas to accommodate growth. State investment in Level 4 areas are not directed toward growth, but toward preservation – including protecting open space.

The state has also instituted a system of graduated impact fees for development that levy no fees in priority growth zones, and graduated fees when development is proposed in areas slated for lower growth or preservation.

See: [www.state.de.us/planning/strategies/strategies.shtml](http://www.state.de.us/planning/strategies/strategies.shtml)

## Green Building

Since the 1980s the term "green building" has been popularized to mean using the most environmentally sensitive and sustainable materials to produce buildings that are energy



and resource-efficient. In the last few years, there has been a greater recognition within the green building field that sustainability is not just about buildings, but includes a focus on where and how we site our buildings, how the buildings are served by transportation, and the overall health of the communities that these buildings shape. Likewise, the smart growth movement is paying more attention to conservation of energy and other resources, air and water quality, and the effect of buildings on our well-being. As the smart growth movement has recognized the importance of green building and adopted it, green building practitioners have recognized the importance of smart growth in achieving green building's larger goals.

Still, "green building" remains a niche practice. Institutional barriers remain because of lingering questions about the economic viability, affordability, insurability, and durability of green buildings. The market will address these issues as more buildings are constructed and more lessons are learned. Furthermore, the market will undoubtedly respond if more consumers decide that they care about energy savings and cleaner indoor air as much as they care about size and modern amenities.

However, government policies can play a role in stimulating the increased use of green

building practices. Below are two examples of state programs that do just that.

*See: [www.usgbc.org/DisplayPage.aspx?CMSPageID=79&](http://www.usgbc.org/DisplayPage.aspx?CMSPageID=79&)*

### Arizona LEED

Arizona's Governor Janet Napolitano signed an Executive Order in February 2005 requiring all state-funded buildings to meet green building standards.

The buildings must qualify for a Silver LEED-certification under a program run by the Green Building Council. The LEED certification system (which stands for Leadership in Energy and Environmental Design) awards points to new construction for sustainable siting, water and energy efficiency, generating less waste and using sustainable materials, and creating good indoor air quality. Buildings also receive points for innovative design. The LEED gives four designations: Certified, Silver, Gold, and Platinum.

The Arizona Executive Order also requires that buildings must derive ten percent of their energy needs from renewable resources such as wind or solar power, or through buying renewable energy credits. The Governor directed the Arizona Department of Administration, Transportation and Schools to report their plans to comply with the new order.

Many other states and communities are starting to require LEED standards. Visit the Green Building Council's webpage, <http://www.usgbc.org/> to find a list, and to learn about a new LEED-certification system for homes, LEED-H, now under development.

*See: [www.usgbc.org/Chapters/Arizona](http://www.usgbc.org/Chapters/Arizona)*



## North Carolina HealthyBuilt Homes

In North Carolina, the state Energy Office and Department of Administration have joined forces with the North Carolina Solar Center and local building organizations to offer the North Carolina Healthy Built Homes program. The program provides home builders with the resources to help them build houses that are healthy and affordable and reduce energy and water usage while protecting the environment. The program is aimed at small and medium-sized home builders to help them compete in the new green housing market. The program focuses on lowering operating costs for heating and cooling, improving indoor air quality, and lowering overall environmental impact. Homes built under the HealthyBuilt program are inspected according to a specially developed checklist and can be marketed as HealthyBuilt homes.

Begun in 2004, the program has focused in part on ensuring that some of the certified homes are affordable. Developments in Asheville and Durham have achieved certification for about 20 homes designed for low-income families. HealthyBuilt homes also have the added benefit of dramatically lower monthly heating and cooling costs, increasing their affordability.

The website for the program includes a link where real estate professionals can sign up to be listed in a Directory of Energy Renewable Professionals, maintained by the Solar Center.

*See: [www.healthybuilthomes.org](http://www.healthybuilthomes.org)*

## Profiles: Four States Taking a Comprehensive Smart Growth Approach

### Maryland

The State of Maryland began to encourage smart growth in 1997. At the center of Maryland's efforts are two initiatives: designating Priority Funding Areas for growth, and establishing a Rural Legacy program for areas that should be protected from development.

Priority Funding Areas (PFAs) are places where the state concentrates its investments in order to encourage growth in existing communities. PFAs include all land inside city boundaries as of 1997, industrial areas and enterprise zones, and other areas designated by counties, as long as they meet water and sewer needs and density standards. The PFAs get funding priority for infrastructure such as highways and water and sewer construction, and for economic development assistance.



For example, new homes financed under low-interest home loan programs for low-income and disabled citizens must be within PFAs. In addition, employers get a bigger tax savings under the Job Creation Tax Credit program if their business is in a PFA.

The partner to the Priority Funding Areas is the Rural Legacy Program, which is aimed at protecting large, contiguous tracts of agricultural, forest and natural areas from development. The Rural Legacy program purchases conservation easements and encourages planning to protect these areas from development pressure.

Maryland has established several other programs to encourage compact development in existing communities. The state Department of Planning has begun to market vacant state-owned properties for redevelopment through the Maryland Smart Sites website ([www.smartsites.org](http://www.smartsites.org)). The existing Brownfield Revitalization Incentive Program was reformed in 2004 to streamline the application process and increase the types of eligible sites. A competitive program begun in 2004 called Priority Places, has awarded special assistance to a half-dozen cities, suburbs and small towns that are building projects in already developed areas. The projects are supported by the “Smart Growth Sub-Cabinet,” made up of all state agencies that are involved in land use and growth.

The state is also providing technical assistance for communities looking for new ways to grow. The state has developed a Development Capacity Analysis to help communities estimate their “build-out” capacity, and encourages jurisdictions to consider adopting Adequate Public Facility Ordinances that ensure that roads, sewers and other infrastructure are adequate to serve new development. The Department of Planning has issued model ‘smart codes’ that cities and counties can adopt that are more appropriate for rehabilitation and infill development than traditional building codes.

See: [www.mdp.state.md.us/smartintro.htm](http://www.mdp.state.md.us/smartintro.htm)

## New Jersey’s Eight Planning Goals

- 1 Revitalize the State’s Urban Centers and Areas
- 2 Conserve the State’s Natural Resources
- 3 Promote Beneficial Economic Growth, Development and Renewal
- 4 Protect the Environment
- 5 Provide Adequate Public Services At a Reasonable Cost
- 6 Provide Adequate Housing At a Reasonable Cost
- 7 Preserve and Enhance Historic, Cultural, Open Space and Recreational Lands and Structures
- 8 Ensure Sound and Integrated Planning Statewide

### New Jersey

The State of New Jersey has plenty of experience with both sides of sprawling development – the destruction of natural areas for new development, and the disinvestment and decline in existing urban areas. The state has taken many steps to try to reverse the trend, including a robust program to redevelop industrial brownfields, extensive open space and farmland preservation programs, and “smart future” planning grants. The state Department of Transportation has adopted policies that call for “fixing it first” and that support the creation of “transit villages” that get extra planning and funding attention. In this profile, we focus on New Jersey’s innovative state planning system, its new codes for rehabilitating existing buildings, and its “growth share” affordable housing initiative.

The State Plan established eight planning goals (see sidebar), and five types of planning



areas, with an accompanying planning map. The plan encourages local participation by creating a voluntary review system that endorses city, county, and regional plans if the plans are consistent with the state plans and goals and those of surrounding jurisdictions. Jurisdictions with endorsed plans get funding priority, a streamlined permitting process, and coordinated agency services.

**Rehab codes** With more than its share of abandoned and neglected buildings – half of the state’s homes were built prior to 1959 – New Jersey has led the way in encouraging redevelopment by creating rehabilitation codes that spur renovation without prohibitive costs or requirements. The code eliminates the uncertainty and sometimes insurmountable requirements of building codes that force developers to meet new-construction standards on old buildings. The Rehabilitation Sub-code regulates three types of projects: changes of use, additions, and rehabilitations. Rehabs are further divided according to how much work has to be done, which allows small projects to go forward without meeting burdensome code requirements. The code has led to a dramatic increase in dollars spent on rehabilitation. The first year the code was in effect, 1998, rehabilitation work in New Jersey’s five largest cities increased by 60 percent. The state has also established the New Jersey Redevelopment Authority, a financing authority that uses many mechanisms to support redevelopment of urban neighborhoods.

**Growth share housing** A critical element in smart growth is affordable housing that allows people to live close to their jobs. New Jersey has established “growth share” affordable housing standards that ensure that whenever new housing or jobs come into a community, affordable units will be part of the mix. Local jurisdictions are required to ensure that for every eight market-rate homes or apartments that are built, one affordable unit must be developed. And for every 25 new jobs introduced into a community, one

unit of housing that is within reach of low- or moderate income households must be developed. The state Council on Affordable Housing uses State Planning Commission growth projections as it reviews the growth plans of local jurisdictions; a full evaluation of a jurisdiction’s success in meeting affordable housing goals is due every three years.

See: [www.nj.gov/dca/osg](http://www.nj.gov/dca/osg)

## Massachusetts

While most states are experimenting with individual smart growth initiatives, Massachusetts has been attempting a more comprehensive approach. Governor Mitt Romney’s administration has established ten smart growth principles and is implementing a coordinated set of new policies and programs. He even re-organized state government to achieve this vision.

The ten Sustainable Development Principles of Massachusetts fit on a single page and

### Massachusetts Sustainable Development Principles:

- 1 Redevelop First
- 2 Concentrate Development
- 3 Be Fair (equitable sharing of the benefits and burdens of development)
- 4 Restore and Enhance the Environment
- 5 Conserve Natural Resources
- 6 Expand Housing Opportunities
- 7 Provide Transportation Choice
- 8 Increase Job Opportunities
- 9 Foster Sustainable Businesses
- 10 Plan Regionally

inform the work of the newly-created Office of Commonwealth Development, a super-agency that coordinates the work of the housing, transportation, environmental, and energy agencies of the state government to better manage growth. Massachusetts is a strong home rule state, and many of the policies and programs administered by the office are based on providing incentives and technical assistance to local communities interested in smart growth.

The incentives can come in the form of hard cash. Under Chapter 40R of the state code, communities that create special zoning districts that allow and plan for “by right” development of high-density, mixed use housing with significant affordable units are rewarded financially – a \$600,000 lump-sum payment, and \$3,000 per housing unit built. A bipartisan group, the Commonwealth Housing Task Force, proposed 40R, and it is strongly supported by the Massachusetts Association of REALTORS®. An added provision (40S) encourages jurisdictions to invest in housing suitable for families by kicking in state education funding to provide for children added to a community as a result of the 40R-inspired new development.

The state is also offering a new Transit Oriented Development (TOD) bond program that will fund bicycle and pedestrian improvements, housing projects, and parking facilities for developments – as long as they are within a quarter mile of a transit station.

The Commonwealth Capital Scorecard is issued for about 300 towns in the state. The scorecard measures how well local development practices meet the Sustainable Development Principles. Scoring well can increase how much state funding a community receives.

**Affordable housing** In addition to the 40R affordable housing requirement, Massachusetts has a long-standing “Chapter 40B” affordable housing policy. In communities where less than ten percent of housing is affordable to low income families



or seniors, developers who propose projects with 20 to 25 percent affordable units can override local zoning guidelines, and also benefit from a streamlined approval process. If the community zoning board requires changes that make the project “uneconomical,” the developer can appeal to the state. The law was recently revised to suggest adherence to the ten Smart Growth Principles. The law has helped build more than 43,000 affordable units since the early 1970s.

Massachusetts has organized a technical assistance program around twelve techniques contained in a Smart Growth Toolkit (for a poster of all twelve, see [www.mass.gov/envir/smart\\_growth\\_toolkit/docs/smart\\_growth\\_toolkit\\_poster.pdf](http://www.mass.gov/envir/smart_growth_toolkit/docs/smart_growth_toolkit_poster.pdf)). The techniques include everything from Transfer of Development Rights to Tax-Increment Financing and Inclusionary Zoning.

The Massachusetts Association of REALTORS® has been active in pushing for development of these tools and more, including creating density bonuses and “by-right” cluster development. The Association has also sponsored regional meetings to discuss affordable housing principles. For more information, visit [www.marealtor.com](http://www.marealtor.com)

See: [www.mass.gov/?pageID=ocdhomepage&L=1&sid=Eocd&L0=Home](http://www.mass.gov/?pageID=ocdhomepage&L=1&sid=Eocd&L0=Home)

## Oregon

Oregon's method of directing growth to existing areas while preserving farmland and open space is perhaps the best known in the country, and certainly the oldest. Most of Oregon's land use laws were passed in a remarkable session of the state legislature in 1973, then honed into policies and programs with extensive public input.

Oregon's system required all counties and cities to create comprehensive plans in line with nineteen overarching planning goals developed after public hearings throughout the state. Once all the local plans were in place, they – not the state – governed growth decisions. Completed plans created urban growth boundaries (UGBs), marking the edge of the land needed to meet the region's housing, business, and recreational needs for the next twenty years. The urban growth boundaries are reconsidered every five to seven years. Beyond the UGBs, farm, range, and forest lands are protected from development with special zoning designations, such as Exclusive Farm Use (EFU). A Land Use Board of Appeals resolves land use disputes.

Oregon's law also requires zoning for affordable housing, and challenges the state's largest cities to reduce reliance on the automobile by planning for transportation options. The state's Transportation Planning Rule requires that new retail, office, and institutional buildings give preferential access to transit, and the state's "Bike Bill"

requires that all roads provide pedestrian and bicycle access, as well as allocating one percent of state transportation dollars to these transportation modes.

Oregon's success in reducing sprawl and keeping traffic congestion at bay is well known in part because the Portland region embraced and extended the early state policies. Portland voters created the nation's only directly-elected regional government in 1979 to oversee transportation and development across the region. Portland has succeeded in directing growth into a vibrant downtown while preserving a greenbelt of active farms close to the city. Traffic congestion has remained manageable as commuters have come to rely on light-rail trains as well as their feet and bicycles.

Oregon's system is undergoing profound change because of Measure 37, a referendum passed in 2004 that requires cities and counties to compensate landowners if land use restrictions reduce property values. The law provides no funding for such compensation, so is resulting in many waivers and changes in land-use regulations. It is based on an administrative claims procedure that does not include provisions for involvement by the public or notification of neighboring land owners. Smart growth proponents fear it will gut Oregon's land use laws.

*See: [www.sos.state.or.us/bbook/topic/landuse/land05.htm](http://www.sos.state.or.us/bbook/topic/landuse/land05.htm) or [www.friends.org/resources/overview.html](http://www.friends.org/resources/overview.html)*

# IVC. Building Smart

## A survey of innovative projects

The following section focuses on some examples of places that have been built according to those concepts. This is an evolving field, so each new project builds on the successes and shortcomings of those that came before. While these projects are included because they succeeded in many ways, they are not intended as templates for all future such projects. Each community, each setting, each market, each development team is different, allowing for endless innovations and adaptations to create special character and lasting value.

These places were built first and foremost to serve the people who would live, shop and work in and around them. Along the way they accomplished other goals, such as reusing existing developed land, making the most of past investments in infrastructure, conserving open space and ecologically sensitive land, revitalizing a blighted or flagging area. Most of them were designed in conjunction with residents and other stakeholders in their host communities.

### Traditional Neighborhood Development

Since founding their new school of urban design and architecture in the early 1990s, practitioners of the New Urbanism have offered traditional neighborhood development as an alternative to the conventional subdivision and strip-mall pattern of suburban development. A traditional neighborhood development usually is oriented around a center that includes a public space and commercial enterprise; an identifiable edge, ideally a five minute walk from the center; a mix of activities and variety of housing types; an interconnected network of streets usually in a grid pattern; and public and open spaces, including parks, plazas and squares. Uses are mixed within the project, and often within buildings, as well, including

lofts over stores or live-work units as part of a mix of types and prices.

### Glenwood Park, Atlanta, Georgia

An excellent example is Atlanta's Glenwood Park, the first foray into development for Charles Brewer, one of the earliest and most

### Where to look for more examples

*Smart Growth Illustrated*, compiled by the U.S. EPA's Office of Economic and Community Development, offers links to projects that illustrate each of the 10 principles embraced by the Smart Growth Network.

See: [www.epa.gov/smartgrowth/case.htm](http://www.epa.gov/smartgrowth/case.htm)

The *Affordable Housing Design Advisor* site contains a gallery of 80 projects showing how affordable housing was integrated successfully with other housing in a variety of settings. It also includes contact information for the developers, designers and others.

See: [www.designadvisor.org](http://www.designadvisor.org)

successful Internet service providers. After founding the Mindspring Internet service which eventually merged with Earthlink, Brewer turned his entrepreneurial bent toward making the kinds of city neighborhoods he had always loved.

Five years later, a nearly-complete Glenwood Park sports a mix of single-family homes with Southern vernacular architecture, all of which meet standards for “green” building, along with condominiums overlooking a central square, some of Atlanta’s first genuine row houses and a large park with pond that doubles as an eco-friendly storm-water system. Because of high site development costs, Brewer and company did not meet their objective of adding lower-income housing to the mix, but with many of the 50 condos starting at \$170,000, Glenwood Park can accommodate a wider range of incomes and household types than nearly any other single development built in the area in recent years. Three shops had opened as of May, 2006 – a coffee shop, a Latin restaurant, and a wine and book shop – with developers pushing hard to meet the strong desire of

surrounding neighbors for a small grocery. The one pre-existing building on the site was converted it into an office condominium building and is being leased.

### *Origins*

Having made the decision to try his hand at New Urbanist development after divesting from Earthlink, Brewer formed Green Street Properties with like-minded colleagues Katharine Kelley, formerly of Post Properties, and Walter Brown, an active advocate of green building at Atlanta’s Southface Energy Institute. The three agreed on a philosophy that would drive their approach to neighborhood-building, now summarized on their web site: “We are striving to create a loveable, walkable neighborhood like the ones travelers rave about after visiting the great cities of the world. With a mix of pleasant tree-lined streets, city houses, townhouses, apartments, stores, and parks, we are creating a lively new city neighborhood.”

When Brewer found the 28-acre site of his future “traditional neighborhood development,” it was a defunct concrete



recycling plant, heaped with slag and loaded with potential environmental issues. But it had many virtues: It was just off I-20, only a couple of miles from downtown Atlanta, with the skyline visible across the highway. It was just large enough to contain most of the elements of a complete neighborhood – a mix of housing types, neighborhood retail and some offices – and was surrounded by older neighborhoods that lacked nearby stores and restaurants. Although it is a mile from the nearest rail stop, the area has good bus access and is an easy bike ride from much of what that Atlanta has to offer.

The outlines of the plan for Glenwood Park were shaped in a design workshop, or charrette, in early December 2001, led by Victor Dover of Miami with local assistance from Tunnel-Spangler-Walsh & Partners of Atlanta. Numerous changing circumstances would require further refinements, such as when a planned private school proved unable to locate on a site reserved for it.

### *Challenges*

The first challenge involved a struggle with the city’s traffic engineers to win permission for the narrower streets and tighter turning radii that were important to the intimate, pedestrian-friendly design. Ultimately, the city’s elected officials passed a new ordinance allowing special road dimensions for designated traditional neighborhood developments.

Next, the developers had to fight to get permission to alter a sludge-filled drainage ditch to create the environmentally friendly retention pond that also was a key amenity in the neighborhood park. While state and local officials agreed the proposal was preferable to the existing condition, complex water quality rules and jurisdictional squabbles required months to untangle. Today, the development is winning awards for its green infrastructure.

Finally, Green Street had to persuade the Georgia Department of Transportation to relinquish control of the Glenwood

Connector, the main adjacent road, which leads to I-20. Green Street envisioned the road as a tree-lined boulevard with on-street parking, but DOT engineers resisted departing from their high-speed formula. In the end, the road was transferred to the city and renamed for Bill Kennedy, a recently deceased former city official who had supported projects like Glenwood, and the street was redesigned.

### *Advantages*

Although Brewer was a novice at development, Green Street’s first foray has been regarded as a resounding success. Much of that can be attributed to the unified vision and strong principles of Brewer and his colleagues, who were well known to city officials as persons of high integrity. The development proposal came along at a time when heightened discussion of the need to curb sprawl and redevelop Atlanta had led the city to revisit out-of-date planning and zoning rules that would have precluded a relatively dense, mixed use development such as Glenwood Park. (The same rules would have precluded rebuilding the city’s finest, old neighborhoods, as well.)

Because all of the financing for the land development at Glenwood Park has been provided by Brewer and a small group of “insiders”, Green Street has avoided the pressure to conform to convention that might have accompanied debt financing. And Green Street’s timing was good, providing a product in very high demand as intown living regained popularity.

### **ONLINE RESOURCES**

*Green Street Properties:*  
**[www.glenwoodpark.com](http://www.glenwoodpark.com)**

Other noteworthy examples of traditional neighborhood:

*Highlands’ Garden Village:* **[www.epa.gov/piedpage/awards/2005\\_overall\\_dura.htm](http://www.epa.gov/piedpage/awards/2005_overall_dura.htm)**

*Kentlands (Gaithersburg, Maryland):*  
**[www.kentlandsusa.com](http://www.kentlandsusa.com)**

## Reclaiming Suburban “Greyfields”

*Adapted from “What Once was Old is Now New: Transforming greyfield sites into new communities” by Jason Miller, in On Common Ground magazine, Summer 2005*

Increasingly, underperforming or obsolete malls and shopping centers – also known as “greyfield” sites – are being replaced by mixed-use neighborhoods. Such greyfields are becoming an increasingly common sight on the American landscape. In a 2001 study by PricewaterhouseCoopers, the Congress for the New Urbanism (CNU) reported that 19 percent of the nation’s 2,000 regional malls were defunct and in need of redevelopment, or vulnerable to becoming so, because they had sales per square foot of \$150 or less (one-third the rate of sales at a successful mall). Other studies have estimated between 4,000 and 5,500 smaller greyfield malls nationally. Redevelopment of these sites has become increasingly urgent for the aging suburbs where they are concentrated, with the result that several dozen have been or are being reconfigured as urban villages or mixed-use centers. Belmar, the redevelopment of a defunct mall in Lakewood, Colorado, is one prime example.

### Belmar (Lakewood, Colorado)

One of the more sweeping greyfield transformations in the nation, Belmar is a mixed-use renovation and redevelopment of the failing Villa Italia mall in Lakewood, Colorado’s fourth-largest city. Composed of 23 city blocks (104 acres), Belmar has become a bustling, vibrant downtown district for Lakewood, which had no such district before the renovation effort began. The area is expected to get another boost when a new light-rail line, part of Denver’s FASTRACKS initiative, reaches the area later in the decade.

Belmar represents the cumulative will of the city of Lakewood and its residents, who clamored for a downtown and an identity for the city, says Will Fleissig, director for planning

and design with Continuum Partners LLC, the project’s developer.

“The community had a very clear vision about what it wanted,” says Fleissig. “We took a 1.4-million-square-foot mall and worked with the city to downsize the retail and make the site denser without creating a burden on the existing street – the transit lines allowed this.”

In order to get out of the ground, however, Belmar needed more than political and community will. “To create a downtown, you need to create some kind of structured parking, and that can be difficult to afford,” says Fleissig. “The city worked with us on investment that allowed for the new sales tax

## Principles for Reclaiming Greyfields

The Congress for the New Urbanism has focused for several years on reclaiming “greyfields” – dead or dying shopping centers – and developed these principles:

- ▶ Evolve the site from a single structure into a district with subdistricts
- ▶ Establish a street pattern
- ▶ Reorient activity to face the street
- ▶ Connect with the surrounding community
- ▶ Integrate multiple uses
- ▶ Design for human scale
- ▶ Include housing
- ▶ Customize to fit local needs

Read more in “Malls into Main Streets: A Manual for Converting Dying Malls into Vibrant Communities” and “Greyfields into Gold Fields”, online at [www.cnu.org](http://www.cnu.org)

revenues from the project to be garnered for the roads, the trees, the parking.”

The mall’s redevelopment has had spin-off effects, says Fleissig. “We’re seeing quite a bit of reinvestment around the site – a resurgence in development in the vicinity. There’s at least a half dozen of these types of development nearby, trying to leverage our success.”

Buyers of the lofts, included in mixed-use buildings, “tend to be young, single, professional people who can’t afford to live in downtown Denver, but want the feel of an urban loft,” says Steve Jones, a REALTOR® with Denver-based Kentwood City Properties. The Belmar loft condos were selling for \$239,000 to \$255,000. All are 1,020 square feet and offer one bedroom with a study or a den, plus a bathroom, private outdoor spaces, garage parking and additional storage.

“The people who visit on the weekends are overwhelmed at how many people are out and about, enjoying the space,” says Jones. “In my opinion, five years down the road, Belmar is going to be used as a model across the country for how to do a huge infill project out of a mall. It feels like a real downtown.”

“If you can increase a site’s density by two or three times while not increasing the burden on the adjoining roads,” says Fleissig, “well, that’s what we need to be doing in America – especially in the inner-ring suburbs.”

Belmar was the winner of a 2005 Smart Growth Award from the U.S. EPA. Read more online at [www.epa.gov/piedpage/awards/2005\\_built\\_lakewood.htm](http://www.epa.gov/piedpage/awards/2005_built_lakewood.htm)

## Commercial Comebacks: Bringing Modern Retail to Cities and Older Suburbs

*Adapted from “Commercial Comeback: Retailers return to once-shunned cities and inner suburbs” by David Goldberg in On Common Ground, Summer 2005.*

For years, the less-than-preferred demographics and physical constraints of

inner-city neighborhoods kept retailers at bay. Residents of older suburbs, meanwhile, saw their options shrink as the strip centers of the 50s, 60s and 70s fell out of favor and the chains chased affluence out to the next cornfield. As close-in areas draw new residents, however, a new generation of mixed-use, higher-quality shopping environments is starting to emerge.

It’s not happening by accident. Savvy local governments are going after it, realizing that for urban and inner suburban neighborhoods, attracting retail and achieving the right mix of shopping and residential hold the key to revitalization, stability, walkability and livability. But for the first time, they’re finding retailers to be receptive.

From Atlanta, where one of the largest redevelopment projects in the city’s history brought IKEA and a host of other retailers to the heart of the city, to Chicago, with the first multi-story Home Depot, to Washington, D.C. and its retail renaissance, major retailers have discovered urban neighborhoods in a major way.

“The suburbs are saturated and developers and retailers are looking for new markets, and those really are old markets that may be undergoing a rebirth,” said Cindy Stewart, director of local government relations for the International Council of Shopping Centers. According to Stewart, the fastest-growing sector of her retail association’s membership is in the public and nonprofit sectors – local governments and community organizations working on commercial restoration. In addition to larger cities, many of them are older suburbs trying to redevelop strip corridors not just as a place to shop, but as a place to be: mixed-use, walkable neighborhoods with a Main Street feel.

The following example of Washington, D.C. shows an innovative approach to bringing appropriate retail to places where people already live, but are under-served. This is a key smart growth strategy because it is essential



to making these places viable and livable. Washington, D.C. partnered with business to create a marketing center that is drawing retail back to revitalize neighborhoods that have been woefully under served.

### Washington, D.C.: Retail revitalization in the inner city

In many ways, Washington, D.C.'s revitalization is a clear success story. The capital city has stopped its population loss, with 41,000 housing units built or added to the construction pipeline since 2001 and many formerly-distressed neighborhoods on the upswing. Still, city officials found that the population remained somewhat transient, in large part because basic goods and services continued to lag behind. Attracting retail, then, has become a critical means of stabilizing those neighborhoods and making them lively and livable.

That led Mayor Anthony Williams and a partnership of D.C. business players to create the Washington, D.C. Marketing Center, whose job has been to lure back skeptical retailers, said Michael Stevens, the center's CEO. After meeting with industry representatives, the public-private nonprofit built a huge database, he added. "We compiled all the retail opportunities into a single resource, and posted them on our Web site. We have profile sheets, one page front and back, with contact people, maps and photos for 39 neighborhood clusters and 128 neighborhoods. We know the demographics and traffic counts."

Even that wasn't enough when it came to marketing a neighborhood such as Columbia Heights. The census and other conventional market analyses still showed it to be a bad bet for business. That's when Stevens brought in Social Compact, a nonprofit that performs "drill down" analysis to gauge the true buying power of urban neighborhoods.

"The neighborhood, because of the population density, had a tremendous amount to offer in buying power because it wasn't adequately

served," said Karin Ottesen, president of Social Compact. The analysis found that the neighborhood had thousands more households than the census counted, and way more disposable income than anyone imagined. Less than a third of the aggregate buying power of

## Retail in the City: Some tips for getting it

As head of the Washington, D.C. Marketing Center, Michael Stevens has been instrumental in luring retail back to the city's underserved neighborhoods. Here are his tips for other communities:

- First, local executives and council have to buy in. It takes money, other resources and human capital.
- You need an organization that will be the information clearinghouse and first point of contact for retailers. Caution: Creating it isn't easy.
- Develop a retail attraction plan: Do you need grocery-anchored or department-store-anchored centers, or neighborhood corridors?
- Retailers are looking for a deal. Incentives: Land, tenant finish-out funds (we use TIF funds); tax abatements; and/or job training funds for local residents.
- Identify and market your opportunities: Suburban markets have a finite number of sites now and there is a backlash against "big box." Cities need to be ready to tell retailers the true household income in neighborhoods, what's really being spent in the cash economy, accurate population counts and aggregate buying power.

the 78,000 residents was being spent locally, meaning that \$424 million each year was being spent outside the Columbia Heights market.

That information helped the city put together a deal to build Tivoli Square at

the corner of 14th Street and Park Road. The project includes a Giant Foods grocery store – an urban rarity at 53,000 square feet – and the restoration of the classic and long-dormant Tivoli Theater. An additional 25,000 square feet of new shops line 14th St., and

## The Changing Nature of Urban Retail

Though change has been building for several years, one of the strongest signals yet of a fundamental shift in retail doctrine came in a session of the International Council of Shopping Centers in December 2004. It was there that Robert Stoker, senior real estate manager for Wal-Mart, declared that, “We’ve reached a stage where we can be flexible. We no longer have to build a gray-blue battleship box.”

Wal-Mart is not alone, of course, either in its new willingness to adapt to more urban environments or in its long resistance to veering from a formula that has held since the 1960s: A single-story building on a major arterial road surrounded by asphalt.

“In 1960, if you had 200,000 square feet of retail, it would have a footprint of about one acre in a multi-story building,” said Ed McMahon, a senior fellow at the Urban Land Institute who has written several articles on commercial design trends. “Until very recently, that same 200,000 feet would be in one story and cover three to four acres, fronted by 20 acres of parking.”

With many suburbs saturated with “big box” and other retail, we’re now seeing two divergent trends, experts said. In the low-density exurbs, the new stores and their parking lots are larger than ever so as to draw motorists from many miles around. At the same time, retailers now see the virtue of high-density markets with plenty of customers close at hand. But capturing it requires resurrecting and updating the

designs from the earliest days of department stores – multi-story stores in buildings with locally-compatible architecture.

Target stores were among the earliest to adapt. The company’s flagship store in Minneapolis is four stories, and the chain has two-story stores with structured parking in Atlanta, Gaithersburg, Maryland and several other places. Home Depot recently opened a three-story store in downtown Chicago. Wal-Mart itself has a two-story store in a mixed-use setting in Long Beach, California, and will occupy two floors of a mixed-use high-rise in Rego, New York.

Mixed-use, urban projects are popping up all over these days, said Cindy Stewart, of the ICSC. “You still see lifestyle and power centers, but retailers going after that urban market are going into projects that also have housing, because there’s such a strong need for both.”

Being part of a neighborhood raises triggers, a range of design considerations from architecture to placement of loading docks to masking the parking decks. But it can be worth it: Foot for foot, urban stores often out perform their suburban counterparts, Stewart and others said. Increasingly, retailers are recognizing what McMahon calls the place-making dividend: “People will stay longer and spend more money in places that actually earn their affection,” he said. “Strip shopping centers are retail for the last century,” McMahon added, “and mixed use is the retail environment for this century.”



28,000 square feet of office space occupies floors above.

Tivoli Square so changed the tenor of the retail environment that the area has attracted the largest retail project in D.C., which will mix regional and national retailers, such as Target and Bed Bath and Beyond. Now under construction, the 465,000 square-foot project will include restaurants and a health club.

See: [www.dcmarketingcenter.com](http://www.dcmarketingcenter.com)

## Transit-Oriented Development

One of the virtues of high-capacity public transportation systems, such as subways, trams and light rail, is that they can accommodate more intensive development than areas that are completely dependent on the automobile. But there is a trick to creating a mix and configuration of elements that truly takes advantage of the transit service. For example, merely building a conventional, automobile-oriented shopping center next to a station would not fit the bill. The American Public Transportation Association says “transit-oriented development (TOD) is compact, mixed use development near new or existing public transportation infrastructure that serves

housing, transportation and neighborhood goals. Its pedestrian-oriented design encourages residents and workers to drive their cars less and ride public transit more.”

TOD can allow a jurisdiction to accommodate a greater share of its growth in a smaller footprint, helping to preserve open space and lower-density neighborhoods, save on infrastructure costs and build a tax base. The new riders provide additional fare box revenue to the

local transportation agency, and the increased vibrancy offers more options to local residents and visitors. Over the last 30 years, Arlington, Virginia has created all those benefits and more as it has planned and developed along the Metro rail line that connects the area to Washington, D.C.

## Rosslyn-Ballston Corridor, Arlington County, Virginia

*Adapted, in part, from the Center for Transit-Oriented Development; See: [www.reconnectingamerica.org/TOD/case\\_studies.htm](http://www.reconnectingamerica.org/TOD/case_studies.htm)*

The government of Arlington County, Virginia, became an early proponent of transit-oriented development (TOD) in the 1970s as a strategy that could be used to retrofit the 3-mile long Rosslyn-Ballston Corridor in order to reverse significant declines in both population and commercial activity. In planning for the corridor, county officials went to great pains to incorporate the wishes of residents, business owners and others in Arlington. Once consensus was established, the county developed and refined a consistent and supportive policy framework over the next 30 years that has created stability and predictability for residents and developers alike. As a result there has been

limited controversy over proposed projects, and the corridor has remained a magnet for development, despite the fact that developers are required to pay for significant improvements to public infrastructure as a condition of site plan approval.

The large amount of mixed-use development around the five Metro stations has made the corridor one of the most densely populated in the U.S. The redevelopment of what had been run-down, early-suburban commercial strips left nearby single-family neighborhoods largely unchanged. With 35,000 residents living in 18,000 houses and apartments, the corridor also has become a major employment center, concentrating more than 73,000 jobs within a third of a mile of the stations. Between

arrive at rail stations on foot, providing a cost savings because neither the county nor WMATA, the transit agency, have to provide commuter parking. Parcels devoted to parking early on have all been converted to high-density mixed-use development. Ten percent of home-owners and 20 percent of renters do not own cars – the highest rate in the region outside the District of Columbia.

In 2002, of the total projected real estate tax levy of \$277 million in the county, \$90.9 million, or 32.8 percent, came from the Rosslyn-Ballston Corridor. The corridor also produces hotel taxes, meal taxes, and business and household personal property taxes (taxes on personal property such as cars, not real estate). The concentration of

Perhaps most remarkable, all this development has generated only modest levels of additional traffic on local streets: 47 percent of residents use modes of travel other than the automobile to get to work, and 73 percent arrive at rail stations on foot.

1972 and 2002 there was a net increase of more than 11,000 housing units, 16 million square feet of office, 950,000 square feet of retail, 1,900 hotel rooms, and an 81 percent increase in the assessed value of land and improvements. Vacancy rates are generally lower than anywhere else in the region except in the District of Columbia, and rents are higher. If all the development in the two-square-mile corridor were constructed instead on vacant suburban land at standard densities, it would cover more than 14 square miles.

Perhaps most remarkable, all this development has generated only modest levels of additional traffic on local streets. Transit ridership in the corridor is higher than anywhere else in the region other than the District of Columbia: 47 percent of residents use modes of travel other than the automobile to get to work, and 73 percent

revenue-producing activities in the corridor allows taxes to be lower elsewhere. As a result, Arlington County has one of the lowest property tax rates in Northern Virginia.

The county has had to adapt and learn as circumstances evolved. Early on, a failure to ensure that buildings open onto sidewalks threatened to make the area less walkable. The county also learned it had to insist on a healthy mix of shopping, offices, housing and entertainment in order to cut car trips. Today, officials are taking steps to add more affordable housing in the popular corridor, and they are stepping up standards for the design and appearance of the buildings and streetscapes.

### Pearl District, Portland, Oregon

*Adapted, with permission, from a case study by Gloria Ohland of the Center for Transit-Oriented Development*

Since 2001, when Portland opened the first new streetcar line in the U.S. in over a half century, about 4,600 housing units and 2.2 million square feet of commercial development – an estimated \$2 billion investment – have been built in the Pearl District within two blocks on either side of the line. In the seven years since the project began, the city already has met its 20-year housing goal, on just one-tenth the projected amount of land. Another 5,000 housing units will be built along the streetcar line south of downtown over the next 5 to 10 years.

To connect two large, vacant parcels of land north and south of downtown the city struck a pact with developer Homer Williams: The city would build the streetcar if Williams would agree to up-zone his 40-acre property from 15 dwelling units per acre to 125 units per acre. Williams agreed, and the result was a critical mass of development showcasing an urbane new lifestyle to Portland residents, which proved so popular that other developers began constructing high-density housing on adjacent property. Portland has set a record for the number of building permits issued for seven years in a row. A new study shows that properties closest to the streetcar line have experienced the largest share of development – at floor area ratios that more closely approach the properties’ zoned density potential – than properties situated further from the streetcar. Within one block of the streetcar line new development achieved an average of 90 percent of FAR/square footage potential, a percentage that steadily drops to 43 percent at three or more blocks out.

The streetcar was not the only factor critical to success, of course. The Central City master plan had built a consensus for this kind of development and the zoning to implement it. But because of the streetcar and network of bicycle paths and a robust car-sharing program, as well as a good mix of uses and connectivity to jobs in downtown and the regional rail system, residents rely less on cars than in other areas. The reduced demand for parking lots and structures and curb cuts for driveways both improves the pedestrian

environment and permits an intensity of uses that has created an animated, intimate neighborhood. Because developers don’t have to build as much structured parking – at \$20,000 a space – they are able to invest in higher-quality construction and amenities.

Construction and operation of the streetcar has been partly paid for by three local improvement districts as well as higher parking fees. The city is currently entering into another agreement with Williams in the 140-acre North Macadam District to the south, which extends a mile along the Willamette River and will be connected to the Oregon health and Science University on Marquam Hill – now a 20-minute drive away – by a 4-minute aerial tram ride. The neighborhood Williams is building at the base of the tram will connect OHSU and Portland State University, ensure that OHSU can expand in the city instead of moving to the suburbs, link these two centers of research and education with downtown, and provide 3,000 housing units and 6,000 jobs.

## ONLINE RESOURCES

*Portland Streetcar:*

[www.portlandstreetcar.org](http://www.portlandstreetcar.org)

## OTHER TOD STORIES ON THE WEB:

*Minneapolis: In short order, the Hiawatha Avenue light rail line has drawn significant new development.*

[www.metrocouncil.org/directions/transit/transit2006/hiawatha\\_TODMar06.htm](http://www.metrocouncil.org/directions/transit/transit2006/hiawatha_TODMar06.htm)

*For more on the state of TOD practice, see The Center for Transit-Oriented Development:* [www.reconnectingamerica.org/html/TOD/index.htm](http://www.reconnectingamerica.org/html/TOD/index.htm)

*A summary version of the SmartCode, a form-based code developed by the New Urbanist firm DPZ:* [www.tndtownpaper.com/Volume5/smartcode.htm](http://www.tndtownpaper.com/Volume5/smartcode.htm)

*The Form-based Codes Institute:* [www.formbasedcodes.org](http://www.formbasedcodes.org)

## Reclaiming Industrial Brownfields

### Atlantic Station: From contaminated site to new city, with neighbors' support

*Adapted from "Choosing Our Community's Future", by David Goldberg*

The redevelopment of the site of a former steel mill in the heart of Atlanta, just across the 14-lane interstate highway from booming Midtown, into a new mini-city has been a success on many fronts. It has cleaned and reclaimed 138 acres of a former industrial land that otherwise would be left contaminated and rusting.

Billed as a "live, work, play" community by developer Jim Jacoby, this city-within-a-city will have homes for 10,000 people, offices for 30,000 workers, and shops, restaurants, and services. Concentrating this growth in the heart of the city, where it can connect to existing infrastructure and a rail transit system, spares the several thousand acres that similar development would occupy in Atlanta's sprawling suburbs. But in order to succeed, the developers had to employ phenomenal creativity to overcome obstacles from local zoning to environmental rules and neighborhood skepticism.

Many residents of the adjacent Home Park and Loring Heights neighborhoods initially were leery of the massive development and the plans to connect the new community with their own streets of mostly single-family houses.

"People are afraid of the unknown," says Tim State, head of the Home Park Community Improvement Association (HPCIA). "A brownfield next to you is more comfortable than not knowing what is going in next to you." But instead of simply resisting the development, he and other community leaders took advantage of several forums that gave them a say in managing the change that would come.

The project's supporters understood that neighboring residents would be worried.

Among them was a statewide conservation group, The Georgia Conservancy, which saw Atlantic Station as a win both for the environment and the city, if it were done right. As the project was working its way through a complicated environmental and design processes, the Conservancy hosted a 13-week planning workshop for Home Park residents designed to clarify their own priorities for the site and the neighborhood. Home Park neighbors also participated in the city's rezoning process and managed to have many of their concerns addressed in the 28 conditions that were set on the zoning change.

Next came a "stakeholder involvement process" mandated by the development's participation in a special EPA development program. Andres Duany, the well-known designer of Seaside, Florida, and other New Urbanist developments, was brought to Atlanta to conduct a weekend charrette on improving walkability at the development. Developer Jacoby set up a Design Control Committee, giving neighborhood representatives power to vote on the design of buildings and a new bridge over the downtown interstate, which was a key access point to the site and the neighborhoods.

"There are parts of the plans [for Atlantic Station] you can point to and say, 'that change is a direct result of one neighbor's suggestion at one particular Saturday session'," says State, who believes the developer truly valued the communities' input.

### *The Environmental Benefits of Atlantic Station*

The project provided both region-wide and very local environmental benefits. On the local level, the project cleaned up the 150 tons of contaminated soil along with a poorly operating sewer. The developer also donated two trees to every neighboring homeowner. On the regional level, the EPA has found that Atlantic Station will generate 50 percent less driving and dramatically

lower levels of pollutants that contribute to smog (between 75 and 300 percent less) than an equally sized conventional development built in the suburbs.

Because of these air quality benefits, the EPA designated the project as “beneficial” to air quality. This was critical for approval of a major piece of public infrastructure tied to the project: a new bridge spanning the I-75/85 freeway that divides Atlanta’s downtown. The bridge includes extra-wide sidewalks with a shade canopy, bike lanes, a shuttle to the MARTA subway station across the freeway and space for a future rail connection.

Thanks largely to a large park and pond at the project’s core, the EPA has calculated that the redevelopment of the old steel mill will reduce the amount of hard, “impervious” surface at the site by 285,000 square feet, significantly reducing the volume of surface water runoff. A comparable greenfield development would dramatically increase impervious surface and increase the volume of runoff in the watershed by 14 to 19 million square feet.

“Atlantic Station has added value to our neighborhood,” says State. “It has added economic value to our homes, and provided amenities for the community that were not there before: park space and retail services that are desperately needed.”

### ONLINE RESOURCES

*Atlantic Station: “The Evolution of a Brownfield”*: [www.tndtownpaper.com/Volume8/evolution\\_of\\_brownfield.htm](http://www.tndtownpaper.com/Volume8/evolution_of_brownfield.htm)

*The U.S. EPA site on brownfield redevelopment*: [www.epa.gov/swerosps/bf/index.html](http://www.epa.gov/swerosps/bf/index.html)

*The National Brownfields Association*: [www.brownfieldassociation.org](http://www.brownfieldassociation.org)

## Military Base Redevelopment

### Baldwin Park, Orlando

*Adapted from “Beyond the Fence: A REALTORS® Guide to Military Base Closure, Realignment and Encroachment” see: [www.realtor.org/beyondthefence](http://www.realtor.org/beyondthefence) for a downloadable copy.*

When the U.S. Navy announced in 1993 that it would close the Orlando Naval Training Center, the City of Orlando saw an opportunity to build a vibrant, mixed-use neighborhood that would make the base property once again part of the community. The city formed a Base Reuse Commission of 150 community leaders and organized meetings to plan the property’s future. In 174 meetings, citizens helped devise and refine a plan to redevelop the base. At a visioning workshop, citizens described what they wanted: a variety of housing types, a vibrant main street, public access to lakes, and linkages with existing neighborhoods.

Before rebuilding could begin, 256 buildings, 200 miles of underground utilities, and 25 miles of road had to be dismantled and recycled. Asbestos and lead paint in the buildings and arsenic and petroleum in the soil needed to be cleaned up. Four hundred and forty days after demolition began, one of the largest recycling projects in the nation’s history was complete, and the work of building a new community began.

Since the first model opened in 2003, Baldwin Park has sold lots and houses faster than any comparable project in the area. When construction ends in 2008, Baldwin Park will be home to 10,000 residents living in 4,100 homes, ranging from rental apartments to custom houses, all built in architectural styles traditional to the area. In addition, 6,000 people will work in offices throughout the neighborhood and in shops in the Village Center. Everyone will be able to enjoy over 450 acres of lakes and parks, including over two miles of lakefront property reserved for public use.



Baldwin Park's residents, workers, visitors, and neighbors will also have many choices in how they get around. There are 50 miles of trails and sidewalks on an interconnected street grid for walking and biking. Traffic, once blocked by the former base's security fence, can now flow through 32 new intersections that connect Baldwin Park streets to surrounding neighborhoods, reducing congestion. The redevelopment of this former naval base gave the citizens of Orlando what they wanted and planned for: a thriving new community and a legacy for future generations to enjoy.

Because it is an infill redevelopment project, Baldwin Park can take advantage of existing power plants and water and wastewater treatment facilities. At the same time, the city

will gain an additional \$30 million in annual property tax revenues.

#### ONLINE RESOURCES

NAR's *"Beyond the Fence, A REALTORS® Guide to Military Base Closure, Realignment and Encroachment"*:

[www.realtor.org/beyondthefence](http://www.realtor.org/beyondthefence)

*Baldwin Park wins EPA's Smart Growth Award*: [www.epa.gov/piedpage/awards/2005\\_base\\_redev\\_orlando.htm](http://www.epa.gov/piedpage/awards/2005_base_redev_orlando.htm)

*"Turning Bases into Great Places: New life for closed military facilities"*:

[www.epa.gov/dced/military.htm](http://www.epa.gov/dced/military.htm)



## New Towns in Rural Areas: Saving Rural Space with Smart Growth

*Adapted from “New Towns in Rural Areas: saving rural space with Smart Growth” by Brad Broberg, in On Common Ground Magazine, Winter 2006.*

When growth comes to rural counties, it can splatter the landscape with sprawl.

Yet it doesn't have to be that way.

A pair of new communities – one in Missouri and the other in Florida – are among the latest examples of rural development that accommodates growth without chewing up open space.

“I think people are ready for another choice compared to a typical rural subdivision,” said Greg Whittaker, president of Whittaker Homes. “Those people out there looking

for big lots, I don't think they realize, in my opinion, the damage they're doing to the environment.”

New Town, a 5,700-unit community Whittaker Homes is building on 740 acres outside St. Louis, Mo., is anything but a typical rural subdivision. The same goes for New River, a 4,800-unit community outside Tampa being developed on 1,800 acres by KB Home.

Surrounded by farmland, both tread much more lightly on the land than the conventional approach to rural development in which supersized lots – anywhere from one to 10 acres per residence – dominate.

Higher density is not, however, the only thing that sets New River and New Town apart. Plans call for each to evolve over the next decade into self-contained towns containing parks, schools, churches, stores and offices. “We're



not just bringing the rooftops, but everything to support the rooftops,” said Marshall Gray, president of KB Home’s Tampa division.

New Town is the first development of its kind for Whittaker Homes, one of Missouri’s leading home builders, but it won’t be the last. “We’re looking for more sites right now,” said Whittaker. “I truly believe this is the way people will be building in the future.”

Gray agrees. KB Home is one of the nation’s biggest home builders. Currently, about 25 percent of the company’s developments fit the mold of New River. However, over the next five to 10 years, two-thirds of the company’s developments will follow that blueprint, said Gray. “It’s really all about Smart Growth,” he said. New Town incorporates many of the principles of New Urbanism. Conceived in response to sprawl, the New Urbanism movement promotes development that includes traditional town centers, distinct yet compact neighborhoods, a variety of housing choices – everything from detached single-family homes to apartments – and narrow streets that tame traffic while encouraging walking and biking. “Cars come last in our development,” said Whittaker.

That’s just fine with New Town residents Dee and James Devereux. “We love the concept that you can walk anywhere,” said Dee. “Where we lived, you had to take a car wherever you went.”

The Devereuxs moved to a single-family home in New Town from a large house on a half-acre in a nearby subdivision. “We’re both in our 60s and the yard was a lot of work,” said Dee. “We have a small yard now and we like the size of it.”

They also appreciate the turn-back-the-clock lifestyle – evening conversations on their front porch with neighbors, free movies in the outdoor amphitheater and trips to the grocery store by bike. “What I’m hearing from other people is they love the concept just like we do,” said Dee.

Once considered novel, New Urbanism has gained greater acceptance with each new community as people see more and more examples of successful projects, said Gray. “People share best practices all across the country,” he said. “When you can talk to builders and developers and interview homeowners and business owners, it’s all a positive.”

While often associated with urban infill, transit-oriented development and/or suburban redevelopment, New Urbanism also makes sense in rural settings, where it allows people to live in the country without eliminating the environment they came for in the first place.

The prototype for New Urban development is Seaside, Fla., which inspired Whittaker to build New Town. “I’d been going there for 14 or 15 years,” he said. “That’s where the thought came from. You park your car and you don’t have to get back into it for a week. We thought about doing something similar for years. We were just waiting for the right time and place to move forward.”

Designed by the same firm – Duany Plater-Zyberk & Co. – that designed Seaside, New Town has by most accounts progressed faster than any other traditional neighborhood development (TND) to date. The first residents moved in last spring barely more than two years after initial design began – a testament to New Town’s thoughtful planning. “Most projects have issues in terms of people worried about traffic and schools,” said Whittaker. “That didn’t happen with this project.”

Paralleling New Town’s speedy progress has been its popularity with homebuyers. “The amount of interest in this project has been unbelievable,” said Whittaker, noting that more than 6,000 people signed up for a mailing list that provides the latest information on the community’s progress. “We’ve pushed up the opening of later phases because of the demand.”

Despite the popularity of places like New Town, New Urban communities are still the exception. Consequently, authorities often must be convinced to relax various land-use regulations to allow the higher densities and mixed uses that are a New Urban community's bread and butter. "Everything we're doing in New Town breaks all the normal rules," said Whittaker. As an example, he cited New Town's live/work units in which a business is located on the first floor with a residence above.

While not an example of New Urbanism per se – the housing style is more reflective of suburban subdivisions than urban neighborhoods – New River also breaks some molds. "It's not rows of housing, but pockets of housing surrounded by large open space areas," said Gray. New River also will feature a 200-acre town center with 180,000 square feet of office space, 500,000 square feet of commercial space, schools, government offices and a 207-acre park.

Gray said developers must be "smart negotiators" and "educate elected officials" in order to remove potential barriers to their

projects. For instance, a city or county may tie the amount of residential development it allows to a certain amount of commercial development that must occur at the same time. The problem is that if businesses open before enough homes are completed, they may not survive, said Gray. New River solved that dilemma by winning approval to build its commercial components in stages that will guarantee enough people are living in the community to support the businesses before they are built, he said.

Meanwhile, at New Town, transportation is a challenge. Whittaker is working hard to bring transit – another building block of New Urbanism – to his community. "We're trying to put a trolley from New Town to Main Street in the town of St. Charles," he said. "That would be a dream."

But even with a multitude of challenges in the two towns, the outcome far outweighs the time-consuming negotiating process, difficult zoning regulations and design obstacles. In the end, it is a valued community, which these examples clearly show.



# REALTOR® Involvement in Smart Growth

The idea is to involve citizens, public officials and myriad stakeholders in working together to plan ahead for development according to a set of common-sense principles.



# REALTOR® Involvement in Smart Growth

**N**AR's Community Outreach department and its Smart Growth Program help members and boards get involved in shaping their communities as they grow and change. Because REALTORS® sell communities as well as houses, it is in the REALTOR's® best interest to make the whole community a great place to live. The resources NAR offers ranges from information to small grants. Some of these resources are targeted to individual REALTORS® while most are for use by REALTOR® associations.

## The following resources are intended for both individual REALTORS® and REALTOR® associations

### Transportation Toolkit

This 140-page primer on the topic of transportation planning provides REALTORS® and REALTOR® associations with the knowledge to get involved in local and regional transportation planning issues.

See: [www.realtor.org/transporttoolkit](http://www.realtor.org/transporttoolkit)

### Public Schools Toolkit

This 123-page primer on the topic of public school development, including financing, location, and size issues is designed to provide REALTORS® and REALTOR® associations the knowledge to get involved in local and regional public school development.

See: [www.realtor.org/PubSchoolsToolkit](http://www.realtor.org/PubSchoolsToolkit)

### On Common Ground Magazine

NAR's smart growth magazine is published twice a year on a variety of growth and land-use topics. This is the perfect way for any REALTOR® to stay up to date on these activities. REALTOR® associations around the country have found *On Common Ground* to be an excellent "leave behind" when they visit local elected officials. The magazine reminds these officials that REALTORS® are interested in smart growth issues and are knowledgeable.

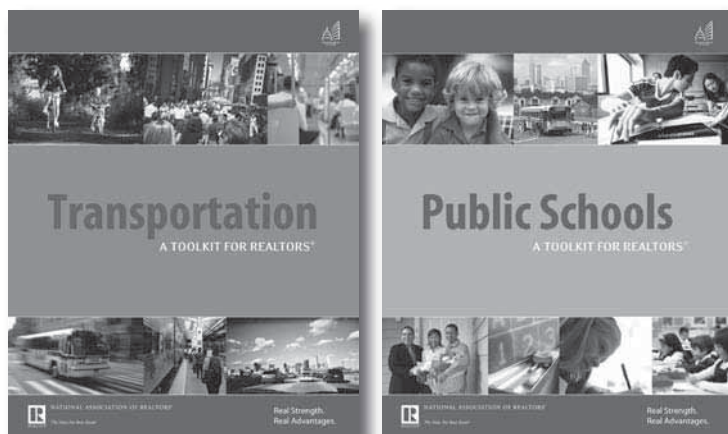
See: [www.realtor.org/ocg](http://www.realtor.org/ocg)

## The following resources are intended for use by REALTOR® associations.

### Smart Growth Action Grants

Designed to spur smart growth-oriented activity by local REALTOR® associations, the grant program has two application cycles per year and awards up to \$3,000 per applicant. Most REALTOR® associations use the funds to provide an educational event for their members as well as local public officials about a growth issues that is particularly germane to their area.

See: [www.realtor.org/ssgrants](http://www.realtor.org/ssgrants)



### **Issues Mobilization**

NAR's Issues Mobilization program was created to support state and local REALTOR® associations through education, technical assistance and/or financial support, and to enable them to organize and manage effective issue campaigns to promote NAR policy. A principal objective of the program is to provide state and local REALTOR® associations with financial assistance toward effective issue campaigns benefiting and promoting REALTOR® public policy. This is a matching funds program.

*See: [www.realtor.org/issuesmob](http://www.realtor.org/issuesmob)*

### **Land-Use Initiative**

NAR's Land Use Initiative assists state and local REALTOR® associations in their public policy advocacy of land use issues. Upon request, NAR will provide free expert analysis of the legal, planning, economic, and environmental issues surrounding legislative and regulatory land use proposals. The program will accept for analysis land use measures in draft form or as formally introduced, as well as reports or studies that future legislation or regulation may be based upon. NAR will only accept requests from state or local REALTOR® associations.

*See: [www.realtor.org/lui](http://www.realtor.org/lui)*

### **Customized state legislation on land use and growth**

The Customized State Smart Growth Legislation Program provides assistance to state REALTOR® associations who wish to take the lead in writing and introducing legislation to help the state better address the challenges of growth and improve local communities. NAR offers, at a reduced rate, the services of respected land use law firm Robinson & Cole to draft state legislation to encourage smart growth. Examples might include new zoning enabling legislation; requirements for local planning; changes in subdivision law; or open space protection, to name a few. These proposals must be related to land use and smart growth, and

should be issues that can gain support from a constituency beyond REALTORS®.

*See: [www.realtor.org/customleg](http://www.realtor.org/customleg)*

### **Voter surveys**

This program allows state and local REALTOR® associations the ability to conduct polling on growth-related issues in their areas. The program uses one of two NAR-affiliated public opinion firms to survey the opinions of local or state residents concerning growth. These surveys usually contact about 400 registered voters living in the defined area and can be powerful tools to assess the opinions of your community for local and state government officials. The cost varies according to the detail of the poll, and the public opinion firm used. In an effort to promote the program and to make this polling available at all levels of the REALTOR® organization, NAR will pay for 50 percent of the survey.

*See: [www.realtor.org/polling](http://www.realtor.org/polling)*

### **Shared GAD Program**

Through the Shared GAD (Government Affairs Director) Program, NAR assists local and state REALTOR® associations that are looking for new and unique ideas on how to share governmental affairs resources. NAR assists interested state and local associations in facilitating meetings and new approaches for those associations looking for ways to increase their ability to represent their REALTOR® membership effectively.

*See: [www.realtor.org/sharedgad](http://www.realtor.org/sharedgad)*

To learn more about any of the following resources, contact:

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# REALTOR® Associations in Action

**R**EALTORS® sell more than homes. They sell communities. Every day REALTORS® see first-hand how our communities are growing, changing, and becoming more diverse. Who better to assure that their communities grow to be the best they can be than the people who know their communities better than anyone else? As professionals and residents, REALTORS® have a vested interest in making sure our communities are as healthy as they can be. That includes strengthening schools, making our transportation system more efficient, and ensuring that open space is available for recreation.

Many REALTOR® associations and their members have stepped up to help address the challenges that result from growth and change. The following case studies provide examples of REALTOR® associations that have become deeply involved in helping to shape their communities as they grow.



## Washington REALTORS® Quality of Life Campaign

### Summary

In the 1990s, Washington REALTORS® (WR) frequently found themselves in the position of constantly opposing efforts to stop or slow growth. Their solution was the creation of an ongoing Quality of Life Campaign to engage in a positive way in promoting smarter growth. The campaign has had a string of legislative successes, but, more importantly, it also has made the association a key player in planning for the state's future.

### Creating the Quality of Life Campaign

When faced with a growth management law that threatened to stifle development, REALTORS® in the state of Washington mobilized for engagement and soon found themselves pitted against no-growth activists. Realizing that most citizens didn't want to stop

growth, the Washington REALTORS® worked to reframe the debate.

What started as an Economic Development Task Force in 1999 is now the state association's Quality of Life Campaign, which strives to sustain and enhance the quality of life for Washington residents by supporting quality growth.

“The Quality of Life Campaign has transformed us from being a group that is known for what it opposes to one that is known for what it supports,” says REALTOR® Mike Flynn, CRS, 2004 president of Washington REALTORS®, who has been actively involved in developing and promoting the campaign.

The campaign's five core principles share many elements of the National Association of Realtors® Smart Growth Principles:

- 1 Ensure economic vitality that creates good jobs and promotes economic diversity.
- 2 Provide housing opportunities so that everyone can find safe and affordable homes near where they live and work.



- 3 Preserve our environment by planning for open space and developing policies to protect clean air and water.
- 4 Build better communities by adequately investing in infrastructure (transportation, water, and sewer systems), schools, and public services that provide the framework for a high quality of life.
- 5 Protect property owners' ability to own, use, and transfer property.

These principles are “the irreducible elements of community,” Flynn says. “This program brings together what our clients tell us goes into their decision-making about homes and communities,” he adds. “Because REALTORS® sell community, we have a perspective that’s unique. And it has a unifying energy. ... It allows us to walk into the legislative and policy-making process and offer input that is broader than what elected officials usually hear – and that makes us very welcome at the table.”

Washington’s population, which increased by a million people during the 1990s, is expected to jump by another 1.7 million residents in the next 20 years. Without proper planning, REALTORS® believe that housing opportunities will be limited and the state’s cherished environment and robust economy may be at risk. That’s why the Washington REALTORS® are getting the ears of elected officials at the state and local level. The Washington Growth Management Act requires every community across the state to review and update its comprehensive plans and to establish new regulations to guide growth. Specifically, the GMA requires communities to:

- ▶ Identify and protect critical areas
- ▶ Designate countywide planning policies and urban growth areas
- ▶ Prepare and adopt comprehensive plans
- ▶ Implement the comprehensive plan
- ▶ Evaluate and update the comprehensive plan and develop regulations

The Quality of Life Campaign seeks to influence public policy that accommodates quality growth, housing, and economic development; define quality growth and its benefits; enhance the image of REALTORS® and elect candidates who will sign a pledge to carry out the Quality of Life principles if elected.

Washington REALTORS® also have created an in-house team of experts on land-use law and regulation and fiscal policy to develop proposals that the campaign can use to help expand infrastructure funding, increase the housing supply and more. The team provides guidance and assistance to local associations in their efforts to promote and adopt those policies.

Washington REALTORS® has staff dedicated to raising money for REALTORS® Political Action Committee (RPAC) to support policy-makers who will adopt and implement those policies. The campaign coordinates its public advocacy messages with the RPAC to contact targeted voters and show support for endorsed candidates. The campaign also works to share government affairs representation among local associations and to train government affairs directors to make the best use of the Quality of Life resources.

The state association also distributes an “Action Guide” (see the REALTOR® Action Guide at the end of this section) to its 24,000 members to encourage them to take an active role in their communities. It outlines the program’s principles and details specific ways for REALTORS® to take part in the local planning process. It shows how to develop partnerships with other organizations, work with the local media, establish relationships with elected officials, and identify potential opponents.

A Quality of Life toolkit is also available to every member to help them better understand issues and to educate policy makers. The Quality of Life CD contains more than 350 research briefs, policy guides, media tools and presentations to help REALTORS® affect

local decisions that frame their community's growth. Every year more tools are added as the REALTORS® range of influence on issues in the state broadens.

All of these initiatives have led to more buy-in from state association members, according to Bryan Wahl, WR Government Affairs Director. "More than one-third of our members recently polled consider the Quality of Life Program a top benefit of their membership. We've more than doubled our RPAC investments in the last two years, and they've grown exponentially since we started the campaign. Last year, we brought in more than \$700,000 in RPAC investments. This year, our goal is \$1 million."

As the Quality of Life Program gains momentum, more people are familiar with the REALTORS® work. A recent public opinion survey showed a high level of public recognition for the Quality of Life program statewide. One quarter of all voters (nearly 2 million people) are aware of the Quality of Life Program, and a whopping 75 percent support the program's goals. Sixty-five percent believe REALTORS® share their same interests for community and family, and 60 to 70 percent agree that REALTORS® are strong advocates who protect property rights, make housing affordable, improve the economy and job opportunities, and improve quality of life. The results show that REALTORS® have gained a strong credibility that allows them to speak effectively on issues that the public cares about.

"You don't need to be operating under a growth management act for this program to make sense," asserts Flynn. He says the campaign's principles can capture the minds of the public and the electorate regardless of location. In fact, several states are already adapting the program (or portions of it) for use in their own states, including Wisconsin, Kansas, Colorado, Hawaii, Mississippi, South Carolina, Nevada and Washington D.C. In addition, most of the provinces in Canada have initiated successful programs.

After seven years, the campaign's results are impressive. "We've had great legislative success since 2000," says Wahl. "When typically only 15 percent of all bills introduced are signed by the governor during any given session, the REALTORS® are successful every year at getting most of our priority legislation passed, including improvements to the Growth Management Act, measures to increase housing opportunities, urban and rural economic development incentives, condominium liability reform, permitting efficiency, transportation and infrastructure funding packages. We were also able to win the votes in the state legislature to bury a serious attempt to increase real estate taxes.

"We've successfully gained support to defeat bad legislation and pass good legislation because we've reached across party lines and addressed rural and urban issues and liberal and conservative agendas," he says. "The success we've had is something we like to share with all other REALTOR® associations. When you look at our agenda – jobs, homes, and community – that's a broad approach that all the public supports. These really are the kitchen-table topics, the issues people care about."

Flynn concludes that other associations developing similar programs can transform their advocacy programs. "Elected officials find a lot to like about our program because it has the extraordinary benefit of being intuitively sensible and factually accurate. And that's why it works!"

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## Florida Association of REALTORS® Smart Growth Council

### Summary

In 2000, South Florida  
REALTOR® Sandra

Goldstein took the helm of her local association and began a quest to investigate solutions to her area's gridlock and seemingly chaotic development. She quickly gravitated toward smart growth. The educational events the association sponsored proved popular and led to creation of a similar, statewide effort under the Florida association's Smart Growth Council, which has evolved into a permanent subcommittee of the association that sponsors, among other smart growth efforts, two local smart growth conferences per year, each one in a new location. These conferences are cosponsored by the local board of REALTORS® in the jurisdiction in which the conference takes place.

### Leading a discussion on growth and development

When Sandra Goldstein takes on a leadership position, she wants to know she's making a difference. As she prepared to chair the 7,000-member REALTORS® Association of Greater Miami and the Beaches starting in 2000, she asked herself, "How can I have the biggest impact?" The answer, she decided, was smart growth.

"In Miami, we're in gridlock all the time," said Goldstein, president of Sandra Goldstein & Associates, a commercial brokerage and building management firm in Key Biscayne. "We paved over agricultural land to build roads to the suburbs, and now people are feeling disenfranchised. Families are separated from their jobs, their homes, and their children for most of the day, and people spend hours in traffic."

To jump start activism for better planning and development, she went out into her community and met with leaders – elected officials,

planners, environmentalists and others who could play a role. She realized that they all had concerns about over-burdened roads, the loss of farmland and the economic health of the region. But none of them were talking to each other. The association organized a conference to help educate REALTORS® and others about smart growth while showing community leaders that REALTORS® want to be involved in community issues.

In 2002, the Florida Association of REALTORS® created a Presidential Advisory Committee on Smart Growth. The following year, the committee became the Florida Association of REALTORS® Smart Growth Council, with Goldstein as chair. With several dozen volunteers, the council focused on education and mentoring others.

"We came to the realization that we needed to start education on a state level... with continuing education credits," says Goldstein. Working with Florida Atlantic University's Catanese Center for Urban and Environmental Solutions, they developed a smart growth curriculum. In October 2003, the council held a day-long smart growth education session for REALTORS®. The meeting took place in Abacoa, Fla., home to FAU's MacArthur Campus and an excellent example of a well-designed town. The REALTORS® toured the town between sessions on smart growth principles, planning, and bringing activism into a community.

"We tried to show that there's no smart-growth prototype that will fit every community or every village in Florida," says Goldstein. "But what we can do is educate people and alert them to what the possibilities are and what success stories exist – and that can light a fire under them."

George Cantero, Goldstein's successor as council chair, continued to educate Florida REALTORS® about smart growth, with conferences in Orlando and Seaside. "We want to maintain the awareness of what's happening in our state with smart growth," says Cantero.

The FAU curriculum was again the centerpiece of these meetings, where he added an open forum for people to talk about any positive or negative issues they are facing with smart growth. “As we articulate the issues of smart growth with more frequency, we see resistance dropping, and people realize it’s not a one-size-fits-all solution. We want to show that smart growth can be tailored to meet the needs of each community and the culture of an area.”

Based in Miami, Cantero focuses on international buyers and sellers in the residential market. He says his clients’ primary concerns are housing affordability, convenience to services, and a sense of safety, all of which he says are addressed by smart growth. “These are human issues that cut across the price spectrum when people buy real estate in any community,” he says.

### What Other REALTORS® Associations can Learn from Florida’s Experience

“Start the conversation,” suggests Cantero. “We haven’t done anything earth-shattering, but we

have started increasing awareness...Everyone wants instant gratification, but everything has a period of gestation...it takes time for smart growth to catch on.”

Goldstein, now active in her own neighborhood advisory group, knows that the efforts to educate REALTORS® about smart growth will pay off in the long run. “REALTORS® are the forerunners. We’re the first ones people contact to take care of their life needs. It’s important that we learn from each other and get inspiration from each other. We want to do something else besides just collecting a commission. We want to give meaning to what we do. Ultimately, as human beings we want to have counted for something. We want to make a difference.”

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## New Mexico Customized State Legislation

### Summary

After nine years of fruitless attempts to amend statewide planning and zoning laws, the New Mexico REALTORS® association decided to take advantage of NAR's program that offers the assistance of a nationally known land-use law firm in writing and advocating for state smart growth legislation. The infusion of outside expertise helped members focus on essential provisions and drop unnecessary elements that engendered opposition. This process expanded the group's influence.

### Making progress in New Mexico

In the early 1990s, the New Mexico legislature passed statewide planning and zoning legislation over the objections of many REALTORS®. For years, the REALTORS® Association of New Mexico (RANM) tried unsuccessfully to amend the legislation. In 2003, the organization used the NATIONAL ASSOCIATION OF REALTORS® Customized State Smart Growth Legislation Program and succeeded in passing two amendments.

“For nine years we would go and beat our heads against the wall and try to make changes,” says REALTORS® Jim Maddox, who served as RANM's volunteer legislative chair in 2003 and is a past president of the statewide organization. “Then we took advantage of this program. It lightens the load on volunteer REALTORS®, reducing what they have to research and understand before embarking on a legislative effort.”

The customized legislation program helps state associations take the lead in writing and introducing legislation to better address the challenges of growth and improve local communities. Through the program, NAR provides associations with the services of land-use law firm Robinson & Cole and pays half of the fee (If a state association cannot fund its half, additional assistance may be available

through another NAR program). The law firm helps draft state legislation on smart growth issues, providing advice on legislative strategy, creating talking points, assisting with coalition development and undertaking some limited direct lobbying. The association commits to a legislative campaign, identifies objectives for the legislation to achieve, appoints a legislative task force, participates in strategy and coalition development, secures bill sponsors, and organizes member contact teams to lobby legislators. New Mexico is one of three states (along with South Carolina and Massachusetts) that has used the program.

“We had wonderful legal advice rooted in up-to-date land-use practices,” says Mary E. Martinek, RANM's first government affairs director. “Robinson & Cole carried that advice into suggestions for coalition-building that allowed us to put together the underpinnings of a successful legislative strategy.”

In previous years, Martinek explains, RANM used an all-volunteer legislative committee with dozens of members that worked together to develop new initiatives. One hurdle they faced year after year was the opposition of the environmental and public policy group called 1000 Friends of New Mexico. They strongly opposed provisions in the association's amendments calling for comprehensive zoning plans at the county level and the prohibition of forced mergers of continuous parcels of land, primarily in rural areas.

When a new government affairs director was hired in 2002, the association decided to try a different approach. RANM turned to the Customized State Legislation Program and created a small volunteer task force with only a handful of people and the ability to make decisions. This group worked closely with Brian Blaesser, a partner in Robinson & Cole, who came to New Mexico to help develop a legislative strategy, build coalitions, and draft legislation. One of the first meetings he held was with the 1000 Friends of New Mexico to understand their opposition. It turned

out that he was able to eliminate virtually all the language they opposed and still achieve the results that the REALTORS® needed. Their support ultimately helped get both amendments passed.

“It was helpful to have someone point out that we were getting to the same place,” Martinek says, “because sometimes volunteers get so wedded to the way they think it should go.”

Albuquerque REALTORS® Bill Campbell III, CCIM, a volunteer member of the legislative committee, agrees. “We’d been battling the same people over the land-use issues for a long time,” he says. “You end up drawing lines in the sand and no one wants to budge. When you bring somebody from the outside with a fresh view, it’s easier to negotiate. And Robinson & Cole brought a lot of credibility to the table. They’re good at what they do. They’re very effective, they know the issues, and they’re very fast. We wouldn’t have gotten it done without them.”

Maddox headed up the task force, which included Martinek, the association’s executive vice president Peggy Comeau, Campbell, and several additional volunteer REALTORS®, all of whom were extremely knowledgeable about the issues and were accessible via cell phones 24 hours a day. Unlike in the past, Maddox says, when a change to a single sentence might take

days to get approved, “We understood the issues and could make decisions within minutes. Robinson & Cole brought the legal expertise, but it really helped that the association streamlined the decision-making process.”

Martinek says that using a small task force was a “paradigm shift” for the association, but it was predicated upon the sense of comfort and security that came from working with Robinson & Cole. “It gave our volunteers a tremendous sense of confidence,” she says, noting that other REALTORS® can learn from the New Mexico experience. While some members worried that an outsider would fail to understand their issues, that simply was not true, she says.

By using the customized legislation program, Martinek says, the REALTORS® in New Mexico enhanced their status as “movers and shakers” in the legislative arena. Moreover, it gave them a boost toward subsequent legislative achievements.

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## Ventura County Coastal Association of REALTORS® and HOME

### Summary

In the 1990s, REALTORS® in Ventura County, California, became worried that increasing strictures on growth and the introduction of “ballot-box zoning” were shutting out housing for all but the wealthiest individuals. Realizing that taking the lid off growth was not an option, the local association participated in creation of Housing Opportunities Made Easier, or HOME, a non-profit coalition that is advocating successfully for well-designed, higher-density development that meets the full range of housing needs.

### Creating the HOME coalition

After voters in California’s Ventura County passed growth-control legislation in the late 1990s, housing prices started rising, spurred by the expansion of Los Angeles to the south and Santa Barbara to the north. When middle-class workers started getting priced out of the housing market, the local economic development association formed a housing task force, which quickly concluded that a housing crunch would make attracting new business to the county increasingly difficult. With the support of the Ventura County Coastal Association of REALTORS®, the task force became a non-profit organization in 2000 called HOME: Housing Opportunities Made Easier.

A community-based organization focused on increasing the supply of adequate housing for all people in Ventura County, HOME now includes REALTORS®, developers, affordable housing advocates, local government officials, business people, and others who want to promote rational growth strategies for Ventura County.

“We’re in a long-term battle to win hearts and minds,” says REALTOR® Fred Ferro, who runs the Ventura office of NAI Capital Commercial Real Estate Services and served as HOME’s chair during its first three years.

In 1998, residents in Ventura County overwhelmingly approved a countywide growth-control measure called Save Our Agricultural Resources (SOAR). Since then, eight of the county’s ten cities have approved similar legislation that prohibits extension of city services outside of City Urban Restriction Boundaries (CURB) and requires a public vote for development of any farmland or open space outside the line.

“There are now predetermined lines where you cannot develop without going back to the public for a vote,” explains Kay Runnion, governmental affairs director of Ventura County Coastal Association of REALTORS® and a member of HOME’s Steering Committee. After passing the restrictions, she says, people started opposing all new housing development. “That just isn’t realistic,” she asserts, noting that the county of 795,000 people could top a million within a decade. “We need to educate people about affordable housing and other smart growth principles because of these restrictions.”

Ferro says the “ballot box zoning” coupled with “double-digit annual increases” in residential home prices spurred the development of HOME. “No-growth policies are implemented largely because they’re politically popular and feasible, but no one thinks about the flip side, that home prices rise and people like nurses, mechanics, and policemen can’t afford to live in the community anymore.”

Education and outreach quickly became one of the primary goals of HOME during Ferro’s tenure as chair.

At the outset, the all-volunteer organization worked to build a diverse base of members while gathering data about housing costs, population growth, job growth, the amount of developable land within the CURB lines, and zoning regulations that limited the community’s anticipated housing demands. The County Planning Department already was forecasting a significant housing shortage

even with buildable land developed according to the county's plans. A local employer survey found that more than 90 percent of respondents cited barriers to attracting new workers because of housing concerns. Other studies showed that some residents were spending 50 percent of their household income on housing.

HOME used information like this to spread the word about the county's need for smart growth. The group's first newsletter, published in fall of 2001, said "Teachers, public safety workers, and young adults just entering the workforce will be the first to be driven out of Ventura County by the housing crisis, and if workers commute back to the county for jobs, then our already difficult traffic problems will be further exacerbated. However, an across-the-board housing shortage also affects corporate executives and entrepreneurs. If [they] can't find adequate and convenient housing, they will simply look elsewhere to locate their businesses." It concluded that the housing shortage could lead to an economic downturn and stagnation in the county.

The group also sponsored a series of seminars to increase awareness of the housing crisis in the business community and to highlight some smart growth best practices. "Infill housing can be a hard sell," notes Ferro, especially in communities offering only apartments and single-family homes. HOME showed that affordable housing can be attractive and continues to co-host one or two housing seminars annually.

HOME also used several techniques to reach out to the general public and local legislators, including creating a website ([www.vchome.org](http://www.vchome.org)) and using public access cable television. One of the most effective techniques, still used today, is a 20-minute PowerPoint presentation created for use at meetings with neighborhood groups, civic associations, developers, elected officials, and potential supporters. "We say, 'here's the problem, here are some statistics to back it up, and here are some possible

solutions,'" says Runnion. "We are trying to get people to look at the affordable housing issue, to make people aware of the different principles of smart growth, to explain that density isn't a dirty word, and to show that there are slow, mature actions to be taken."

She says many local REALTORS® needed a primer on affordable housing and other smart growth principles because single-family homes had always been the bulk of their business. "We have to start dropping the concept of only one type of housing for people. If there are other choices, people can at least look," says Runnion.

After educating the membership, the association helped launch a speakers bureau for HOME, encouraging local REALTORS® to use the HOME presentation to speak to groups in their communities. "It requires constant education to enable REALTORS® to feel confident and strong in their advocacy of housing issues," says Runnion. "Some fear it's too self serving, but we remind them that REALTORS® provide a service by getting information out to people because REALTORS® know housing better than anybody."

Ferro says all of the outreach has had an impact in Ventura County. "There's greater public awareness, there's more dialog from a more diverse group, and there's greater collaboration between groups that understand the problem." He says one of the group's future goals is to secure "long-term funding to help solve a long-term problem."

One area that he describes as a "weak spot" in HOME's early stage was its goal of endorsing projects. The idea was to have a third-party panel of experts (architects, planners, environmentalists and others) review proposed developments. If they met HOME's criteria – promoting economic stability, using good design, minimizing urban expansion, creating affordability, mixing uses and supporting public transit – they would be endorsed and publicized through press releases and supported at public hearings.



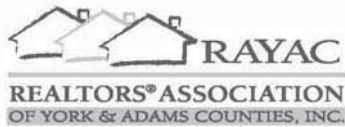
While HOME did endorse a handful of projects, the process was time-consuming and difficult to maintain, requiring constant recruitment of volunteer experts. Because of this, Ferro says, the steering committee recently decided to re-center its focus on community education and outreach.

Runnion views the project endorsement program as a learning experience for HOME and other REALTORS® Associations who are facing growth-related issues in their own communities. “Don’t try to do too many things,” she says. “Keep it simple, promote a few strong elements, stay focused, and don’t give up. There are times when you want to throw up your hands, but you just have to keep plugging away.”

She encourages all REALTORS® to get acquainted with the NATIONAL ASSOCIATION OF REALTORS® Smart Growth Principles. “Even if you are not facing growth issues to the degree that we are in Ventura County, you will face growth issues eventually...It’s going to happen everywhere. As California goes, the rest of the nation goes.”

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## York City Savvy: REALTORS®

### Get to Know Their Hometown

#### Summary

Revitalization of existing towns and cities is a key element of smart growth, but selling real estate in many of them can be tricky. The REALTORS® Association for York and Adams Counties, Pennsylvania, (RAYAC) created the York City Savvy course to better equip REALTORS® to sell residential properties in the city. Modeled on the similar Select Milwaukee course, York City Savvy offers speakers who are leaders in York City's public and private sectors, giving participants a broad understanding of what the city offers potential homebuyers.

#### Bringing Homebuyers into York City

For years, many REALTORS® in the York City, Pennsylvania, area were reluctant to show properties in the city itself. The conventional wisdom was that schools were poor and taxes high. Buyers, too, often came with preconceived notions about the wisdom of buying in town. Frustrated that these views lingered even after the city began to turn around, RAYAC Homeownership Coordinator Betsy Buckingham went looking for ideas for how to change the situation.

In 2002, she discovered the Select Milwaukee program and contacted Scott Bush at the Greater Milwaukee Association of REALTORS®, who told her how the association had developed a course that helps educate members about the myths and realities of city life, so that they can better meet the needs of clients for whom it would be a good fit.

The York City Savvy program is helping REALTORS® capitalize on the city's burst of growth. A night scene with restaurants and clubs has begun to blossom, plans are under way for construction of a new minor league ballpark downtown, and many new housing options have opened up, including upscale lofts and town homes, as well as options

for affordable housing. In addition, several rehabilitation projects are in progress, including major renovations led by the local YWCA and YMCA in areas adjacent to downtown. The city is home to three internationally known firms – Pfaltzgraff, Dentsply International, and Glatfelter – and is located within reach of major Mid-Atlantic hubs: about an hour from Baltimore, an hour and a half from Washington, D.C., and two hours from Philadelphia.

#### York City Savvy:

##### The Course Breakdown

REALTORS® need to meet no requirements to enroll in York City Savvy, and the course is free of charge. Upon completion of the course, participants receive a pin and "York City Savvy" designation. At-large RAYAC membership fees are not used to support the program.

The course consists of four sessions of three hours each that focus on distinct but fundamentally interrelated aspects of York City: neighborhood governance, schools, residential options for homebuyers, and financing issues.

**Session one** offers a brief history of the York City Neighborhood Alliance and its amenities, including parks and recreation, cultural opportunities, and special incentives for young professionals. Speakers who have volunteered their time include the chair of the Neighborhood Alliance, officials from the City Parks and Recreation Department, and the director of the Healthy York County Coalition. The session also touches on the city's rich history, including its founding in 1741 and its role in hosting the Second Continental Congress in 1777–78.

**Session two** puts the lens to York City schools, aiming largely to clear up misconceptions that buyers may have. In past versions of the course, this session has included a tour of Smith Middle School. Attendees learn about the various and unique programs for students of all ages and levels.

**Session three** provides a survey of residential options within York City. These include "row

homes, homes on tree-lined streets, condos, lofts, homes in suburban settings, and homes in commercial centers,” according to the course write-up. In past sessions, speakers have included the city’s Codes Officer, as well as representatives from the York City Human Relations Commission, who provided updates on fair housing issues. Of interest here is York’s proud architectural heritage, which stretches back nearly three centuries. According to travel writer Pat Mestern, York’s collection of Victorian-era row houses is second only to that of Baltimore.

**Session four** focuses on credit, mortgage products and assistance programs, and York’s Mortgage Credit Certificate, with presenters suggesting ways to use these services in combination. The most fact filled of the four segments, this session has included presenters from the Credit Bureau and the Housing Council, as well as from private banks and Rural Opportunities, Inc., a community development organization.

There also is a York-specific mortgage program and an employer-assisted housing program, developed by some of the city’s larger employers to encourage employees to live within the city. Also related to this discussion are the following York City programs:

- ▶ **First-time homebuyers program:** a down payment and closing cost assistance program for qualifying homebuyers.
- ▶ **Adopt-a-house program:** connects local corporations with neglected properties. Completed homes are sold at market cost.
- ▶ **Rehabilitation loans:** help finance construction at below-market rates.

### Early Outcomes

Judging from the high course-completion rate and enthusiastic remarks on evaluation forms, the York City Savvy course has been an unqualified success. Gayle Sanders, a course participant who works for Jack Gaughen REALTOR® ERA®, explained, “As real estate professionals, we need to let our clients and customers know that we’re not just here for the commission. We’re here because we really

care about our community.” By learning more about their community on issues ranging from schools to financing options, REALTORS® can not only find the right fit for clients, they also become more involved civic members. Other participants, such as Ethel Davis, a REALTOR® with Long & Foster, saw the course as a useful refresher. “I had a knowledge of the community, and this was a very helpful review for me,” she said.

In the short term, the program delivers other benefits. Representatives of RAYAC are not authorized to recommend one REALTOR® over another to the general public. But if someone requests a REALTOR® and has an interest in moving into the city, a RAYAC representative can say, “The following people completed the York City Savvy course.” That’s where the designation comes in very handy. RAYAC’s web site includes a list of REALTORS who have earned the designation.

Added Steve Snell, RAYAC’s Executive Officer, “I’ve been pleased because this program has made it clear that our association recognizes the interrelatedness of our community’s municipalities. That means the success of the city, including downtown, affects us all. Through this program, we show we’re doing what we can.”

### Aiming for Obsolescence

Course developer Betsy Buckingham notes: “My greatest hope is that the program will become unnecessary, as it did in Milwaukee.” The idea is that enough REALTORS® will become “York City savvy” that the program will have served its purpose – to increase the number of local REALTORS® better prepared to sell homes in York City and to significantly increase the percentage of homeownership in the city.

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## Selling City Owned Properties Efficiently (SCOPE) in Baltimore: Joint Project Unleashes

### Market Forces on Tough Problem

#### Summary

The Greater Baltimore Board of REALTORS® is working with City of Baltimore officials, foundations, and other organizations to list and sell city-owned vacant and abandoned property. The initiative, known as SCOPE (Selling City Owned Properties Efficiently), is a market-oriented approach to promote homeownership and rehabilitation of housing in blighted neighborhoods. The first phase of the SCOPE Project has shown significant potential, and City officials are now substantially increasing the number of properties offered for sale.

#### City Strives to Get Title to 5,000 Properties

Baltimore, Maryland, like other large cities across the nation, has been slow to recover from the loss of manufacturing jobs that once contributed to a robust urban environment. Population decline, which was particularly severe in the 1990s, has led to housing vacancies that now amount to about 15,000 properties in the city. Some property owners have abandoned properties rather than pay real estate taxes or make repairs – such as lead paint abatement – needed in Baltimore’s numerous older homes, including many brick row houses.

In 2002, Baltimore Mayor Martin O’Malley proposed Project 5000, under which the City planned to acquire clear title to 5,000 vacant properties within two years. Procedures for gaining title include tax delinquency proceedings, purchase, and exercise of eminent domain. With virtually all of these properties at least in the foreclosure and litigation stage, the City is now exploring options for their disposition. Some of these properties are sufficiently concentrated to enable large-scale redevelopment by the City.

But many more are scattered on individual lots, and that’s where SCOPE fits in.

Several years ago, the Baltimore Economy and Efficiency Foundation (BEEF) asked the City of Baltimore and the Greater Baltimore Board of REALTORS® (GBBR) to help develop a market-driven mechanism for rehabilitating houses on individual lots in several neighborhoods. The purpose of this project would be to return vacant and abandoned properties to productive use, bringing them back onto the tax rolls and sparking interest in adjacent residential and commercial properties.

During the development stage, GBBR invited the Real Estate Brokers of Baltimore (Realtists) to participate in SCOPE and join the review panel that selected agents to market SCOPE properties. Realtists are affiliated with the National Association of Real Estate Brokers (NAREB), which is made up of minority professionals. The Goldseker Foundation provided funding for logistical and staff support.

After a two-year planning process, the City identified 62 vacant properties as ready to go on the market. The SCOPE Project invited brokers and agents to apply as listing agents for these properties. Of the more than 100 who applied, 10 were selected to list SCOPE properties. These 10, who are Realtists and/or REALTORS®, are particularly familiar with foreclosure sales and the nature of the neighborhoods involved, as well as highly qualified in real estate transactions.

#### How SCOPE Works: Market Processes with Controls

Properties are listed on the Metropolitan Regional Information Systems (MRIS) and are included in the national database accessed over the Internet through [www.REALTOR.com](http://www.REALTOR.com). This listing enables any real estate broker or agent to participate in the project on behalf of a buyer. GBBR has been instrumental in developing standard purchase and settlement forms, which are

now available on the Board's website ([www.realtorsbaltimore.com](http://www.realtorsbaltimore.com)).

Special requirements do apply. In selected neighborhoods, one condition of sale is that the house must be owner-occupied and rehabilitated within 18 months. Elsewhere, the buyers also must rehabilitate the house in 18 months, but they may keep it as a rental property or sell it as an investment property. These requirements help to ensure that SCOPE properties will be rehabbed and not merely held in a dilapidated condition waiting for resale prices to rise. Potential buyers of SCOPE properties must disclose information about other properties they own in the City, and Baltimore's Board of Estimates has the authority to reject any sale if the buyer is considered unqualified for SCOPE.

Alongside these requirements are attractive incentives. The City of Baltimore encourages real estate agents to participate by paying a sales commission of \$2,500 or eight percent, whichever is greater. Prospective buyers are offered a lien-free property and have up to 30 days after the City ratifies the contract to back out of the deal with no penalties.

### Why Try a Market Solution?

The scale of the abandonment and neglect in some areas of Baltimore had put the City in the unwitting role of major real estate marketer. But few resources were available in the "cash-strapped" city to ensure that vacant properties on scattered sites were sold and rehabilitated, according to Robert Pipik, Director of Asset Management and Disposition at Baltimore's Department of Housing and Community Development. Utilizing private sector real estate professionals allows the City to avail itself of the multiple listing service and puts "a lot more feet on the street."

The City does not pay a commission on a property until that property goes to settlement. Baltimore also saves money it would have spent on advertising public sales. Market forces stimulate competition, which increases the price the City receives

for these properties and also makes it easier for the City to stipulate that properties be rehabilitated. Rehabilitation is key. Pipik notes that the SCOPE provisions ensure that redevelopment is "working for the benefit of the community. That's critical for Baltimore."

### Early Outcomes: SCOPE Generates Revenue and Buzz

Although SCOPE is in its infancy, the initial response by City officials, the real estate service community, and consumers has been enthusiastic. In a meeting before the Baltimore City Council on July 1, 2004, housing officials noted that 89 percent of the original 62 properties had contracts. About 15 percent had gone to settlement. SCOPE had generated \$156,000 in revenue for the City, with another \$391,000 under contract. Sale prices for these properties, which were generally gutted shells, ranged from \$2,500 to \$50,000 with an average of about \$10,000. The City expects to receive an estimated \$6 million in home construction and value from the project based on the initial listings.

SCOPE has not been without its frustrations. Delays have resulted from the vetting needed to determine that individual buyers are qualified. Most of the properties are boarded or bricked up, making it necessary for the City to open them and provide doors that are keyed for the sellers the same way as other homes on the MRIS.

The biggest challenges stem from cumbersome administrative and legal procedures that can delay settlement for six months while the City ensures clear title to a property. According to Joseph (Jody) Landers, Executive Director of GBBR, the City is preparing a flowchart of bureaucratic bottlenecks and is working in tandem with the real estate industry to consider ways to streamline the process, possibly with the use of private resources. "This is a solvable problem," he says.

Vito Simone, a REALTOR® who has listed SCOPE properties, is convinced that "the marketplace is the best place to get things

done and to get the best results,” particularly with scattered-site housing. By using the energies and resources of real estate brokers and agents, SCOPE “creates a level playing field for consumers.” He adds: “Anything that puts housing on the open market is a good thing. You cast a wider net for potential homeowners and investors.”

With 107 houses sold as of March 2006, the combination of SCOPE and Project 5000 have been credited with helping turn-around neighborhoods such as Reservoir Hill. Pipik notes that SCOPE has attracted a “broad array”

of buyers, from “urban pioneers” to churches, small investors, and larger developers. “SCOPE has also generated a lot of buzz,” he says. “It’s definitely an important tool in our kit.”

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## Michigan Land Use Academies: REALTORS® Learn to Put the Brakes on Sprawl

### Summary

Through its Land Use Academies, the Michigan Association of REALTORS® educates qualified members about the importance of smart growth in the state. The program began in 2004 after Governor Jennifer Granholm's bipartisan Land Use Leadership Council reported on the need to curb unsustainable growth practices.

### MAR and the Governor's Land Use Leadership Council

In the mid-1990s, land use became a prominent issue on the legislative agenda in Michigan. Communities large and small were growing unchecked, and existing laws and regulations lacked the flexibility to control the resulting sprawl. Few REALTORS® in the state understood the nuances of land use. In response, the Michigan Association of REALTORS® (MAR) initiated a statewide education campaign.

Gil White, then MAR's president-elect, and Robert Campau, MAR's vice president for public policy and legal affairs, took the lead, organizing land use summits with the Michigan Environmental Council, the Michigan Farm Bureau, and other groups. White conceived of the Land Use Academies in 2003 while attending a meeting of the Michigan Land Use Leadership Council, co-chaired by former governor William Milliken and Attorney General Frank Kelley. The 26 members, who represented a broad array of interests, studied trends and consequences of Michigan's land use policies at the local and state level.

According to White, researchers found that between 1980 and 1995 urban development, which had covered 6 percent of the state in 1978, had expanded at eight times the rate of population increase. At that rate, Michigan's

developed land was expected to increase by 178 percent by 2040.

In its final report, *Michigan's Land, Michigan's Future*, the Michigan Land Use Leadership Council recommended that the governor and state legislature take steps to better guide the state's growth. The council advocated mixed-use development with high density in appropriate locations, an approach associated with smart growth. The council also advocated the preparation of housing impact statements, economic studies assessing the effects of government regulation on the availability of affordable housing.

Finally, with strong backing from MAR, the council recommended that 60 percent of the membership of planning commissions, zoning boards of appeal, boards of trustees, and city councils in each jurisdiction be required to complete a continuing education course in smart growth in order to receive state aid.

### The Land Use Academies: New and Continuing Education

MAR offered its first Land Use Academy in 2004 and has offered them at regular intervals since, at both introductory and expanded levels.

**Land Use Academy I.** Land Use Academy I is open to 50 students who qualify by virtue of experience addressing land use issues or collaborating with local governments, or an abiding interest in the field. There is no charge, and students receive two continuing education credits.

The brochure promises that the day-and-a-half course teaches participants "how to interact with local governments about all things land use. Students will learn market-friendly development techniques [and] good design theories." Speakers include experts from the real estate, government, and environmental communities.

During the summer 2005 session. Bob McNamara, policy representative of the

National Association of REALTORS®, led a hands-on session in which he showed slides of various land use settings – farmland, small towns, commercial strips, and so forth – and asked participants to identify examples of smart growth. Where smart growth was not depicted, students used a computer application to simulate improvements.

A guest instructor was Don Chen, executive director of Smart Growth America, a coalition of national, state, and local organizations. Chen described his organization's efforts to “improve the ways we plan and build the towns, cities, and metro areas we call home.” Additional presentations were given by MAR's outside legal counsel David Pierson, who discussed strategies for working with local government on zoning issues; Brad Garmon, Land Programs Director at the Michigan Environmental Council, who presented an environmental perspective on density; and Bill Rustem, a longtime political activist, who provided an update on land use matters across the state of Michigan.

**Land Use Academy II.** In the second course in the series, speakers and participants expand the discussion to case studies and principles behind effective design of residences and communities. Land Use Academy II is open to REALTORS® who attended the initial course. There is no charge for attendance and no continuing education credit.

The summer 2005 session featured talks by Peter Allen, a Michigan urban developer and adjunct professor at the University of Michigan, who spoke on urban revitalization; and Terry Sanford of the engineering and surveying firm Nederveld Associates, who analyzed case studies on smart growth. Chuck Eckenstahler, a charter member of the American Institute of Planners, discussed conservation subdivision planning; and business strategist Dave Levitt highlighted efficient ways to design and arrange residential properties. MAR legal counsel David Pierson discussed zoning and streamlining the plat process, which is the mapping or charting of

lots, subdivisions, or communities to show boundary lines, buildings, and easements.

### Positive Student Feedback

Eric DeYoung, a REALTOR® at RE/MAX Vogue in Holland, Michigan, who attended the 2004 Land Use Academy, commended the “diverse and helpful” speakers. “I was expecting to hear things from the environmental groups that I would resist,” he said. “But I think they’re on the right track, and we all need to work together to make wise use of our limited land resources.”

Bill M. Nabers of Riverpointe Realty in Detroit attended Land Use Academies I and II and felt that both addressed land use issues long ignored in the state. Noting the devastating problems confronting his city, which continues to lose population and faces a financial crisis, Nabers said he appreciated what he learned about overcoming bureaucratic obstacles. He sees that topic as pertinent to efforts in Detroit to pass a land bank ordinance allowing banks to issue long-term loans on real estate in return for mortgages.

For Judy McFalda, who owns Harbor Realty Team, LLC, in rural Rogers City and attended both Academies, the session corrected misconceptions. “The discussion of unused land brought up perspectives I had never considered,” she said. “Density is not always a bad thing.”

### Education Leads to Action

Recommendations of the Michigan Land Use Leadership Council are being implemented throughout the state. Measures have been adopted to streamline the plat process, implement conditional or contract zoning (the rezoning of a particular piece of property based on an agreement between the developer and local government), and adopt land bank policies to enable productive use of parcels standing vacant. An October 2004 article in the *Lansing State Journal* announced that in Meridian Township officials approved mixed-use zoning, which had been illegal since the



1960s. “People can walk and ride their bikes [from their homes to shops],” White says in the article. “It’s one part of the puzzle in creating great places where people want to live, work, and play.”

The lessons of the Michigan Land Use Leadership Council and Land Use Academies show that dialogue among interested parties can prompt legislative and regulatory action, spurring further educational efforts and more refined legislation. The long-term outlook for Michigan is one of better informed land use policy and smarter growth.

### Advice to REALTOR® Associations

The Michigan Association of REALTORS® offers these tips to other associations that might want to start their own land use education programs:

- Feel free to use speakers with differing points of view, so long as the thrust of their presentation does not conflict with your overall message.
- Hold participants’ interest by presenting a mix of development or sales studies and academic or theoretical speakers.
- Screen applicants for experience and interest to ensure that participants learn from one another.

- Educate your association’s leadership about land use patterns in your state. Although a state need not be in a crisis mode to warrant a course on land use, emphasizing the urgent need for reform can give participants a sense of purpose both as community members and as real estate professionals.
- Choose an interesting venue. The Michigan academies have been held at wilderness retreat facilities in order to help participants immerse themselves in a neutral environment.

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## New York State Association of REALTORS® Smart Growth Awards Program

### Summary

The New York State Association of REALTORS® annual Award for Smart Growth Excellence

recognizes the successful

efforts of communities within the state to incorporate the principles of smart growth into their projects, policies and programs.

### Award program debuts in 2005

After adapting and adopting the National Association's smart growth principles, the NYSAR decided to create an award that would help to raise the profile of those concepts while honoring projects or communities that exemplify them. The program accepts applications for built projects, policy and regulation initiatives, and a comprehensive approach to smart growth through a combination of policy and built projects. The winner is selected by a panel of qualified individuals from organizations and public institutions that have an interest and working knowledge of smart growth, and is honored at the association's fall business meeting.

The first award, in 2005, went to the town of Warwick, located 55 miles northwest of New York City in Orange County, in recognition of the town's successful efforts to incorporate the principles into its comprehensive plan.

The plan established a farmland protection program and put into place innovative zoning techniques. Warwick's plan is designed to preserve the town's rural character and as many operating farms as possible; to direct growth toward already vibrant settled villages and hamlets; and to provide significant and unique natural areas that are important for both ecological reasons and for wildlife habitat. The smart growth initiatives eliminate the encroachment of housing on productive farmland by creating incentives to

have development on already settled villages or hamlets.

"Our comprehensive plan ... allows us to preserve what Warwick's 30,000 residents love about their community – its rural character and agricultural heritage – while allowing development now and in the future," said town of Warwick Supervisor Michael P. Sweeton. "This plan was a community-wide effort."

The new zoning ordinance encourages cluster developments, walkable neighborhoods, affordable homes and open space preservation. Since the adoption of the code, all proposed subdivisions have been clustered, preserving an average of 60 percent of the site as open space, and lot values have since increased by as much as 50 to 75 percent. Affordable housing aspects of the code require developers to provide at least 10 percent of a new subdivision as affordable housing. It also encourages development that imposes less impact on the community by allowing private and narrower roads with less curbing, thereby reducing runoff and calming traffic.

In 2006, NYSAR bestowed the award on the Town of Clifton Park which is about 20 miles north of Albany. The Town of Clifton Park has successfully implemented smart growth concepts into its comprehensive approach to planning, which has established an open space protection program and proposed innovative zoning techniques designed to maintain a sophisticated mixed use community. The town's five-year effort has resulted in: an open space plan; the permanent preservation of more than 700 acres of land; the creation of 12 miles of trails within the town; a Generic Environmental Impact Statement (GEIS) covering 14,000 acres of land in the western section of town; the creation of Western Clifton Park Design Guidelines as a tool for owners and developers; enactment of new zoning districts in the western section; and the hiring of an open space coordinator to help implement the town's program. The initiatives

are designed to maintain the quality and sense of place of Clifton Park as it continues to grow in the future.

NYSAR 2006 President J. Gregory Connors stated that, “The purpose of the award is to promote the continued advancement of smart growth in our state in accordance with the principles adopted by the National Association of REALTORS®. By honoring successes of communities such as Clifton Park through our ongoing Award for Smart Growth Excellence program, we continue to create awareness of the benefits of smart growth and encourage more communities

to embrace this approach to development. New York’s REALTORS® recognize the many benefits of utilizing a smart growth approach to community development and the positive impact it has on our communities.”

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# REALTORS® in Action

Just as REALTOR® associations are stepping up to the plate to ensure that their communities grow smart, so too are individual REALTORS® making significant commitments to shaping their communities as they grow. As these case studies demonstrate, their reasons for getting involved are varied but all of these REALTORS® have found that their civic involvement has had the collateral benefit of boosting their business.

## Ken Jackson, CCIM, CRS, GRI Florence, South Carolina



Ken Jackson is a busy guy. The Florence, S.C., REALTOR® is a former chair and current member of his local planning commission. He serves as chairman of the board of trustees at Francis

Marion University. He recently co-chaired the Governor’s Quality of Life Task Force and led the South Carolina Association of REALTORS®. And he’s a strong proponent of smart growth, something he simply defines as “development that enhances our quality of life.”

As a REALTOR®, Jackson does a little bit of everything: residential, commercial, and industrial, plus some property management. He says he never consciously decided to get involved with smart growth. It just turned out his interests and activities – the planning commission, REALTORS® associations, economic development, and education – happened to match many elements of smart growth. “As I got more involved in each of these, I discovered how interrelated they are and how little they are coordinated,”

he says. “I also came to realize that I could make a difference by understanding how the legislative and regulatory process works and being knowledgeable on the issues.”

Jackson believes “It is imperative that REALTORS® participate in local planning decisions. We must realize that if we as REALTORS® are not at the table when decisions are made, we have little room to complain.” His success and positive impact at the local and state level over the past 10 years may inspire other REALTORS® to follow his lead and get involved in their own communities.

### Ken Jackson Starts Planning

After becoming a REALTOR® in 1990, Jackson wanted to get more involved in his community of 40,000 in northeastern South Carolina. (The City of Florence is within Florence County, which has a population of 125,000.) His home state ranks among the nation’s fastest growing states, so he also wanted to learn about new development projects. The local planning commission seemed a logical place to start.

He was appointed to the commission in 1994. “After I was there a few months it was obvious that the decisions we were making were of tremendous importance to the community,” Jackson recalled. “I realized very quickly that most people, including many elected officials,

don't realize the influence that a planning commission has on the way a community grows. I quickly felt a sense of responsibility to take this position of public trust seriously."

He says it takes years to really understand how planning works and how the different ordinances, regulations, and comprehensive plans are intended to work together. In many cases, planning commissioners may not have the time to get educated. "I have had an inside view of how planning decisions are made and how uncoordinated government entities really are in their decision making." He chaired the commission for several years and remains an active member. By understanding the issues and actively participating in the process, he says, "you will stand out and have more influence than the person who just shows up for meetings. You also become someone who is looked to by the community, the elected officials, and the press as someone with expertise and an informed opinion on planning issues."

According to Florence Mayor Frank Willis, Jackson has those traits. "Ken brings an acute understanding of the planning process to the table which many of the commissioners do not have, unfortunately. His knowledge and leadership have led the planning commission to understand the role they play in developing smart growth initiatives and in quality of life issues. The Commission has great respect for Ken so they follow his guidance. The long-term impact is that he has set a standard for the commission that will be in place for many years to come."

While Jackson was preparing to serve as state association president in 2002, he got involved in electing Mark Sanford as South Carolina's governor. A former real estate broker, Sanford made quality of life a major part of his platform. Once elected, he asked Jackson to co-chair his Quality of Life Task Force. The group included nearly 30 diverse members representing corporations, conservation organizations, civic associations, and developers. "Many of the represented organizations had disagreed on many issues

over the years," noted Jackson. "It was amazing to see that once we started talking, we all had the same goals for South Carolina."

They agreed that their mission was "to enhance the quality of life for present and future generations of South Carolinians through the stewardship of our commonly held values of PLACE," an acronym for People, Long-term, Aspire, Community, and Education. While smart growth was never directly mentioned, the group's recommendations included many smart growth principles: integrate public transportation with land-use planning; encourage downtown renewal and revitalization projects; support private-sector efforts in affordable housing; and remove legal impediments to traditional neighborhood design. Already, some of the recommendations are making headway in the state legislative process.

Summarizing Jackson's work, Governor Sanford said, "Ken is somebody who not only understands how central quality of life is to our economic development efforts as a state, he's somebody who's also constantly on the front lines throwing out creative ideas to get us where we need to be. He's a strong advocate for managing growth in a way that's consistent with market principles and private property rights, and his work on our Quality of Life task force was invaluable in helping set the tone for this administration's efforts on that front."

### What Other REALTORS® Can Learn

While not every REALTOR® is going to get involved to the extent that Jackson has, his story emphasizes "that one person can make a difference," says Mayor Willis. "REALTORS® have a unique understanding and perspective of the growth of a community. On a daily basis they are contributing to the growth of the community and should understand how and why their actions help or hinder 'good' growth. They are in an industry that is dependent on growth and as such should exert some responsibility as to how that growth takes place."

James Peters, former Executive Office of SCAR, says Jackson is proof that “you can be involved and be successful. Ken’s involvement with the state association has enhanced his business, his success, and the quality of life with his own family.”

Jackson says he enjoys the various activities, which have benefited his business and made him a better REALTOR®. When asked why others in the profession should get involved in smart growth, he replies, “There should be no other kind of growth! Smart growth is about

helping create a better quality of life in our communities, and REALTORS® are uniquely qualified to serve in positions of influence on issues related to quality of life. Get educated on the issues and get involved.”

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## Linda Clark Fort Worth, Texas

REALTOR® Linda Clark has lived in the same neighborhood for more than 40 years, just south of downtown Fort Worth, Texas. She wasn't happy when the area's main pedestrian-friendly commercial street morphed into an unattractive six-lane thoroughfare, but when businesses started closing their doors, Clark motivated herself and others to save Berry Street. Her tenacity and vision helped to rejuvenate the corridor, bringing new businesses, residences, and vitality back to her neighborhood.

"I watched it go from a place where you could buy practically anything to a place that offered almost nothing," says Clark, who chaired the all-volunteer Berry Street Initiative for seven years. The group's efforts led to streetscape improvements and the opening of small businesses. Now a sizable mixed-use development is under construction, solidifying the street's turnaround. "This kind of thing pushes my buttons and makes me more excited about what I do on a day-to-day basis," says Clark, a commercial REALTOR® with Kline & Co. "It's exciting – and it's my neighborhood."

Conceived as a residential street near Texas Christian University in the 1920s and 30s, Berry Street started attracting commercial businesses in the 1940s and '50s, when perpendicular parking spaces were added. As a TCU college student in the 1960s, Clark frequently walked to Berry Street's department store, drycleaner, grocery store, and other neighborhood businesses. A 1970s urban renewal project widened the brick-lined street to a six-lane paved thoroughfare, wiping out the convenient parking spaces and stripping the street of its pedestrian-friendly feel. By the 1980s, businesses started to be shuttered. When the department store announced its departure in late 1994, it was more than the neighborhood could handle.

"I got 15 phone calls in one day when the news hit," says Clark, who had helped preserve

a historic convent near Berry Street and opposed a highway project. "People kept asking, 'What are we going to do?'" She and others were concerned that the street would continue its downward spiral and turn into a "magnet for trouble." More than 400 people showed up at a public meeting in January 1995 to voice their concerns, including the TCU chancellor, Berry Street business and property owners, and scores of local residents. Following the meeting, a member of the city council asked Clark to chair a volunteer redevelopment effort. She accepted the role, and the Berry Street Initiative was launched.

"My experience gave me the vocabulary and enough knowledge to help the community ask the right questions like, 'What happened?' and, 'How do we fix it?'," says Clark. She credits James Kunstler's books on America's changing landscape with introducing her to smart growth and helping her to create a vision for the future of Berry Street. "Kunstler's *Geography of Nowhere* described what happened on the corridor, and his *Home from Nowhere* described how to fix it. The solution involves getting public investment to lure the private sector in to provide the economic stimulus. That's basically what has happened on Berry Street. It has taken a long time – longer than I ever imagined – but it is happening."

Clark and others involved with the Berry Street Initiative spent countless hours between 1995 and 1998 hosting and attending meetings, raising public awareness, and initiating clean-up projects. Their efforts led to a \$3 million bond issue in 1998 to fund a new design and some initial improvements along the corridor. The city hired a design firm, which worked closely with the Berry Street Initiative for more than a year, to create what Clark calls "a dynamite plan" that established detailed guidelines for new landscaping, street signs, lighting, sidewalks, and other improvements.

"The Berry Street Initiative has been the city's closest and most reliable partner as we have begun to transform Berry Street from a distressed commercial corridor into a vital

mixed-use urban village,” says Fernando Costa, planning director for the City of Fort Worth. “Linda has played an important role in bringing together property owners, business and neighborhood leaders, Texas Christian University, and various public officials to pursue this ambitious effort. She has demonstrated exceptional leadership qualities and seemingly boundless determination to accomplish her community’s goals.”

The street is returning to its pedestrian-friendly feel, with 16-foot sidewalks, on-street parallel parking, and four lanes of traffic divided by a tree-lined median. New businesses have now opened, including two national drug stores, a video store, a fast-food place, and a sit-down restaurant. In 2005, the opening of a \$47 million mixed-use development will secure the transformation of Berry Street. The privately funded project includes 31,000 square feet of retail, 245 apartments for TCU students, and a 580-space parking garage.

The CEO of the Greater Fort Worth REALTORS® Association, Sherry Matina, calls Clark “a tireless advocate of improvement. Her vision started this effort, and it’s just grown and grown and grown. She has made a lasting contribution to her community.”

While the redevelopment took much longer than Clark anticipated, she says it was worth it. “As frustrating as it has been because of the length of time, all I have to do is drive down the street and look around to see the impact we’ve had,” she says. “There’s something really tangible for me, personally, knowing I made a difference. And, as a REALTOR®, it adds

to the stability and prices of the surrounding neighborhoods. There’s no doubt it adds value.”

Other communities in Fort Worth have taken notice of the changes on Berry Street, too. “The visible difference in Linda’s neighborhood is so great that it has inspired redevelopment projects along other corridors,” says Matina. She says there are nine other corridors throughout the city that are slated to follow Berry Street’s lead. Clark’s advice to other projects is to find money to hire at least part-time paid staff to help manage the volunteer effort, which she says is hard to maintain over several years. Nonetheless, she actively encourages others in her profession to get involved with smart growth in their own communities. “Make the time and stay involved and learn about development concepts,” she suggests. “It’s so important – and we can make a difference.”

Fort Worth’s Costa, planning director seconds her suggestion. “Linda provides an excellent example of how civic-minded REALTORS® can make a big difference in the life of their communities,” says Costa. He recommends that REALTORS® get educated about smart growth, then “apply your knowledge with conviction, and don’t let minor disappointments get in the way of your success.”

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## Linda Goodwin-Nichols, CRS, GRI Vice Mayor, City of Kissimmee, Florida



Linda Goodwin-Nichols has had a lifelong slogan: “You only get out of a community what you put into it.” And she not only believes it, she lives it by getting involved – and elected.

President of Goodwin Realty & Associates in Kissimmee, Florida, Goodwin-Nichols has volunteered for countless boards and committees during her 30-year real estate career. And for nearly eight years, she has served as an elected official on her city commission, including the past four years as vice mayor.

“Before I decided to run, I feared that decisions I would make as an elected official would hurt my business,” says Goodwin-Nichols. “That was the most incorrect thought I ever had in my life. ...Being an elected official has done nothing but enhance my real estate career.”

As an elected official in a rapidly growing community, she’s had to make plenty of tough decisions, but she’s stayed focused on helping her community grow smartly rather than haphazardly. According to City Manager Mark Durbin, “She’s always able to make the right decision. She’s a natural born leader.” He’s seen many commissioners during his 17-year tenure directing Kissimmee, and he readily summarizes her work. “She’s a thinker, a planner, and does not let emotions control decisions she makes. At the same time she’s compassionate and has pushed the city to provide services to residents who need government help.”

Kissimmee sits in the middle of Florida, within 10 miles of Disney World and surrounded by Osceola County, one of the state’s fastest growing areas. The population has more than quadrupled, from 12,500 when Goodwin-

Nichols started her business to nearly 55,000 people today. “I’ve seen a little cow town made up of large landowners, cattle ranchers, and farmers become a multi-cultural, diversified community,” she says. Tourism and construction fuel the local economy, once dominated by farming. “Growth presents its challenges – the roads are overcrowded, the schools are overcrowded, everything’s overcrowded – so you focus on making a better community.”

One of the biggest challenges she’s faced while in office is overcrowded schools. Kissimmee is located in the Sunshine State’s fastest growing school district – and its poorest. More than 70 percent of area students receive free lunches (an indicator of low family income levels). While Goodwin-Nichols says it would have been easy for elected officials to ignore the issue and let the school board tackle the challenges alone, the city commissioners knew they had to help because schools are a community issue.

After she was first elected in 1998, the city commissioners voted to build a public charter school. The commissioners actually ran it, like a school board, before turning it over to an educational foundation. More recently, the commission created Educational Benefit Districts, encouraging developers to set aside acreage for neighborhood schools built in partnership with the local school board. People who buy in the community pay a fee (similar to homeowner association dues) for the benefit of having their child at a school close to home. “It is a phenomenal way to fund new schools,” notes Goodwin-Nichols, who boasts that Osceola County has no failing schools despite many challenges. “We can’t stop growth, so we need to be creative with ways to fund schools.”

One of the biggest opportunities she’s had as city commissioner is to help shape the future of Kissimmee through annexation. She notes that a rewrite of the community’s comprehensive plan while she’s been in office has enabled city leaders to dictate what will be on the land and how it will be developed, rather than developers directing the growth.

In the late 1990s, the city inked the largest annexation in its history. The 1,200-acre parcel pushed the city limits out to a major thoroughfare, Osceola Parkway. The prime real estate was poised for rapid residential development. If not for the comprehensive plan, “more cookie-cutter developments” might have sprung up on the land, says Goodwin-Nichols. Instead, the plan called for more sustainable communities, with garage setbacks, housing variety, and more tree cover, which she says “really raised the bar on the level of houses being built in this area. We’ve really worked hard to develop what our kids and grandkids are going to enjoy.”

While she doesn’t consider herself a smart growth expert, she understands the interconnectedness of all elements within a community, and used that basic smart growth tenet to help guide her political decisions. “I don’t think smart growth is rocket science. I think you have to look at a community’s challenges and you’ve got to face them and get them under control as much as possible. As an elected official, smart growth has helped me look at the long-range vision of my community. It’s enabled me and others on the commission to forecast what the challenges are today, what they’re going to be, and how they’re going to impact quality of life, so we can solve those challenges before they cannot be solved.”

Durbin says that, as a REALTOR®, Goodwin-Nichols is highly attuned to growth issues. “She understands the ins and outs of growth because she has seen them throughout her career. Her knowledge and “big-picture thinking” have been assets to the city commission, he

says, noting that she has helped educate city planners during her tenure. “Planners tend to look at things from a textbook point of view, and she brings the real world experience.”

Term limits ended Goodwin-Nichols’ stint as city commissioner in November 2004, and Durbin says, “I’m going to miss her tremendously.” He encourages other REALTORS® to get involved and says even if they don’t want to run for office they should make their voices heard. “It’s important for REALTORS® to understand that their fortunes are tied to the fortunes of the local government. If the government is doing a good job providing services, that’s going to make a REALTOR’s® job easier.”

Goodwin-Nichols says being an elected official has been an invaluable experience and encourages other REALTORS® to get active and run for office. “If you’re complaining and you’re not involved, then nobody should listen to you.” She says city employees have asked for her help and she’s also brokered some properties for the county. “Everyone knows I’m a REALTOR®,” she says, noting that she has always been a REALTOR® first and then a city commissioner. “I never go to one of these meetings without getting a lead. It’s the easiest marketing in the world.”

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## Brenda Ellsworth

### Mayor, Ash Grove, Missouri



As mayor of Ash Grove, Missouri, REALTOR® Brenda Ellsworth saw a chance to make the most of her connections to the resources of NAR to help her community become a leader in

smart, citizen-driven planning.

As a result of her 2004 initiative, her town was selected as the first city in the U.S. to receive an extensive level of assistance from the NAR Smart Growth Program. A little more than a year later, the city of Ash Grove and the NAR Smart Growth Program were honored with an Excellence in Planning Award for “Outstanding Community Initiative” from the Missouri Chapter of the American Planning Association.

It began in the spring 2004, when Ellsworth and the Greater Springfield Board of REALTORS® requested assistance from NAR’s Smart Growth Program to initiate a program to plan for the city’s future. Ash Grove, with a population of approximately 1,500, is 20 miles from rapidly-growing Springfield and is expected to see significant growth in the near future. Ellsworth said she began the planning initiative because of the community’s desire to “maintain our character and sense of community in the face of growth. Most small-town leaders do not have the needed knowledge to make that happen and do not have the funds to hire the person that does.”

The town used the NAR assistance to hire A. Nelessen Associates, a nationally recognized planning and design firm from Belle Mead, New Jersey, to conduct visioning and planning workshops over a four-day period in Ash

Grove. More than 120 Ash Grove residents, business owners and other stakeholders attended the workshops. Participants completed visual preference surveys and questionnaires on land-use policies, and worked in teams to create maps representing their recommendations for growth. Planners from A. Nelessen Associates were assisted by volunteer planners from NAR, the city of Springfield, and the planning faculty and students from Missouri State University.

“The partnership between Ash Grove, NAR, the local REALTOR® board, and the university was so important to the success of this planning effort,” says Joe Molinaro, manager of NAR’s Smart Growth Program. “And the fact that so many citizens participated is a testament to Mayor Ellsworth’s leadership.”

Soon after the planning event, citizen working groups were formed to further pursue many of the ideas developed in the preliminary plan, and the city is currently working to incorporate the outcomes of the process into a comprehensive plan and updated land-development regulations. The preliminary plan also provided the impetus and support for the city’s two successful applications for funding from the Missouri Department of Transportation to install sidewalks and street lighting and plant trees along major roads in the city, and was the catalyst for further work with Drury University’s architecture and business schools to develop design concepts and a marketing plan for downtown.

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# REALTOR® Action Guide

## Getting Involved: A REALTOR®'s Action Guide

*The guidance below was adapted from the Washington REALTORS®' Quality of Life Action Guide on how REALTORS® can get involved in crafting their community's comprehensive plan. However, this roadmap can be applied to getting involved with any community growth issue. For more information on the WAR Quality of Life Program see [www.warealtor.com/Government/qol.asp](http://www.warealtor.com/Government/qol.asp)*

### Action Plan

The following outlines a proposed action plan for local REALTOR® involvement in updates or re-writes of their communities' comprehensive plans. The answers to the questions asked in the 'lay of the

Meetings with local officials, planning commissioners, and staff members should not be complaining sessions about what is wrong in the community and with the current plan. REALTORS® should instead offer assistance to make things better.

land' section provide a framework for local activists to get the information they need to become informed and involved. Answers to the questions may be obtained from planning staff members, planning commission members and elected officials and their staffs.

A lot of this work will be building and maintaining relationships, something that REALTORS® do every day in their work with clients.

## Strategy and Tone

There are several fundamental recommendations to set the strategy and tone for local involvement.

- ▶ REALTORS® should get involved in the plan update process immediately. The goal is to get the comprehensive plan update proposal to reflect the REALTORS® policy objectives from the outset.
- ▶ Another underlying goal is to position REALTORS® as a thoughtful and positive force in getting the local plans updated in ways that avoid public conflict and controversy, and advocates who will assist in obtaining community support for the plan. Local REALTORS® should make it clear

that they are getting involved to offer some of their insights into the community and are committed to ongoing involvement in the update process.

- ▶ Meetings with local officials, planning commissioners, and staff members should not be complaining sessions about what is wrong in the community and with the current plan. REALTORS® should instead offer assistance to make things better.
- ▶ Local REALTORS® should cite local examples of projects that accomplish the

objectives of the planning elements they want to see included. Examples from neighboring communities may be used if none exist in their own communities.

### Get Involved Early and Often

*The sooner you learn about and get involved in the process, the better off you'll be.*

- ▶ Make allies of the planning staff as early as possible. Having the staff on your side and advocating for your provisions is much better than having them oppose their inclusion after the plan is put forward.
- ▶ Advise elected decision-makers as soon as possible about what you're doing and why. Keep them updated as the process and your involvement continues.
- ▶ If staff members are not receptive to your involvement, have sympathetic elected officials make proposals to them for you and encourage staff to make sure you're at the table.

### Getting the Lay of the Land

You wouldn't dream of trying to sell a house without knowing its location, size, the number of bedrooms and its amenities. Educating yourself on the issues and people involved in the comprehensive plan update is just as important.

*Educate yourself about the existing comprehensive plan policies.*

- ▶ Do the existing policies include the policy elements supported by REALTORS®?
- ▶ If they do, how are the existing policies working and what changes might make them better?
- ▶ Which elements are not included in the existing plan?
- ▶ Is there draft language available from other communities that might work in your area?
- ▶ Are there examples in your community, or in neighboring areas, of policies that are working well and that should be encouraged?

### Identify the elected officials and staff who will be involved in the update process.

- ▶ Will a county or city council committee approve the update before it goes to the full council? If so, who is the committee chair and who are its members? Which commissioner, if any, will head up the process and which are most interested in planning issues?
- ▶ Will a planning commission be involved? Who are the chair and members?
- ▶ Which local REALTORS® have good relationships with specific officials and can talk with them about the plan update?
- ▶ Which city or county department will be conducting the update? Who is the head of the department and which staff members are doing the work?
- ▶ Do any local REALTORS® have good relationships with the planning staff and can talk with them about the update?

### Identify the update process and schedule

- ▶ Will there be workshops to discuss the plan?
- ▶ When will it first be brought forward for public review and comment?
- ▶ Will a planning commission or other similar body do the initial review? If so, what will their process and schedule be?
- ▶ When and where will public hearings be held?
- ▶ How and when can you and your allies and supporters make comments on the proposed plan?
- ▶ Who will you get to attend any workshops, review sessions, meetings and hearings to speak in favor of the plan elements you support?

### Identify Your Allies

- ▶ Who in the local real estate community would be effective in discussing your effort with specific elected officials and staff?

- ▶ What other local groups or organizations might support your positions? Natural allies may include chambers of commerce, builders, economic development councils, rotaries and other business organizations.
- ▶ Consider less obvious allies: Are there low-income housing advocates, labor unions, neighborhood groups, parks advocates or environmentalists who may share views about elements of the comprehensive plan update?
- ▶ Who in your community has contacts with those groups and may be able to explore common ground?

### *Identify Potential Opponents*

- ▶ Are there local neighborhood, conservation, environmental or other groups likely to be involved in the update process?
- ▶ What types of positions and actions have they taken in the past regarding land use issues?
- ▶ Have they been involved in prior comprehensive plan updates?
- ▶ Do they have good contacts with staff who will develop the plan and decision-makers who will adopt it?
- ▶ Can you find room for agreement? What issues? Can you agree to move forward on areas of agreement?

### *Identify Media*

- ▶ What members of the local media (talk and news radio, television, newspaper) might be interested in the comprehensive plan update?
- ▶ What local REALTORS® have good relationships with them?
- ▶ What local REALTORS® will handle media inquiries?
- ▶ What local REALTORS® and allies might be available to brief editorial writers at appropriate times?

## Taking Action

### Attend local hearings

It is imperative that REALTORS® attend local hearings when important issues are discussed. Remember this:

- ▶ Poorly planned attendance at an important meeting could result in a missed opportunity.
- ▶ A well-orchestrated attendance by REALTORS® and homeowners in large numbers can make a strong impression on local officials.

Follow these steps to make the most of your attendance:

- ▶ Have REALTORS® meet beforehand to agree on a strategy and message.
- ▶ Designate a spokesperson(s) to communicate the REALTOR® position.
- ▶ Develop talking points, an outline of your key messages.
- ▶ Anticipate the attendance of local media and incorporate this into your strategy. It could mean valuable “earned media time” for your message.

### Stay informed

REALTORS® absolutely must stay informed about local issues. There are a number of steps you can take to stay on top of things:

- ▶ Read local newspapers
- ▶ Subscribe to and monitor local agendas and minutes. Some of this is available over the Internet.
- ▶ Attend local council and planning commission hearings.
- ▶ Develop strong relationships with local government officials and staff.
- ▶ Attend local civic events hosted by allied industry groups such as the Chamber of Commerce and Building Industry Association.
- ▶ Invite local officials to speak to your association on specific issues.

### *Participate in local commissions and task forces*

- ▶ You can influence the debate about local issues by having REALTORS® sit on local commissions and task forces.
- ▶ If your city government has not created a commission or task force, take the initiative and suggest that one be formed.
- ▶ Participation in these forums is the best way for REALTORS® to get involved in the dialogue early and counter the influence that local government staff and opposition forces may have over elected officials.

### *Developing relationships with local officials*

It is important to develop relationships with local officials before controversies reach their high point to ensure that you will have an open ear. Ways to develop productive legislative relationships are:

- ▶ Hosting a “meet and greet” reception for local officials at your association office.
- ▶ Host fundraisers for candidates and elected officials.
- ▶ Invite government officials to speak to your membership on particular issues.
- ▶ Have a regular presence at local government meetings.
- ▶ Place your association on local elected officials’ mailing lists.
- ▶ Place your local elected officials on the association’s mailing lists.
- ▶ Continue your relationship with officials after a decision has been made, especially if the decision was favorable.

### *Don't forget about staff*

#### *Government staff influences elected officials as much, if not more, than anyone else*

- ▶ Staff prepares reports, studies and analyses of important issues.
- ▶ Elected officials often educate themselves by reviewing the information they receive from staff.

- ▶ REALTORS® must maintain open lines of communication with staff to ensure that it provides objective information to elected officials.
- ▶ Similarly, it is important to have open lines of communication with elected officials, in the event that staff does not share your point of view.

### *Identify Your Objectives*

Growth issues manifest themselves in many forms – ballot measures, zoning ordinances, project approvals, or comprehensive plan updates, to name a few. Regardless of the type of situation you are facing, it is important for you to identify your objectives first, before you develop a strategy.

### *Determine your goals*

- ▶ What do you hope to accomplish in relation to this issue? Anticipate different level scenarios.
- ▶ Be prepared to compromise and to accept something less than your ideal outcome.

### *Evaluate Your Resources*

- ▶ What resources do you have at your disposal to achieve your goals?
- ▶ Are volunteers organized and ready to mobilize?
- ▶ How much money does your association have, and how much is it willing to spend?
- ▶ What modes of communication can you use?
- ▶ Do you need, and can you afford, to hire a professional consultant?
- ▶ What relationships do your members have with local officials?

### *Map out the political dynamics*

- ▶ Know what the political feasibility is of achieving your goals.
- ▶ Do you have the votes and what will it take to get them?

### *Identify Targets*

Taylor your message to the audience you need to persuade, whether:

- ▶ Policy-makers (legislators, council members, commissioners, etc.)
- ▶ Local government staff
- ▶ Planning commissioners
- ▶ Homeowners
- ▶ Voters
- ▶ All residents
- ▶ Potential contributors

### *Develop a message*

This is the most important part of the process! Here are steps to follow:

- ▶ Determine how you want to convey your position to the target audience.
- ▶ Keep your message succinct, simple and easy to understand.
- ▶ Your message should convey the positive points of your position.
- ▶ Stick with your message.

### *Tactics*

How will you convey your message? Consider these scenarios:

- ▶ If you need to lobby the city council on an ordinance proposal, you will need to work with staff, meet with policy-makers, attend hearings, testify, and make sure you have the votes necessary to achieve your objective.
- ▶ You may want to conduct a public education campaign, including letters to the editor of the local newspaper or maybe a town hall forum with elected leaders.
- ▶ Your tactics will depend primarily on what your target audience is and what it is that you are trying to communicate.

### *Build Coalitions*

Allied industry groups can help you communicate your message with added resources.

- ▶ Homeowners
- ▶ Voters
- ▶ Builders
- ▶ Associations
- ▶ Local Businesses
- ▶ Chambers of Commerce
- ▶ Economic Development Councils
- ▶ Port District officials
- ▶ Schools and PTAs
- ▶ Labor Unions
- ▶ Environmentalists

Any or all of the above may share the same position as REALTORS® on housing, economic development, growth management or property-related issues. They can be enlisted in a variety of ways for a common purpose.

### **Adopt a strategy for achieving your goals**

Here are some of your choices, depending on your goals and how you have evaluated all of the other issues mentioned above.

- ▶ Grassroots campaign, mobilizing REALTORS®, property owners and others
- ▶ Public education campaign. This might include target mailings, “earned” media (stories and opinion pieces in local news outlets) or paid media.
- ▶ Coalition building
- ▶ Lobbying city council or staff

Your ultimate strategy will depend on your goals, your target audience and how you intend to reach it. For example, if the city council is considering an ordinance, then you will want to lobby the council.

Your tactics will depend primarily on what your target audience is and what it is that you are trying to communicate.

### *Use Earned Media*

You may find it useful to conduct a public education campaign. The best way to do this



without spending valuable resources is by using earned media:

- ▶ Editorial boards
- ▶ Letters-to-the-editor
- ▶ Opinion editorials

### *Set up a “Key Contact” program*

REALTORS® have established a “key contact” program at the state level that can be adapted to the local level. A “key contact” is a person who is matched to a staff person or elected policy maker in their community. The “key contact” serves as a source of information for policy-makers about issues affecting the real estate industry. The Washington Association has a handbook that can help you in establishing this program.

### *Initial Contacts*

- ▶ A team of local REALTORS® should be identified to ensure that enough committed people are available to begin and maintain the involvement process.
- ▶ Meetings should be held as quickly as possible with planning staff and commission members, as well as with elected officials and their staffs. At these meetings REALTORS® would discuss why they want to be involved, how they plan on participating, what they have to offer the process and the outcomes they hope to achieve.
- ▶ Local examples of successful development, zoning and regulations that illustrate and align with the REALTORS® specific

## Getting (and Staying) Involved

### Checklist for REALTORS®

- ▶ Visit [www.realtor.org/smartgrowth](http://www.realtor.org/smartgrowth).
- ▶ Attend a city council or county commission meeting.
- ▶ Develop an understanding of local growth issues.
- ▶ Request (or download) NAR resources to use locally.
- ▶ Approach potential coalition partners.
- ▶ Voice your support for smart growth at a public hearing.
- ▶ Write a letter to the editor of the local newspaper.
- ▶ Meet with elected officials.
- ▶ Join an RPAC committee.
- ▶ Support a candidate for office.
- ▶ Volunteer for a community organization.

- ▶ Seek an appointment to a local board.
- ▶ Run for office.

### Checklist for REALTOR® Associations

- ▶ Host a smart growth strategic planning session.
- ▶ Educate your membership.
- ▶ Create volunteer resources.
- ▶ Personalize NAR materials for distribution to your membership and community leaders.
- ▶ Spread the smart growth word at the community level.
- ▶ Form relationships with a broad base of partners.
- ▶ Host a smart growth seminar for community leaders.
- ▶ Co-sponsor a planning event.

comprehensive plan update policy recommendations should be documented and provided to planning staff and officials following the initial meetings.

### *Ongoing Involvement*

- ▶ Ongoing contact should be maintained with planners, elected officials and their staffs to advocate for specific policy recommendations and ongoing involvement.
- ▶ Local REALTORS® should be present at every meeting, workshop, discussion or hearing at which the comprehensive plan update will be discussed. Planning commission, city and county councils and commissions, and public meetings held by staff are examples of the types of meetings at which REALTORS® should maintain an ongoing presence. But remember that most decisions are made behind the scenes, so you'll want to be involved there, too.
- ▶ Whenever public comments are allowed, be they written, or oral, REALTORS® and their allies should be mobilized to provide public support for the plan updates you seek.

Staff and officials should be shown that there is widespread, vocal and sustained support for your proposals and decisions to enact them. This is particularly important because officials are much more likely to approve plan provisions if they know they are strongly supported by committed community members.

- ▶ It is critical to provide written and oral testimony for the “record” to ensure you have “standing” (the legal right to be involved and address the issues you presented) should policy decisions be (or need to be) challenged.

### *Finishing Up*

Thank and continue to support officials who approved policies you proposed. Remain involved in the community.

Finally, think about getting REALTORS® elected and appointed to local office. Having REALTORS® appointed to planning commissions or elected to city council provides the best assurance that your voice will be heard on important issues.



# Sample Legislation





Policy is the critical link between planning and the physical reality of our communities.

# Sample Legislation

**A** principal reason why smart growth development is not more common is that the existing zoning laws in many communities prohibit compact, mixed-use high density development. Communities that have made the effort to change their development guidance are seeing the desired types of development take place.

The following provides an assortment of sample policies and legislation that have been enacted in various communities around the country. The intent is to provide you with a significant start in your effort to bring smart growth policies to your community.

## U.S. Environmental Protection Agency

Getting to Smart Growth: 100 Policies for Implementation, now in two volumes, provides excellent examples of policies that support smart growth principles from communities around the country. While the legislative text is not included, it is an excellent place to start tracking down policies that address specific aspects of smart growth. Both volumes can be downloaded from: [www.epa.gov/smartgrowth/getting\\_to\\_sg2.htm](http://www.epa.gov/smartgrowth/getting_to_sg2.htm)

## American Planning Association

Growing Smart Legislative Guidebook: Model Statutes for Planning and the Management of Change provides a comprehensive guide to reforming planning statutes and discusses how to begin planning statute reform through the state legislature, the governor, and private interest groups, and provides guidance for state, regional, and local land-use planning, including model statutes. The book can be order from: [www.planning.org/growingsmart](http://www.planning.org/growingsmart)

Smart Growth Codes provides 11 model smart growth ordinances on the following topics, with commentary, see: [www.planning.org/smartgrowthcodes/phase1.htm](http://www.planning.org/smartgrowthcodes/phase1.htm)

- ▶ Mixed-Use Zoning District Ordinance
- ▶ Town Center Ordinance
- ▶ Affordable Housing Density Bonus Ordinance
- ▶ Unified Development Permit Review Process Ordinance
- ▶ Transfer of Development Rights Ordinance
- ▶ Cluster Development Ordinance
- ▶ Pedestrian Overlay (POD) District
- ▶ On-Site Access, Parking, and Circulation Ordinance
- ▶ Shared Parking Ordinance
- ▶ Street Connectivity Standards Ordinance

## The Smart Growth Network

The web site provides many useful tools for bringing your community's development regulations up to speed for smart growth development, including two publications, Smart Growth Zoning Codes: A Resource Guide and The Infill & Redevelopment Code Handbook as well as online access to specific codes from communities around the country.

See: [www.smartgrowth.org/library/ldrlist.asp](http://www.smartgrowth.org/library/ldrlist.asp)

## NAR Online Resources

NAR's Smart Growth web site has links to other sample/model legislation, including examples for:

- ▶ Traditional Neighborhood Development
- ▶ Form-Based Zoning Code

- ▶ Inclusionary Zoning Ordinance
- ▶ Building Rehabilitation Code
- ▶ Vacant Property Reclamation
- ▶ Targeting Growth
- ▶ Alternative Transportation

*See: [www.realtor.org/sgtoolkitlinks](http://www.realtor.org/sgtoolkitlinks)*



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