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by Mark A. Edelman, Jon Roe, and David B. Patton

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Introduction

Land Use Conflict: When City and Country Clash

rban sprawl is not a new phenomenon. Metropolitan areas have been growing and expanding for the past century, pushing development into rural areas. History has shown that rural-urban conflicts are often the result.

Theodore Roosevelt formed this century's first presidential inquiry into rural problems in 1908. His "Country Life Commission" was charged with stemming rural residents' rush into the cities. During the second half of the twentieth century, the migration to the central city has been reversed, as people pour out of cities and into the suburbs. Today, increasingly complex rural-urban land use issues have continued to generate controversy.

Not all places face the same problems. According to the U.S. Department of Agriculture (USDA), one-quarter of the nation's 3,066 counties are still losing population during the 1990s. Most of these are rural counties located primarily in the Midwest and Great Plains. At the other end of the spectrum, about one-quarter of the nation's counties are metropolitan counties that are experiencing population growth averaging about 10 percent per decade. The middle 50 percent are primarily rural counties with populations of less than 50,000. But on average, these rural counties are growing at about the same rate as metro counties.

The Brookings Institution notes that suburban sprawl has been the dominant form of growth in the United States for the past 50 years. However, the average population growth rates for metropolitan counties often mask the shifts that go on inside these counties. Many central cities have experienced decline as the suburbs have grown rapidly. As people and wealth leave the central city, its property values decline, tax rates increase, services decline, and social problems and crime often increase. This often creates a downward spiral in economic vitality.

Except for the magnitude of impact, many consequences of population loss in central cities are similar to impacts experienced by rural communities located in counties with population loss. For these urban and rural places, the key land use policy question is: How should the land resources and infrastructure improvements thereon be utilized in the face of economic and population decline?

In contrast, when areas of rapid growth are visited, a very different picture often emerges. There, the overarching land use policy question is: How should the land resources be utilized and development occur in the face of population growth and expansion?

One of the fastest-growing suburban areas in the country is in and around Atlanta, Georgia. This southern city and its suburbs have grown from a span of 65 miles from north to south to a 110mile span since 1990. Atlantans drive an average 36.5 miles per day roundtrip to work — the longest commute in the nation. Growth around this metropolitan area converts 500 acres per week from farmland and open space to urban uses. Air pollution is in violation of clean-air standards. Similarly, many other suburban areas from coast to coast are experiencing unprecedented rates of growth.

"Visualize a strip of land a half-mile wide stretching from New York to California," reads a study done for the Council on Environmental Quality and USDA. "That is one million acres — the amount of farmland converted to other uses from agriculture every year in the United States."





It's happening in every part of the country, and every state in the Union, according to the American Farmland Trust, which reports that some of the nation's best farmland — from the San Joaquin Valley to the Mid-Atlantic Coastal Plain, from the Puget Sound Valley to the Florida Everglades — is being destroyed by scattershot urban development at the rate of 50 acres per hour.

The Nature and Cost of Urban Sprawl

In most counties, sprawl comes in the form of "low density" residential development such as one- to five-acre home sites and ten-acre farmettes that spring up in rural and undeveloped open space areas. In other counties, sprawl includes strip malls and new factories. In still other cases, concentrated agricultural enterprises in rural-urban fringe areas create controversy.

"Sprawl," as described by Robert W. Burchell and Naveed A. Shad in a 1998 Farm Foundation report, "has been a popular means of development because it (1) dilutes central city congestion while accommodating unlimited use of the automobile; (2) distances new development from the fiscal and social problems of older core areas; (3) provides a heterogeneous economic mix for vitality; (4) fosters neighborhoods in which housing values will appreciate; (5) fosters neighborhoods perceived to provide a higher quality of socialization for youths and a higher quality of education; and (6) requires lower property taxes to pay for local government and school district operating expenses than locations closer in."

Sounds pretty good, right? But, Burchell and Shad point out that sprawl comes with hidden costs as well. The infrastructure required to support such development becomes more and more expensive the farther out it stretches. For example, "in South Carolina, if sprawl continues unchecked, statewide infrastructure costs for the period 1995 to 2015 are projected to be more than \$56 billion, or \$750 per citizen every year for the next 20 years."

Several planning studies conclude that local taxes generated from residential developments often do not fully pay for the local services desired by new residents. That's why many suburban communities strive for more balanced growth in which residential developments are complemented with commercial and industrial development. However, in any community — large or small — if the infrastructure hasn't been kept up, large tax increases are often required to catch up for decades of allowing streets, drinking water, and sewer systems to deteriorate.

"The folks who come to these suburbs and nearby small towns bring expectations for services. What you struggle with is the tax base keeping up with those demands," says Tim Shields, director of the Institute for Public Affairs at the University of Iowa. Greater levels of organization and service are often required as communities grow. For example, volunteer fire departments are eventually replaced with paid professionals as community size increases. This kind of thing happens for almost every local service. The resulting local taxes may still be lower than in the central city, but they are often higher than what longtime residents have experienced.

Taxpayer costs are just one of the impacts to be considered as people struggle with the results of the urbanrural collision. Other impacts come in the form of changes in property values, changes in community structure, traffic congestion and commuting times, environmental impacts, and changes in the perceived quality of life that can be attained now and in the future.

"We have all this experience over the last 20 years from Los Angeles to Atlanta to Phoenix, that shows that building and widening freeways does not solve our traffic problems," says Keith Bartholomew of the University of Utah in the *New York Times*, "and yet here we are saying somehow this time it has to work." Thus, there is growing debate over how federal, state, and local transportation dollars should be spent. While preferences can be changed, surveys show that most Americans still prefer the automobile over mass transit systems by a wide margin.

The patterns of commuting may change with the advent of the informa-

tion highway. In 1998, Internet traffic surpassed voice traffic on the nation's phone lines and it represents a new venue for commerce as well as communication. Since 1994, electronic commerce has grown to over \$10 billion with nearly 40 percent of U.S. businesses doing some business on the Net. As described by University of Missouri researchers Tom Johnson and Jim Scott, "many rural communities are experiencing a significant influx of new residents, primarily of older adults who expect to retire, and of telecommuters or business people who are no longer tied to specific locations. Increasingly, people are

HOW U.S. LAND IS USED Contiguous 48 States, 1945–1992







FOREST LAND

MILLION ACRES









*Totals differ over time due to remeasurement of U.S. land areas.

Source: U.S. Department of Agriculture, Economic Research Service, based on Krupa and Daugherty, 1995.

GRASSLAND AND PASTURE MILLION ACRES



TRANSPORTATION MILLION ACRES



MISC. OTHER LAND USES (marshes, swamps)

marshes, swamps) MILLION ACRES





"As people build new homes in suburban communities, the region they inhabit also comes to have less farmland and open space." fleeing the congestion, crime, and high cost of urban life for quiet, safe, and affordable surroundings in a rural setting and the Internet highway increasingly allows them to do so."

"Leapfrog development can wreak havoc on the environment," says Jeff Logsdon, Dallas County, Iowa's conservation director commenting in the *Des Moines Register* on the rapid growth of Des Moines westward into Dallas County. "Developers sometimes don't take adequate measures to prevent erosion from runoff or pollution from septic systems. More importantly, they're frequently attracted to wooded areas along stream corridors where their work can disrupt plant and animal life."

Dave Sharpe of Montana State University says, "The problem we face in the Rocky Mountains, and I suppose other 'high amenity' areas is they're being 'loved to death.' Newcomers are attracted by the scenery, way of life, or recreational opportunities. By adding to the sprawl they degrade the very attractiveness that lured them in the first place."

Is Less Farmland a Concern?

As people build new homes in suburban communities, the region they inhabit also comes to have less farmland and open space — in some cases, a lot less. Until now, the U.S. food production system seems to produce more than an adequate supply of food on less and less farmland. Agricultural production has more than doubled during the past 50 years, even though there is less total farmland today. While the amount of total land in farms and open space may be down, the amount of land used for crops is about the same or higher than at the end of World War II, according to Luther Tweeten, noted agricultural economist from The Ohio State University. Meanwhile, research and technology have been the foundation for agricultural productivity gains averaging 1.8 percent per year for the past 50 years.

In fact, agriculture has become so productive that we depend on overseas markets for a quarter of our production and the government has set aside more than 30 million acres (about 8 percent of U.S. cropland) in a national conservation reserve program. Even with these acres held out of production, farm prices for some commodities in the late 1990s hit 30-year record lows suggesting that our nation's food supply is not under an immediate threat due to the loss of farmland.

According to the U.S. Census Bureau, the number of U.S. farms peaked in 1935 at 6.8 million farms and declined to below 2.2 million farms in 1998. At the beginning of the twentieth century, it took 17 percent of the largest farms to produce half of the U.S. agricultural output. Concentration has increased, meaning that, increasingly, a smaller number of larger farms are producing the bulk of our nation's food supply. Today, a majority of our food is produced by less than 100,000 farmers.

Introduction

At the same time, conversion of farmland and open space on the ruralurban fringe has been growing faster than population growth in the suburban areas. There is little question that if present rates of conversion continue, entire regions in some parts of the East, South, and far West will be empty of the farms and agricultural industries once located there.

Two Cornell University professors recently released a study in Washington, D.C., warning that, "California's \$24-billion yearly food production industry is at risk if the state's farmland continues to be gobbled up by homes, roads, and businesses." According to David and Marcia Pimentel, the state loses 3 percent of its agricultural acreage every year.

Agriculture is not the only potential victim of unrestricted sprawl. Some people are concerned over other long-term risks. According to the Sierra Club, natural resources with unique ecosystems and environmental benefits will be lost if commercial strip malls, highways, and residential property continue to spread over farms, wetlands, mountains, forests, and prairies.

Incompatible Uses

In some cases, urban sprawl is not the only land use concern on the ruralurban fringe. In many states, large animal confinements have become a divisive issue, particularly when they are located in rural-urban fringe areas in close proximity to rural subdivisions and neighboring residences. For example, a Jackson, Mississippi, rancher named Jack Kinard recently told the Associated Press that he joined a statewide march of citizens on the Capitol because he believes corporate hog farms "will ruin the ambiance of his lifelong home." Said Kinard, "We're trying to get some regulations to at least slow them down, to save our water and air."

Interspersing certain agricultural land uses with residential land uses can create a variety of spillovers for rural residents on the rural-urban fringe. Depending on the agricultural enterprise, neighboring rural residents can experience various noxious odors, spray drift, noise at night, dust, loose animals, slow-moving farm implement traffic, and other unwanted agricultural spillovers.

At the same time, locating rural subdivisions and residential property next to operating farms can create a variety of headaches for farmers. These might include trash; liability for trespassing children; complaints and potential nuisance suits for odor, noise, and spray drift; safety hazards from increased traffic and people, and crop or livestock losses due to trespassing neighbors and their pets.

The longer-term impacts of siting incompatible land uses next to one another can be more substantial for agriculture on the rural-urban interface than for agriculture in the hinterland. As the demand for urban development land rises on the fringe, some farmers become land speculators who sell out to the highest bidder. Their newly acquired fortunes can be used to retire early or to establish farming operations at a new, more distant location.

"In many states, large animal confinements have become a divisive issue."





"The infrastructure required to support [sprawl] becomes more and more expensive the farther out it stretches."

In the process, traditional markets for the agricultural supply and marketing industries become less profitable and competitive on the fringe. The remaining farmers are likely to face increasing financial squeezes between output prices and input costs. Farmers located in the path of development are less likely to make large investments to expand operations. These farmers are also less likely to replace existing farm structures and equipment as they wear out. Some studies show areas of underutilized and idled land developed near and between larger urban areas, due to the impermanence of agriculture on the rural-urban fringe.

At the same time, not all agricultural activity is incompatible with urban development. New opportunities and new markets can be generated for horticultural products, orchards, and farmer markets for fresh produce. However, supplying these markets requires a subtle shift in the farmer's focus. In contrast to traditional farm commodity marketing systems, valueadded techniques and direct marketing skills become more important as farmers begin to serve an increasingly sophisticated customer base.

A Growing Controversy

Sprawl is due, in part, to the strength and vitality of the U.S. economy. The nation has experienced nearly a decade of economic growth without recession. As people experience growth in their personal incomes and wealth, they want to buy new homes and improve their quality of life. Such pressures help to create sprawl.

At present, people appear to be more concerned and more at odds with each other over land use issues than in the past. Americans are divided over who is victim and who is aggressor. In community after community, the debate has turned rural people against urban dwellers; developers against environmentalists; farmers against farmers; local natives against newcomers, in battles that produce few if any clear-cut winners. More often than not, the community ends up divided for years to come.

More and more commonly, a land use issue can be found simmering beneath the surface in local conversations. In recent months, it boiled over in normally peaceful Salina, Kansas. A troubled Dwight N. Miller wrote a letter to the Salina Journal protesting Bob Holgerson's request for rezoning of the Happy Corner School area from agricultural to residential. Miller wrote that it isn't new residences he fears. There are already 13 homes on the land. He fears that proposed "improvements" will come with plans to add 24 more homes to the area and "new roads that will be built and paid for by increased taxes. Those of us who have lived in and loved this area for all these years," he wrote, "are strongly opposed to anything that would degrade its value or the quality of our lives."

Although the problems may sound a little different from area to area, debates between citizens often bubble up from skepticism, distrust, and feeling that they are powerless to affect local events. Animosity may come from rural citizens who fear invading city dwellers or from new homeowners who resent the noise and odors emanating from neighboring farms. Some people express skepticism regarding government's ability to solve problems, or they are distrustful of corporations and developers.

A Community Perspective?

If development is overregulated, will community growth eventually become strangled? If we allow farmland and open space to be developed at will, will we eventually wipe out an important natural resource?

We know there are trade-offs. Are the trade-offs as black and white, now or never, all or nothing, as they are often portrayed? Facts often conflict with each other. So it is important to know the source.

Citizens of a community would like to feel as though they have an impact on what's happening. Is there a means for getting past the stalemate to examine or create solutions that diverse interests in the community can live with?

It has been done. Arriving at solutions to land use concerns and implementing land use policy requires the creation of consensus among broad coalitions of interests that normally compete with each other. The implementation of policies in several states and communities are proof that citizens and their interests have had an impact when the issue has been approached with patience, diligence, and processes that work.

More Informed Choices from Deliberation

You are about to set out on a process of deliberation that has worked for many issues in local discussions across the country. You're not embarking on a debate in which one side wins and one loses. You are setting out on a journey that emphasizes listening, dialogue, and deliberation to explore the areas of agreement and disagreement among diverse interests. Recognizing that all interests and citizens have opinions deserving of some measure of respect, you're setting out to find the solutions that are in the best interest of your community and its citizens. Once people understand why some groups hold differing views, they often become more creative in seeking new solutions that everyone can live with.

Sounds simple enough. Here's how it works and how you can get started: First, read and examine the resource materials in this book. Then, gather with your neighbors to discuss the nature of the local concerns and how they affect those things that are considered to be of value in the community. You'll need to listen to what others say, and be sure you understand what they value and why they hold the views they do. Once you understand where others are coming from, working with them often becomes much easier.

Second, identify the various ideas and alternative approaches for solving the problems. Each alternative has probable consequences and trade-offs. It is important that all participants discuss how each choice affects the attributes that are collectively valued in the community. It is important to identify the features of each alternative that participants can live with and those they cannot live with. Your deliberations can work toward win-win solutions and innovative proposals.

Third, identify the common ground you and your neighbors have discovered. Stake it out and talk through the implementation of the range of solutions that meet your common interests. The common ground may be one of the following four options, a combination of options, or a completely new alternative.

Option 1:

Reestablish the Free Market. Private property buyers and owners determine the use of the land in accord with their own beliefs and objectives. Government intervention is minimal.

Option 2:

Protect Farmland and Open Space. Prime farmland and open space is protected from development using various government and private sector approaches.

Option 3:

Redevelop Central Cities. Blighted core areas of central cities (and rural main streets) are rehabilitated to lessen the development pressure for expanding urban uses on the rural-urban fringe.

Option 4:

Manage Growth on the Fringe. Incentives and development standards are designed to encourage developers to more efficiently utilize public resources, increase density, improve quality, and reduce farmland and open space conversion.









This issue book is designed to help you examine your beliefs about property rights, community interests, and stewardship of resources. Initially, you may conclude that some of the ideas discussed are simply bad ideas. Other ideas may, at first reading, seem to offer the best course of action. But not so fast. Each solution has costs that may be unacceptable. Those who understand the various perspectives will be better prepared to generate new solutions and

participate more effectively in making personal and collective decisions about their community's future. If your journey of deliberation proceeds with an open mind and a commitment to a better future for the community as a whole, it will eventually lead to more informed choices — not just for this problem, but for others that arise in the future.

Have a good trip.



Option 1: Reestablish the Free Market

n a free market, private property owners determine the use of the land in accord with their own beliefs and objectives. Government intervention is minimal. Those who wish to alter the use of the land, must either purchase the rights to do so, or convince the owners that it is in their interest to alter or maintain the desired use. In a free market, land is only sold when the owner and buyer agree to the terms.

America has long been known as a nation where private homes and backyards are beautiful. In contrast, many public parks and streets managed by the government are in disrepair and are not kept up to public expectations. For some, the solution is to raise taxes and user fees to provide more support for "underfunded" public services. For others, the answer lies in more stringent regulations that set standards and require private entities to conform. For still others, the favored approach would be to discover what makes private homes and backyards beautiful and apply these "lessons from the private sector."

"Rather than 'bureaucratize the environment,' we should privatize our efforts to protect the environment . . . behind every tree should stand a private steward, a private owner, willing and legally enabled to protect that resource," said the Competitive Enterprise Institute in 1996.

In his classic 1980 book, *Free to Choose,* Milton Friedman states, "The price system works so well, so efficiently, that we are not aware of it most of the time. We never realize how well it functions until it is prevented from functioning, and even then we seldom recognize the source of the trouble."

The history of the United States, say proponents of the free market option, is one of expansion and development, supply and demand, and freedom to choose. In answering the question about what made this country great, Friedman says, ". . . millions of immigrants from all over the world were free to work for themselves, as independent farmers or businessmen, or to work for others at terms mutually agreed. They were free to experiment with new techniques — at their risk if the experiment

What Can Be Done?

- Review the purposes of enterprise zones, economic development districts, and agricultural preservation districts that constrain the operation of free and open markets, and develop recommendations for politicians to consider.
- Enhance protections for private property rights by making public actions such as condemnation, annexation, and "takings" more difficult. Enhance protections from nuisance suits and increase the property owner's ability to opt out of government zoning and special district designations that prescribe or limit future land use.
- Limit government's ability to regulate land use by reducing funding and authority for planning and zoning functions, initiating special districts, setting design standards, issuing building permits, and conducting inspections.
- Eliminate differential property tax incentives, transportation and housing development subsidies, and impact fees for urban development and farmland and open space protection.

failed and to their profit if it succeeded. They got little assistance from government. Even more important, they encountered little interference from government."

Free marketers say that government should free the market from existing regulations, not restrict it. If people want more homes without sidewalks on larger lots and if they have the ability to pay for them, then someone in the free market will have an incentive to build more homes where and how the people want them. If people want to preserve farmland and open space, and if they have the ability to pay for it, then let them buy it and preserve it as they want — the market allows for that too.

Why not let the market determine the mix of residential and other uses? proponents ask. Land will trade hands voluntarily and eventually the land will shift to its "highest and best" legal use as determined by the market. Developers have simply been building homes of the type and nature desired by the market. The market has simply been telling agriculture that urban uses are of higher value to society for each parcel converted. If a shortage of farmland develops in the future, land from other uses will be converted back to agriculture when the price is high enough.

Free marketers argue government programs for saving land or endangered species block the private sector's ability to develop land in synchrony with the natural flow of the market, or as owners of private property see fit. In *Trashing the Economy*, Ron Arnold and Alan Gottlieb argue that environmentalists are "actively destroying private property rights on a massive scale." They argue that "the right to liberty is dependent upon the right to own property together these rights form our basic civil rights."

Neither the "war on property rights" nor the government's attempts to manage land use have solved the problem, proponents say. Why not give private enterprise and the free market system a chance?

In Support of Option 1

1. Private property rights ought to be protected. The Constitution assures our rights to liberty, ownership of property, and the pursuit of happiness. Citizens have worked hard to acquire and own their property. So, if they want to use their land for a development or to continue farming their century-old farm,



"The history of the United States ... is one of expansion and development, supply and demand, and freedom to choose."

no one — particularly government bureaucrats paid by taxpayers — should be able to keep them from using it for that purpose. If somebody wants to use his or her land for a different purpose, then that person should pay the owner the asking price, or go somewhere else. If owners do not want to sell their land for any reason, they shouldn't have to. Property rights are sacred, and no government or corporation should be able to take them away.

2. Free markets and private enterprise are what made this country great. From the beginning, we tamed the prairie with minimal government involvement. Doing what is best for the private sector results in the most public good. "The government that governs least, governs best" is a motto for free market advocates.

No industry better represents the free market system, proponents claim, than the residential building industry. Typically, they say, developers receive no price supports, no tax breaks, and no subsidies directly from government. They take the risks and should be allowed to reap the benefits.

3. Enacting a market-oriented policy sends a clear message that our nation is probusiness, prodevelopment, and progrowth. Free market advocates claim that passing a probusiness, prodevelopment, and progrowth policy will result in a variety of desirable economic benefits to the community. Proponents of this view say that government regulation is detrimental to business and industry. They often claim that government regulation attacks from all sides — with increased costs, red tape, bureaucratic harassment. So, it's only natural and just that states and communities with fewer regulations attract more businesses.

Advocates claim that businesses are moving from states, communities, and locations where it is difficult and more costly to do business, to other locations that make things easier for them. Proponents of this view say we need to get back on the free market path if we want to sustain a growing economy.

4. Free markets mean competitive prices that ultimately make it easier for consumers to afford the homes they want. In a free market, property changes hands from willing sellers to willing and



"In every part of America, market indicators suggest that home buyers want country living with city amenities."

able buyers. In the long run, those who are most efficient in serving the market survive. Land moves to its highest and best legal use. Those who do not produce what the market wants, eventually go out of business. The private sector is much better in meeting the demands of the market than is the government.

In every part of America, market indicators suggest that home buyers want country living with city amenities. In places where government regulations stifle developers, gaps in the market develop, the supply is inadequate, and higher prices frustrate many Americans in their attempts to achieve their dreams. The solution to this government-induced problem, proponents say, is to remove the regulations and free up supply and demand to allow the free market to work.

What Critics Say

Critics of Option 1 say that pure free markets are the cause of the problem of sprawl, not a solution. In the words of Louis Horowitz who wrote *Environmental Quality and Social Responsibility* in 1972: "The historic animosity for planning in America, the irrational linkage of any attempts at regulation to a communist conspiracy, or at the very least, an affront on the free enterprise system has resulted in the special American problem of overdevelopment." Real freedom and liberty must be conditional on the premise that others are not harmed by those who exercise their own rights, in this view.

The direction and rate of community growth affects the well-being of all citizens in the community. Therefore, government ought to be involved in planning and zoning to protect the interests of all the citizens — not just those who own development property. Furthermore, opponents say, the claim that developers receive no government subsidies is misleading because developers are one of the prime beneficiaries of the home mortgage interest deduction — one of the largest tax breaks in our income tax system.

Sprawl and "low-density" development are a direct consequence of free markets in operation. When property owners next to existing infrastructure become too greedy or are unwilling to sell their land at any price, developers must leapfrog farther out of town to owners of cheaper land who are willing to sell. This increases the cost of road and infrastructure extensions and increases the development costs paid by home buyers and taxpayers.

Free market forces also result in roadside development patterns and edge cities as developers build along infrastructure that already exists. Eventually, islands of undeveloped land become surrounded by roadside development patterns, limiting access and further development. Critics of uncontrolled growth also cite these objections:

1. Free market development is too expensive in the long run. New residents may escape taxes initially, but those taxes will catch up to them in a hurry. As Joanne Denworth, president of the Pennsylvania Environment Council explains, "the schools and municipalities that grow up in these new developments, depend almost exclusively on the property tax for income. They are forced to raise taxes on residents each year and to gobble up surrounding open land that is in the path of development in hope of meeting the revenue demands that more and more residents will bring."

Studies in Florida, New Jersey, and Michigan by Rutgers Professor Robert Burchell show that planned growth is about 2 to 4 percent less costly in terms of annual fiscal expenditure impacts for cities and schools. This was due primarily to less maintenance costs for public infrastructure under compact growth scenarios compared to sprawl under market-oriented development policies.

2. Why cripple agriculture, when more prime farmland will be needed in the future? Opponents of the free market approach point out that we aren't making any more farmland or open space and that the cost of returning land back to agriculture or open spaces uses is not practical. The common societal benefits of open land that are undervalued by the free market include groundwater recharge, water purification, flood control, erosion control, air cleansing, and scenery.

Our natural resources are finite and not renewable. In the *English Tragedy of the Commons,* citizens overfished a lake held in common as a shared resource. Eventually, everyone suffered from starvation as the fish population declined.



Opponents argue that free market incentives reward people for being first and encourage them to consume more than they need. Farmland and open space are similar nonrenewable resources and the result of free markets on land use will be overconsumption of open space.

3. Government has a role in planning and protecting the rights of existing property owners. Local governments have long used planning and zoning processes to gather public input from all citizen interests. This input is used to identify the prime areas for various kinds of development and appropriate areas for various kinds of land uses. The whole purpose of planning and zoning is to prevent problems before they develop. By designating appropriate areas for each kind of development — agricultural, industrial, commercial, residential, or recreational ---everyone knows from the start what each parcel covered by the plan can be legally used for.



"Farmland and open space are ...nonrenewable resources and the result of free markets on land use will be overconsumption of open space." The courts have long held that property owners have the right to use and enjoy their property — free of nuisances created by neighbors. It is the government's role to ensure that the consequences of free markets and private enterprise don't damage other citizens or compromise their rights.

4. We don't have the right to destroy our environment. Ensuring future biodiversity should be important to all of us, critics of Option 1 say. Not only should we want to protect rare species of plants and animals and their habitats for aesthetic reasons, but their genetic makeup may be important someday as biotechnology develops. Every year, we find substances in rare plants and animals that offer new ways to save lives or otherwise enhance our quality of life.

Experience shows that strong protection of the environment attracts business rather than scaring it away. "Oregon rated tops for luring business," announced a *Portland Oregonian* headline in 1988, and the state continues to lure business more than a decade later. How can that be, when Oregon has the nation's toughest land use and environmental laws? It is because executives want to live in areas with open spaces and outdoor activities, critics say. So CEOs headquarter their companies in Oregon and other states that protect and sustain that environment.

Many executives also say that states with strict environmental protection policies are often easier and less expensive to do business in, because rules are clear, land is available, and development regulatory processes are efficient.

Using government to protect prime farmlands and environmentally fragile areas forms the basis of Option 2.



Option 2: Protect Farmland and Open Space

ur rural heritage is under attack by big money, according to supporters of Option 2. We must come to its defense before it's too late.

The first step is to establish a process for identifying and prioritizing the areas of prime farmland and fragile open space areas that need protection. The second is to determine which of the various government and private sector approaches are the most feasible and effective, given the objectives and the circumstances. One plan of attack is to use big money to fight big money. Many parcels of farmland and open space are protected by private sector foundations, organizations, or individual benefactors who simply purchase the property, or its development rights, and provide for their perpetual care.

Ducks Unlimited is an organization that raises funds to protect wildlife habitats and to ensure plentiful supplies of migratory birds for hunters. The Nature Conservancy purchases lands to protect their unique ecosystems and their heritage. In most cases, these nonprofit organizations accept tax deductible donations.

If a benefactor organization cannot be found, proponents of farmland and open space protection encourage the formation of new chapters or new

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groups. In this view, more programs are needed and more efforts should be focused on protecting the priority areas that are endangered by suburban sprawl.

In many cases, private organizations and foundations do not have enough resources to protect all the farmland and environmentally sensitive areas that advocates believe should be protected. So they say that the government ought to play a bigger role.

As Laurance Rockefeller told Congress in 1968, "We have seen a change in the basic approach from the day when government was a referee among competing resource users to a day when government must be a trustee of the environment for all the people."

Such protection by government does not stop development. It simply stops it from destroying the most impor-

What Can Be Done?

- Private sector foundations, organizations, or individual benefactors can purchase property or development rights, and provide perpetual care for designated farmland and open space areas.
- Government can use tax revenues to purchase development rights or require developers to buy and transfer development rights to protect other prime lands.
- Government can use exclusive zoning designations and create preservation districts to prevent urban encroachment into designated farmland and open space areas.
- Government can provide tax incentives to encourage landowners to keep selected land in farmland and open space uses.

tant rural lands and environmental resources. Some states and communities — and even federal agencies — use taxpayer funds to purchase land outright. More common, however, is the use of tax money to purchase development rights or conservation easements on privately owned farmland and open space land in environmentally fragile areas. This approach retains private ownership, but limits the owner of the property to uses that are consistent with environmental protection or conservation of farmland resources.

Yet another approach is to require developers, wishing to develop some land in a county, to purchase development rights. The funds generated from purchasing development rights are then used to protect the most important farmland and open space areas from development in other parts of the county.

Several states prevent urban development, not by purchasing development rights, but by exclusive zoning designations that only allow specific uses for the properties included in the designated zones. In most cases, the formation of these districts is voluntary. For example, a group of farmland owners wishing to prevent urban encroachment may ask local officials to designate their property as an agricultural zone or district. This designation prevents or discourages rural housing development and subdivisions from locating in the agricultural district.

Finally, all states provide some tax incentives for protecting farmland and open space. Many states provide preferential use-value assessment so farmland owners pay lower property taxes than would otherwise be paid under full market value assessment. In some cases, however, preferential property taxes have actually increased the rate of land conversion to urban uses. This can occur if developers are allowed to buy farmland and pay lower (agricultural) taxes while they hold the property for

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future development. Property tax incentives are more effective in protecting farmland and open space if they include rollbacks and penalties for conversion to other uses, or other contractual restrictions that prevent development, although this approach often forces farmers to decide whether they want to be land speculators or farmers.

In Support of Option 2

1. Protecting nature, wildlife, and the environment for future generations is simply the right thing to do. We are custodians of the land and our natural resources, and we are responsible for more than short-run profits and losses, proponents of this argument say. If we squander our environment, scenic vistas, natural resources, and biodiversity, the loss we face is one from which we cannot recover.

2. Farmland must be protected because agriculture cannot compete with subsidies for urban development. According to Arthur Nelson, professor of Planning at Georgia Institute of Technology, "Urban development is patently subsidized by federal, state, and local policies. Mortgage interest and property tax deductions from federal and state taxable incomes are only two of many urban development subsidies." In addition, some developers receive tax increment financing subsidies, abatements, affordable housing subsidies, and other tax incentives. Another type of sprawl subsidy includes utility pricing breaks; the result is that users do not pay the full costs of serving low-density developments. A final form of development subsidy includes the underpricing of transportation. Nelson believes the commodity subsidies given to farmers are less than 10 percent of the value of subsidies awarded to urban and suburban households.

An Emergency Response Issue? When compared to planned development, sprawl growth patterns result in higher police, ambulance, and fire response times. American Farmland Trust, 1988



3. Farming is inherently incompatible with urban development. Developers hold out the promise of "country living," which includes beautiful scenery, clean air, clean water, peace, and quiet. But as pointed out in the introduction, outsiders moving into agricultural areas can experience problems with pesticide spray drift, the rumble of tractors and combines early in the morning and late at night, dust in the air, slow-moving machinery on the roads, and the smell of manure. That's the business of many modern farming operations, and it doesn't fit the lifestyle many newcomers expect.

On the other hand, those who make their living off the land must cope with destructive spillovers from new residents — vandalism, trash, trespassing children, and harassment of livestock by dogs to name a few. When two very different ways of life clash, they lessen the quality of life for both.

The solution is to learn from history. Rather than to waste time and resources on nuisance lawsuits in court, it is simply better not to mix or intersperse urban and intensive agricultural uses in the first place.

4. Sustaining a threshold level of agricultural activity on the rural-urban fringe requires protection of a large area. As urban development interfaces with agriculture on the rural-urban fringe, some farmers sell out and retire or move away. In the process, markets for the traditional agricultural supply and marketing businesses shrink and often consolidate or disappear. The remaining farmers may face an increasing cost-price squeeze. They may also be forced to second-guess whether to make large investments in expanding their farm operations, particularly if their farm is located in the path of development.

Clustering protected farmland into larger agricultural protection areas can help to reduce the transportation costs for agribusiness supply and marketing firms and help to keep them more competitive for a longer period of time.

What Critics Say

Opponents of Option 2 believe that the importance attached to the loss of

farmland is vastly exaggerated; that farming, rural living, and nature are not in danger; that farmers are inherently no more valuable than the rest of society; and that farming as an occupation is a business and deserves no greater rights or protections than any other business.

In this view, too much farmland and open space protection will endanger the perfectly natural progress of humankind. Dreams of the sort of agricultural utopia that existed in historical times are pie in the sky. In those days, agriculture was very hard work and it took 4 times more land and 20 times more labor to produce a kernel of corn or wheat. Critics argue that:

1. There is plenty of farmland and open space. Agriculture has become more and more efficient and productive at a faster rate than almost any other industry. As a result, less land and fewer farms are needed. The USDA reports that 85 percent of the nation's agricultural output now comes from 15 percent of its farms. In addition, average household incomes for commercial farm operations have been higher during the



"All states provide some tax incentives for protecting farmland and open space."



1990s than the average for all U.S. households. So they ask, "Why do farmers deserve special consideration for subsidies?"

"There's really no evidence that our food supply is threatened," the *Detroit News* editorializes. "Technology has vastly improved farm productivity. Every acre generating a higher crop yield, lessens the demand for farmland."

For example, the *News* reports, Michigan harvested 227 million bushels of its most abundant crop — corn — in 1992. That was a 19.5 percent increase over the harvest of five years earlier, even though there were 9 percent more farms back then. In the same period, the market value of all Michigan agricultural products sold rose from \$2.6 billion to more than \$3 billion. So, say opponents, the evidence shows that each year we need less farmland to produce our food.

"There's only one way for government to help farmers so there would not be any more land conversion problems," says Ohio Home Builders' Executive Vice President Vince Squillace. "Raise crop prices. That's the key. If you can't make money on your crops, you're going out of business. Farmers, after all, are market oriented. The only thing that can save them is a market that pays them more than they invest."

2. Land protection programs are sometimes costly and ineffective.

Opponents of farmland protection programs point out that it is very costly to taxpayers and developers to purchase or transfer development rights. Studies show that the costs of the development rights are nearly equal to the value of the land for agricultural purposes. So purchasing development rights is similar to paying for the land and giving it back to the farmer for his promise not to develop it.

No wonder there are more farmers who volunteer for the program than there are funds available. When the government purchases development rights at taxpayer expense, the government is throwing taxes down a bottomless pit.

When government provides statewide use value property taxes for farmers and farmland owners, the rest of us pay more than our fair share



based on market value. So while we are protecting farmland and open space, we are increasing rents for a single mother with five kids, and we may be forcing a retail business on Main Street out of business. If farmers buy and sell farmland at market value, perhaps they ought to be willing to pay property taxes on that amount too, critics say.

If farm supply and processing businesses go broke, it's because farmers aren't patronizing them. Critics suggest that maybe some farmers would be better off if they left farming and sought employment elsewhere. Certainly, it makes no sense to spend ever more money on the ever-decreasing farm population, particularly when commercial farmers earn more than the average U.S. household.

3. Farmland and open space protection programs don't stop sprawl, and in some cases actually increase it. Critics argue that many states with programs for purchasing or transferring development rights actually protect only a very small amount of acreage in relation to the amount of urban development occurring. In these cases, sprawl still occurs for the most part unabated by farmland protection programs.

Some opponents point out that states may actually be enhancing sprawl, if it grants farmers special prop-



"Rural areas are not just for the exclusive enjoyment of farmers."

erty rights or special status to opt out of development projects located in the normal path of growth. When dispersed parcels of farmland and open space are protected, developers leapfrog over and around them, creating more, rather than less, sprawl. In the long run, this increases the cost of development for the rest of us, they say.

Opponents point out with some degree of validity, that other programs designed to protect farmland and open space actually result in more development. Several states impose preferential property tax assessments for all farmland. Unless these tax breaks are tied to penalties for development or agreements that prevent development, these incentives may actually increase development. Why? Because developers may buy farmland and pay lower property taxes while they hold the land for future development.

4. It's just wrong to halt development, frustrate potential homeowners, and drive more of a wedge between rural and urban citizens. America wasn't created half rural and half urban, opponents say. Every bit of ground that is now city was once country. They argue that there is no reason to curtail residences when hardworking city people can enjoy the benefits of nature that are here for all of us. Rural areas are not just for the exclusive enjoyment of farmers. It is government's role to provide the needed infrastructure, not to arbitrarily deny citizens what they want for the sake of social engineering.

In the final analysis, both sides agree that many land use problems on the rural-urban interface arise because city dwellers want to move farther out into the country in search of such things as peace, quiet, security, fresh air, and quality of life. Many are asking why central cities couldn't be redesigned to provide such things, thus lessening the pressure on suburbia. That question is the basis for Option 3.



Option 3: Redevelop Central Cities

ressure for expanding cities into the countryside may lessen if blighted core areas of central cities (and rural main streets) are rehabilitated.

"Ironically, rural America is viewed by a growing number of Americans as having a higher [quality of life] not because of what it has, but rather because of what it does not have!" says Don A. Dillman in the Annals of the American Academy of Political and Social Science, January 1997.

In a 1954 interview, architect Frank Lloyd Wright foresaw the future that sprawl would bring. "The outcome of the cities," he said, "will depend on the race between the automobile and the elevator. And anyone who bets on the elevator is crazy."

Indeed, car-crazy America dealt then and continues to deal today with the need for space not by building upward, but by driving outward. In the process, we create two conditions.

First, we encounter the drawbacks of living farther and farther away from jobs, businesses, and cultural centers. We don't like the long commutes over inadequate roads, not just to get to work, but also to attend art and entertainment events. We don't like the higher taxes required to bring city services out to the country. We often miss the convenience of one-stop shopping, 24-hour delivery, favorite restaurants, and all the other amenities that drew people into cities in the first place.

Second, lack of people, resolve, and resources have often allowed the central city life-style to deteriorate to the point that it drives more people to the suburbs. Proponents claim that if a fraction of the time and money spent in developing suburban communities was invested in making the central cities more viable, people would gladly live there and contribute more to the region's economic vitality.

The conditions in decaying central cities, though on a much larger scale, are not unlike those faced by many declining rural communities. Lack of attention to main street, an out-migration of people and investment, and an erosion of public infrastructure and services often create "edge" cities and commercial areas on the outskirts of town near access to highways. The exodus from the core central cities and rural main streets has resulted in replacing once vital and viable communities with empty storefronts, declining property values, eroding infrastructure, and dwindling services.

Another key concern in some states is the ability of a central city to force government consolidation with the surrounding suburbs. Depending on the laws of a state, central cities and suburbs have a variety of election rules for mergers and consolidation of governmental units and services. These rules influence growth management policies and affect who manages the growth on the fringe. In many states, local governments must go through a two-vote public referendum process before a city and suburb can merge. This means voters in both locations must approve the merger by a majority vote in order for it to occur. This allows a smaller rural or suburban community veto power over consolidation into a larger metro city.

Some states, such as Nebraska, allow larger central cities, such as Omaha and Lincoln, to annex smaller contiguous suburbs below 10,000 in population whether they like it or not. This approach prevents suburbs from developing in the first place. In this case, suburbs do not surround central cities and choke off the central city's potential for growth. Instead the old growth and new growth areas of the central cities and suburbs become merged into a metropolitan government.

Instead of geographically consolidating all functions of government for central cities and suburbs, some states



provide a process to encourage regional planning and limited forms of tax base sharing for suburbs and central cities to work together in managing growth, traffic, and other functions that are particularly interdependent. At the same time, a measure of autonomy and self-determination is provided.

Patrick F. Noonan and Henry L. Diamond, founders of the Sustainable Use of Land Project, urge environmentally sound and fiscally responsible growth in their book *Land Use in America*. They recommend that "older areas in cities and suburbs must become a focus for renewal. Government policies should help fill in vacant land in already built-up areas and renew older properties rather than promote unplanned expansion at the urban fringe."

What would such renewed interest in central cities and rural main streets accomplish? A turnaround, proponents say, a return to productive community living in the downtown areas of the nation.

In Support of Option 3

Those who favor this option make the following arguments:

1. Focusing on downtowns would rejuvenate our central cities and reduce the need for farmland and open space conversion. For too long, Option 3 supporters say, we have ignored the obvious — that those who move to the country aren't trying to escape from the city, but from the problems cities have not solved. In fact, the suburbanites demand that certain city amenities accompany them to the country. What they seek to escape are overcrowding, congestion, pollution, high taxes, and crime.

If governments and developers would concentrate on redesigning central cities and main streets to bring space, convenience, clean air and

What Can Be Done?

- Private sector groups can work with government to identify and prioritize the downtown areas for redesign and rejuvenation for the highest payoff in terms of bringing space, convenience, clean air and water, law and order, and quality of life back to the Main Streets of America.
- Governments and nonprofit privatesector organizations can assemble and acquire property in blighted areas, pay for the costs of demolition, and provide incentives for redevelopment in targeted areas of central cities and downtowns.
- Provide incentives for developers to "infill" empty lots in areas where infrastructure already exists.
- Provide incentives for the rehabilitation of existing buildings and neighborhoods that hold promise for revitalization.

water, law and order, and quality of life back to the downtowns of America, people would gladly choose to live and work there. But as long as those problems exist, all the time and money put into protecting rural areas from expansion won't be enough to stop it.

2. It's less expensive to "infill" and utilize existing infrastructure than to build new infrastructure systems. Basic infrastructure is already in place in our urban centers. But continued expansion into rural areas runs up new bills every day. Continued expansion of streets, water systems, sewer systems, and utilities often come at the expense of maintaining what is already in place. Proponents say that creating an ever-increasing inventory of infrastructure on the

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rural-urban fringe must often be maintained with tighter and tighter public funding resources at all levels.

Instead of funding new projects for industrial parks in the suburbs, proponents say, tax revenues should be used to encourage infill, rehabilitation, and redevelopment in the downtown neighborhoods. "Infill" means building on existing open spaces and empty lots where infrastructure already exists. Rehabilitation means fixing up and remodeling existing structures. Redevelopment refers to demolishing and replacing existing buildings that cannot be salvaged economically. In each case, the existing downtown infrastructure remains in place and is utilized at a higher level of capacity.

Proponents claim that less overall investment is required to maintain, modernize, and upgrade existing urban infrastructure, than for adding more new roads and utility extensions on the urban fringe. They argue that society's savings from transportation costs alone would be huge.



"...tax revenues should be used to encourage infill, rehabilitation, and redevelopment in the downtown neighborhoods."

3. Redeveloping central cities would rejuvenate the business and economic environment of the whole region. The foundation of any regional economy is grounded in the region's central cities and downtowns, proponents say. Downtowns are the engines of the business sector. And those engines are being dismantled as jobs, shops, and office facilities follow people and homes to the urban fringes.

Businesses that leave for suburban sites are not replaced. Old buildings become obsolete and too expensive to remodel or demolish. Instead, public and private money is invested in suburban areas, where upfront costs are smaller and taxes lower. But many of the costs are hidden and the financial savings are short lived. A University of Minnesota study determined that for every \$1 billion invested in public works in Minneapolis-St. Paul and surrounding fully developed suburbs, there was a return on investment of \$6.5 billion in residential and commercialindustrial development. By contrast, the same \$1 billion invested in urban fringe communities returned only \$2.4 billion from the private sector.

4. If we don't reinvest in central cities, many services and attractions that serve the whole metropolitan area will cease to exist. Professional sports teams, convention centers, museums, recreational facilities, and cultural centers are often funded by central cities. Proponents say that suburban residents often don't pay their fair share of these services and amenities. They say that these costs are disproportionately paid for by central city taxpayers and they become a major drag on their resources at a time when the tax base is already eroding. Proponents of Option 3 say that if those who benefit don't pay their fair share, the whole region will lose in the long run. And while investments are made in outlying suburbs, the decay in the central city will only get worse until

something is done. In the process, many flagship cultural identities for the whole region will be lost.

The lessons are clear, proponents say. More workable regulations and incentives are needed to encourage the redevelopment of existing sites and reuse of existing infrastructure, rather than building on undeveloped farmland or open space in rural-urban fringe areas.

What Critics Say

Critics of Option 3 contend that these arguments are the desperate dreams of social planners with no basis in reality. They offer the following arguments in rebuttal:

1. It's the market that is fueling the outward expansion, as people seek what downtowns no longer provide. The romantic appeal of the suburban and rural life-style is stronger than that of downtown neighborhoods. As a spokesman for the home builders in one state puts it, "Homes in the inner-city comprise a very small percent of the market. The outward migration has nothing to do with home builders' preferences. You can't escape the fact that the overwhelming majority of people want their own single family home to be in the suburbs or farther out."

Gated communities, farmettes, research parks, law offices, medical groups, mega hardware and home improvement stores, theatrical and comedy clubs, new and used car lots, and restaurants all seek peripheral locations in pursuit of their markets. The unique aspect of all of this development is that few businesses have ever failed because their decisions to select locations farther out were in the wrong direction. Occasionally, a retailer or a residential development has gone under because an interstate exit was not developed as planned, but rarely has an economic entity failed because it was developed too far out in the suburbs.

Where are the new jobs?

 Seven out of ten new jobs created in metropolitan areas from 1993-1995 were in the suburbs; less than half were located in central cities. — County Business Patterns, 1995



2. Plans to lure people back to the inner-city have failed in many cases. If the theory made sense, more central cities would have had success in following it. A spokesman for the home building industry in Ohio says, "I can't think of a city in America that didn't take advantage of a federal or state program to rebuild and revitalize old city development. But in most cases, the trends have gone in the opposite direction. For example, one of the oldest and largest inner-cities of the Midwest had to give lots away just to encourage people to come in. They've rebuilt huge shopping centers and malls. But still, their residents continue the move to the suburbs."

Critics say that the theory may be well-meaning, but the costs are high and results are often weak. Even with the problems that central cities have, space is often for sale at a premium price making the ventures more risky. Opponents argue that those with vested interests in the central city are simply trying to protect their property values and sell newcomers less for more. If they are successful in slowing down development on the fringe, opponents argue, "it just happens to increase the value and demand for their property. Why pay more for an apartment, condo, or smaller house on a smaller lot in the central city?" People moving to the suburbs are simply seeking the most value for their money as they pursue the American Dream. Many of them simply prefer a less congested suburban or rural life-style and most of the jobs now being created are in the suburbs.

3. Redevelopment costs more, not less, than building on vacant land. The bottom line for development, critics say, is the same bottom line for all economic decisions. The reason sprawl occurs is that an abundance of undeveloped open space land is available, and it represents the least expensive option relative to other development alternatives. Ignoring any social or crime problem differences for the moment, property often costs more the closer you get to downtown. The demolition costs to tear down old buildings represent costs that you don't have to pay when you build



on undeveloped farmland and open space land. So, at a minimum, taxpayers have to pay the demolition costs to make downtown redevelopment more competitive with development of farmland and open space on the fringe.

Those who suggest we make development on the fringe more expensive so that downtowns can compete, simply don't understand the full ramifications of what that means. It would make the cost of living higher for everyone in the metropolitan area, driving people and jobs to seek greener pastures in other rural, suburban, and metropolitan areas.

4. Cities have always grown from the center out, in ever-increasing rings. That's the natural growth pattern. Since the beginning, settlements have grown from the center out until they became towns, then cities, and finally metropolitan areas. Critics point to 1,000-year-old cities in Europe that have developed in just this way. First-ring suburbs touch second-ring suburbs that touch thirdring suburbs and so on. That's natural. To force growth to go in the other direction is not natural.

And while downtown leaders lament the growth that is moving away from them, leaders of many rural communities and neighboring counties are often ecstatic about the prospects of experiencing growth for the first time in decades. In many cases, these leaders are looking for ways to accelerate and extend the growth to rural communities along the interstates and farther into the hinterlands.

Some who oppose focusing too many resources on central cities and downtowns point out that there is another alternative for slowing the natural direction of development without killing it. Option 4 is to do a better job of managing the growth on the ruralurban fringe.



Option 4:

Manage Growth on the Rural-Urban Fringe

anaging growth means that incentives and development standards are designed to encourage developers to increase density, utilize public resources more efficiently, improve quality, and reduce farmland and open space conversion.

In his testimony before the Senate Committee on Environment and Public Works, Nelson Rising of a California real estate company, stated that communities using smart-growth planning conserve open space and provide better real estate investment opportunities than those who do not use these available planning techniques.

How is managed growth different from the first three alternatives? Managed growth represents an attempt to shape new development rather than to prevent or redirect it. Public input and planning processes are used to make adjustments in the free market system that will reduce the negative consequences of rapid development in the rural-urban fringe areas where urban sprawl hits the hardest.

In contrast to Option 2, where the primary goal is protecting farmland and open space, Option 4 focuses on tools for managing growth and development. In contrast to Option 3, which calls for downtown and central city redevelopment, managed growth for the most part focuses on adjusting the incentives and regulations to impact the development in the rural-urban fringe areas where the most growth is likely to occur.

The first step of one managed

growth process is to develop a land use inventory and comprehensive plan. Out of this effort come goals and objectives for the major areas of contention in land use on the fringe. Using a 5-, 10-, or 20year planning horizon, prime areas for future development are identified so as to provide an adequate supply of



"The first step of one managed growth process is to develop a land use inventory and comprehensive plan." land for various kinds of urban development. At the same time, other areas are identified as prime areas for farmland and open space preservation.

A "Land Evaluation and Site Assessment" process developed by the U.S. Department of Agriculture is used by some city and county planning and zoning officials as a framework for evaluating the potential for agricultural, environmental, and urban uses. For example, farmland and open space next to good

roads, drinking water, and sewer systems is given greater weight for housing developments while parcels of prime farmland and unique environmental resources that are far from existing infrastructure services is given greater weight for open space protection.

After the areas are identified and classified, a variety of policy tools are used in an attempt to achieve stated community goals and objectives. One approach is to impose mandatory residential density requirements for various subdivision types. This approach tends to foster neighborhoods of people with similar income levels and life-style goals. At one extreme, zero- and low-density areas are set aside for parks, agricultural preserves, and environmental protection uses. Exclusive zoning for agriculture might allow no more than one dwelling per 160 acres to house farm-operating families and retired farmers.

At the other extreme, land may be zoned for townhouses, apartments, and multifamily dwellings. Areas zoned for single-family homes might be required to meet a minimum-density standard such as four units per acre. The process establishes an overall density goal for the community, which can be measured to determine progress over time.

Some governmental units with jurisdiction over rural areas combine exclusive agricultural zoning with adoption of rural subdivision ordinances. If a farmland owner subdivides or splits more than one or two home sites from a parcel of farmland or open space, then the change in use is considered to be more than developing a farm residence and the rural subdivision ordinance applies to the change in land use. The rural subdivision ordinances can help to ensure that incompatible uses will not occur. Density requirements, building inspections, and quality standards, and infrastructure requirements may apply. From a practical perspective, the rural local government can provide fire, police, and emergency services more efficiently and effectively by clustering rural residences together. The horror of an expensive new rural home burning to the ground because of the limited fire protection capacity is an experience that new rural residents wish to avoid, but often don't think about until it is too late.

Planning and zoning officials and policymakers have a variety of tools available to manage growth. One approach is to establish graduated subdivision impact fees paid by developers. The impact fees are designed so that developers of lower-density developments pay more impact fees per housing unit than developers of higher-density housing. Depending on the level of gradation, the impact fees can be A second approach is to review all tax abatement policies, urban renewal districts, enterprise zones, and any other tax incentive or preferential tax assessment districts to ascertain whether these incentives can be targeted to encourage higher-density development in areas designated for prime development and to preserve farmland and open space in other areas designated for protection. Local, state, or federal policies might be involved depending on the type of subsidy or incentive — transportation, affordable housing programs, tax-increment financing, abatements, etc.

A third approach, pioneered in Oregon, is to draw a boundary around each city. The boundary is drawn at sufficient distance from the center city to accommodate development needs for the next 5, 10, or 20 years. Only property within the boundary can be developed for urban uses. All property outside the boundary is off limits for urban development. Prior to the expiration of the planning cycle, a new boundary is drawn for the next planning cycle.

Finally, some observers note that cities in some states have annexed farmland and rural residents decades before they provided city services to residents in these areas. As a result, newly annexed residents often become concerned about paying higher taxes for services provided to other residents of the city that may not be provided to them. Plan makers in some states have proposed legislation that requires cities to provide minimum services to all residents within two years of an annexation. In other cases, the issue may not be of concern because response times and access to greater fire protection, police, and ambulance services often

show marked improvement immediately upon annexation.

As noted, all states have laws for annexation - voluntary and involuntary. Voluntary annexation is typically not as controversial because the annexation is by mutual agreement. However, involuntary annexation of farmland and rural residents can often create a great deal of controversy. The one-vote law requiring approval by a majority of the combined voters is biased toward growth and annexation. The two-vote method, in which separate majorities in both the city and the proposed annex area, allows those being annexed to veto the annexation by majority vote. The ability to veto annexation of farmland and increasingly sprawling rural residences outside the city limits may not only stifle the ability of a city to grow, but it may also limit the potential for managed growth.

What Can Be Done?

- To provide an adequate supply of land, the private sector and government can draw boundaries around prime areas for future development using a 5-, 10-, or 20-year planning horizon. Then other areas can be protected as prime areas for farmland and open space preservation.
- Government can impose mandatory residential density requirements and design standards for various subdivision types and land use under its zoning authority.
- Government can establish graduated subdivision impact fees paid by developers designed to encourage lowerdensity developments, utilization of existing public infrastructure, and protection of farmland and open space.
- Government can target tax abatement policies, urban renewal districts, enterprise zones, and any other tax incentive or preferential tax assessment to encourage higher-density development and to preserve farmland.

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In Support of Option 4

Supporters of managed growth make the following points:

1. A land use inventory map helps to identify the real needs of the community and to develop realistic assessments of the community's prospects for growth. These projections help to assure developers that there will be an adequate supply of land for development. If the supply of land for development runs out, there are public processes that are initiated to make the appropriate adjustments.

This option does not allow developers to convert and develop land in a scattered pattern of sprawl shaped by those who may or may not be willing to sell their properties at a given price. It does give developers and home buyers information up front as to areas that



"Managed growth discourages but does not prevent conversion of farmland and open space." are designated by public planning processes for various kinds of residential, commercial, industrial, or mixed-use development.

This approach can be used to encourage developers to consider innovative cluster designs and compact "village" concepts. Developers are discouraged

from converting areas set aside as prime farmland or open space areas. In this way, important areas of open space and prime farmland identified in the land use inventory can be protected.

In addition, managed growth discourages unnecessarily expensive infrastructure extensions. The incentives can be adjusted to utilize existing infrastructure first and adjacent areas to existing infrastructure next. Projects involving overly expensive infrastructure costs are prohibited or discouraged by impact fees that can help the community to recoup some of the costs. Design standards and inspection processes can also promote minimum standards for density, quality, and aesthetics to maintain and sustain local real estate markets.

2. Landowners are free to use their land as they see fit as long as the use is not inconsistent with community objectives. While not all property owners are likely to be 100 percent happy, proponents say that all will benefit from the reduced uncertainty. Farmers in agricultural areas can make long-term investments in whatever agricultural enterprises they wish, with the knowledge that development will not be coming to their area. However, they also know that they will not be able to sell their land for urban development prices or to convert their land to nonagricultural uses on their own.

At the same time, farmers and developers in areas designated for development know that housing and commercial developments will likely be coming to their area. Farmers will plan on making fewer longer-term investments in intensive agricultural enterprises. They can expect increasing problems with newcomers to the area. However, they also know that they will eventually be able to sell their land for higher urban development prices.

3. As development on the fringe becomes marginally more expensive, interest in infill development automatically increases. Central city property owners are pleased to learn that their property values are likely to increase somewhat as the pace of fringe development slows. Developers who specialize in central city redevelopment and rehabilitation will have greater incentive to do their work and revitalize downtown as the cost of sprawl on the fringe is increased and the incentives for managed growth are implemented.

1999 consumer survey on growth issues, based on 2,000 randomly selected households.

Do you think addressing growth issues is mainly the responsibility of the federal, state, or local government? Which of the following approaches should local government take to influence growth and development?



4. Managed growth provides some flexibility for developers to respond to consumer tastes and preferences. While the other options appear to represent all-or-nothing approaches, the managed growth option provides some flexibility. Managed growth encourages high-density development, but does not prevent low-density development. Managed growth discourages but does not prevent conversion of farmland and open space. Areas designated for farmland can be protected. Areas designated for urban development are identified and available. Standards and incentives can be implemented to ensure highquality building design and efficient utilization of public infrastructure using innovative cluster designs and compact "village" concepts.

What Critics Say

The critics of managed growth often question whether comprehensive plans are based on the broad goals and objectives of the community as a whole or whether a few individuals with their own agenda drive the process. Some critics feel that those who own the property or those who have made significant development investments ought to have a little more to say about the land's use than those who live farther away and who are essentially unaffected by decisions concerning the future use of the parcel in question.

Other opponents of managed growth believe that this again is the heavy hand of government coming in to tell the private sector what can be done and what can't be done, with very little regard for what works and doesn't work.

Still other opponents believe that unique farmland and environmental resources will be lost under managed growth and that stronger measures are needed to protect farmland and open space. Critics make the following arguments:

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1. Managed growth represents the heavy hand of government meddling with free markets and property rights. The free market knows best. Managed growth constrains the freedom of property owners to use their property as they see fit.

It means that some government planning and zoning committee will make decisions that determine the ultimate fate of property. It will also affect the value of property. Critics say that any infringement on property rights is unacceptable. Property owners should be able to sell their property to buyers of their choice, free from government restriction.

2. The cost to developers and homeowners would be higher than they would be under free market conditions. Impact fees and regulations significantly increase the costs of construction and development. Home buyers don't want to pay more for expensive houses on smaller lots. If they wanted expensive houses on smaller lots, they would have



stayed in cities to begin with. New business owners are migrating to rural areas because it is cheaper to develop land there. Under a managed growth approach, this cheaper land is arbitrarily made more expensive by government. If the added costs of regulation increase too much, business jobs, and people will migrate to other less regulated metro areas or rural areas. Thus, without regional coordination, managing growth on part of the rural-urban fringe may create sprawl on less regulated portions of the fringe.

3. Perfectly good farmland and open space areas are prevented from achieving their highest and best legal use. Simply because government committees under the influence of social planners decide to protect certain areas from development, developers are forced to look elsewhere for prime development land. In some cases, the protected farmland and open space may even be the cheapest and most desirable land to develop.

When farmland and open space is protected from development, critics say it is prevented from achieving its highest and best legal use in our economy. Therefore, we limit the potential for enhancing economic productivity, performance, economic growth, and affordability of housing.

4. This approach adds unnecessary layers of government. Not only does managed growth add to the need for local planning officials, but it often requires them to get together on a regional basis. The states set up state commissions and bureaucracies to define and implement state objectives. In some cases, local plans even require state approval. So the planning bureaucracy grows larger.

Conclusion:

Starting the Deliberation Process

emember the letter to the Salina Journal in the introduction, in which Dwight N. Miller protested Bob Holgerson's request to rezone and develop the Happy Corner School area? Within a week of that letter's publication, the newspaper ran a story that was reprinted (with minor changes) in newspapers throughout the nation.

According to the story, "The Salina County Commission — tormented by repeated rezoning arguments - hopes a new project will determine what county residents want the county landscape to look like in the future, which in turn will help them make better decisions on rezoning requests. . . . County Planning Director James Holland proposed a plan to the commission Tuesday that would, through a series of public surveys, determine residents' priorities for rezoning and land use issues: Do we value wide open spaces? Do we value prime farmland? Do we value a variety of housing opportunities? . . . [The] trouble is, which objective comes first?"

That question is at the heart of this issue book and your discussion. Which comes first? Individual or collective rights? Private property or a greater measure of community vitality and security? What are your personal goals? What do you want your community to become? Where do you want the community to grow? How will that affect your future?

The 1990 U.S. Census showed that for the first time, more Americans lived in the suburbs than in the central cities. The outward expansion continues. We change with it. In rural Medina County,



Ohio, a recent survey found that the two greatest concerns of residents are drug abuse and traffic congestion, concerns that are jarringly out of sync with the idyllic countryside.

You have been studying the conflicts that come when city and country clash and the choices available to deal with the underlying concerns. Each of the four options considered up to now embodies a different definition of the problem. Each has a different set of probable consequences. Each will result in gainers and losers.

There are two additional options that typically come into play in many public deliberations of this issue. Option 5 is to continue the present system. This is the policy choice selected most often. In many cases, it will be the first option considered because before a decision "What do you want your community to become? Where do you want the community to grow?"

Conclusion

maker can deliberate over the merits of changing the current policy, citizens and leaders often want to understand how the present system works.

Option 6 is to develop a new approach from a combination of the other choices. Each of the first four options offer different ways of thinking about the issue; they are not final solutions. As individuals and groups begin to gravitate toward certain alternatives, various innovations and combinations create an opportunity to generate a broader consensus for building coalitions. In the case of land use planning, a broader regional or statewide effort may sometimes be required to ensure that all the stakeholders have a seat at the table.

Depending on the land use concern, interested parties span the whole spectrum from the rural hinterland to the central city. As the nature of the concerns and the size of the affected areas grow, so will the magnitude of the



"Do we value wide open spaces? Do we value prime farmland?"

solutions and number of participants required for resolving the issues. For some land use issues, a single community or county solution may be sufficient. For other land use issues, joint participation of various government jurisdictions, private sector entities, and citizen interests may be required for resolution. Citizens like you, who choose to inform yourselves and participate in this deliberative study process, can play a key role in shaping the outcomes.

We often do not need to know all there is to know about a public concern or set of alternative solutions to arrive at an informed choice on how to solve the problem. However, it is important for individuals in deliberative groups to establish some basis of common knowledge and understanding. Informed decision makers do need to understand the values and convictions on which major alternatives are based. Participants need to sort out the probable consequences of the solutions to find where people agree and disagree, who gains and who loses, what is acceptable and what is not acceptable.

Deliberative groups often seek certain options they can live with, even if they aren't perfect. The solution may cost more than we'd like or it may not achieve as much as we want. In most cases, the final decisions will represent a compromise. A lasting compromise most often represents the common ground on which diverse groups can act to support a policy that will accommodate the needs of broader citizen interests.

The journey now begins for you and your neighbors. Deliberation is a process that, once begun, may have no end. But the longer the process is pursued, the more informed we become, the more we learn to listen to each other, and the more we are likely to find and implement solutions that will help us all live together in relative harmony and progress.

Summary: Comparing the Options

Option 1: Reestablish the Free Market

 In a free market, private property owners determine the use of the land. Government intervention is minimal.

What Can Be Done?

- Review purposes of legal barriers that constrain the operation of free and open markets and recommend changes to lawmakers.
- Make public actions such as condemnation, annexation, and takings more difficult. Enhance protections from nuisance suits.
- Reduce funding and authority for planning and zoning functions.
- Eliminate differential property tax incentives, transportation and housing development subsidies, and impact fees.

In Support

- Free markets and private enterprise represent the American way.
- The U.S. Constitution guarantees the rights of private property owners to manage their own properties without government interference.
- ◆ A market-oriented land use policy sends a clear message that our nation, state, and communities are probusiness, prodevelopment, and progrowth.
- If we allow the free markets to work, we become more efficient and competitive. Competitive prices ultimately make homes more affordable for consumers.

In Opposition

- Free market development costs both new residents and existing taxpayers more in the long run.
- Free markets waste more land resources and create more urban sprawl than other development systems.
- Government has a role in protecting the rights of existing property owners from the negative effects that often result from uncontrolled development.
- We don't have the right to destroy our environment. We need to protect it for future generations to enjoy.

A Likely Trade-off

 Government involvement in land use decisions and urban development declines, but unplanned urban sprawl and concerns over incompatible land uses on neighboring parcels are likely to increase.

Option 2: Protect Farmland and Open Space

 Prime farmland and open space is identified, prioritized, and protected from development using various government and private sector approaches.

What Can Be Done?

- Private sector organizations or individuals can purchase property or development rights, and provide perpetual care for designated open spaces.
- Use tax revenues to purchase development rights or require developers to buy development rights to protect other prime farmland and open space areas.
- Use zoning laws and create preservation districts to prevent urban encroachment into designated areas.
- Provide tax incentives to encourage landowners to keep land in farmland and open space uses.

In Support

- Protecting nonrenewable resources for future generations is simply the right thing to do.
- Food production is essential to the maintenance of life.
 Farmland must be protected because agriculture cannot compete with existing subsidies for urban development.
- Farming is inherently incompatible with urban development. These two uses should be kept separate.
- Sustaining a threshold level of agricultural activity on the rural-urban fringe requires protection of more than one parcel — it requires a large area.

In Opposition

- There is plenty of farmland available. The importance of farmland and open space protection is overblown.
- Most land protection programs are costly and ineffective.
- Farmland and open space protection programs don't stop sprawl. They only redirect development and, in some cases, they actually increase sprawl.
- It's wrong to halt development, frustrate potential homeowners, and drive more of a wedge between rural and urban citizens.

A Likely Trade-off

 Agricultural and open space can be protected from sprawl, but the costs of doing so are high and, depending on what approach to growth is used, may not reduce sprawl in the long run.

Option 3: Redevelop Central Cities

 If blighted central cities (and rural main streets) are revitalized, pressure for expanding development into the countryside declines.

What Can Be Done?

- The private sector and government should work together to rejuvenate downtown areas.
- Pay the costs of demolition and provide incentives for redevelopment in blighted downtown areas.
- Provide incentives for developers to infill open space lots in areas where infrastructure already exists.
- Provide incentives for rehabilitation of existing buildings, neighborhoods, and historic areas.

In Support

- Rejuvenating central cities and downtown main streets can reduce the pressures for urban sprawl.
- When the hidden costs are figured in, it is less expensive to infill and utilize existing infrastructure than to build new expansive systems of infrastructure.
- Redeveloping central cities will rejuvenate the business and economic environment, bringing a big economic boost to the region as a whole.
- If we don't reinvest in central cities, many services, amenities, and attractions that identify the region's culture and serve the larger metro area will cease to exist.

In Opposition

- It's the market that is fueling the outward expansion as people seek something the downtowns apparently cannot provide.
- The plan to lure people back to the inner city has failed in many cases. There is little reason to keep trying this approach.
- Redevelopment costs more not less than building on empty land. Open space land represents the least expensive option for developers and their customers.
- Cities have always grown from the center out, in ever-larger rings. That's the natural growth pattern. To force growth to go in another direction is not natural.

A Likely Trade-off

 Using more public resources to solve the problems in core downtown areas may divert resources from addressing the consequences of growth, urban sprawl, and incompatible land uses on the rural-urban fringe.

Option 4: Manage Growth on the Rural-Urban Fringe

 Under managed growth, standards and incentives are established to encourage developers to increase density, reduce open space conversion, and utilize public resources more efficiently.

What Can Be Done?

- Draw boundaries around prime areas for future development.
 Open areas outside this perimeter can be protected from development.
- Use zoning to impose mandatory residential density requirements and design standards for various subdivision types and land uses.
- Establish graduated subdivision impact fees to be paid by developers.
- Establish tax incentives to encourage higher-density development and to preserve farmland.

In Support

- Under this approach, markets still work efficiently, but there is some control over urban sprawl and arbitrary loss of prime areas of farmland and open space.
- Owners of private property are free to use their land as they see fit as long as the use is not inconsistent with community growth and preservation objectives.
- As development on the fringe becomes marginally more expensive, interest in downtown redevelopment and infill development automatically increases.
- Managed growth provides some flexibility for developers to respond to consumer tastes and preferences.

In Opposition

- Managed growth represents the heavy hand of government meddling with the free markets and property rights.
- Housing is made more expensive than it would be under free market conditions.
- Perfectly good farmland and open space areas are closed off from development and the potential to achieve their highest and best legal use.
- ◆ This approach adds more unnecessary layers of government.

A Likely Trade-off

Managed growth can result in higher-density developments, greater utilization of existing infrastructure, and less conversion of farmland and open space, but it also means that landowners may have less individual freedom in using their land.

Identifying Your Preferences

	Fill in your three-digit number here.								
	Please describe your present status. (Check one for each question.)								
	YesNo			0		A. Do you farm or own farmland or open space?			
	YesNo InsideOutside			0		B. Do you have a financial interest in development or construction industries?			
				utside	e	C. Do you presently live inside or outside the corporate limits of any town or city?			
1.	 Please circle the appropriate response for each item to indicate your opinion of the following general principles. Strongly Agree (SA), Agree (A), Not Sure (NS), Disagree (D), Strongly Disagree (SD) 								
	SA	А	NS	D	SD	A. Some farmland and open space areas are unique and should be protected from urban development.			
	SA	А	NS	D	SD	B. All farmland and open space areas are a valuable resource and should be protected from urban development.			
	SA	А	NS	D	SD	C. Some urban development is strategically important for community vitality and should not be slowed down if it is consistent with a comprehensive land use plan.			
	SA	А	NS	D	SD	D. All urban growth is important to community economic viability and should not be slowed down.			
pre	SA events	А	NS	D	SD	E. A community land use plan is the best method for allocating land use because it leapfrog development and incompatible uses on neighboring parcels.			
	SA	А	NS	D	SD	F. The free market is the best method for allocating land use because it is the most efficient system for deciding what the future land use should be.			
2.	Under which of the following circumstances should owners of private property be forced to sell their land? Strongly Agree (SA), Agree (A), Not Sure (NS), Disagree (D), Strongly Disagree (SD)								
	SA	А	NS	D	SD	A. Owners of private property should be forced to sell their land if the sale of the property represents the least expensive development alternative for a community.			
	SA	А	NS	D	SD	B. Owners of private property should be forced to sell their land if it is consistent with a regional comprehensive land use plan and prevents sprawl at other locations in the county.			
	SA	А	NS	D	SD	C. Owners of private property should never be forced to sell their land.			
3.	B. Do you agree or disagree with the following policy alternatives regarding land use? Strongly Agree (SA), Agree (A), Not Sure (NS), Disagree (D), Strongly Disagree (SD)								
	SA	А	NS	D	SD	A. Land use policy should be continued without much change.			
	SA	А	NS	D	SD	B . Land use policy should be adjusted to allow developers to build for their customers and to allow the free market to work better.			
	SA	А	NS	D	SD	C. Land use policy should protect more prime farmlands and open space from urban development.			
	SA	А	NS	D	SD	D. Land use policy should encourage more redevelopment of central cities and rural community main streets.			
	SA	А	NS	D	SD	E. Land use policy should encourage incentives to manage growth in rural-urban fringe areas.			

Fill in your three-digit number here.

Identifying Your Preferences

	Please describe your present status. (Check one for each question.)									
	YesNo				A.	Do you farm or own farmland or open space?				
	YesNo				B. Do you have a financial interest in development or construction industries?					
	InsideOutside		C.	C. Do you presently live inside or outside the corporate limits of any town or city?						
						e response for each item to indicate your opinion of the following general principles. (A), Not Sure (NS), Disagree (D), Strongly Disagree (SD)				
	SA	А	NS	D	SD	A.	Some farmland and open space areas are unique and should be protected from urban development.			
	SA	А	NS	D	SD	B.	All farmland and open space areas are a valuable resource and should be protected from urban development.			
	SA	А	NS	D	SD	C.	Some urban development is strategically important for community vitality and should not be slowed down if it is consistent with a comprehensive land use plan.			
	SA	А	NS	D	SD	D.	All urban growth is important to community economic viability and should not be slowed down.			
pre	SA events	А	NS	D	SD	E.	A community land use plan is the best method for allocating land use because it leapfrog development and incompatible uses on neighboring parcels.			
	SA	А	NS	D	SD	F.	The free market is the best method for allocating land use because it is the most efficient system for deciding what the future land use should be.			
 Under which of the following circumstances should owners of private property be forced to sell their land? Strongly Agree (SA), Agree (A), Not Sure (NS), Disagree (D), Strongly Disagree (SD) 										
	SA	А	NS	D	SD	A.	Owners of private property should be forced to sell their land if the sale of the property represents the least expensive development alternative for a community.			
	SA	А	NS	D	SD	B.	Owners of private property should be forced to sell their land if it is consistent with a regional comprehensive land use plan and prevents sprawl at other locations in the county.			
	SA	А	NS	D	SD	C.	Owners of private property should never be forced to sell their land.			
3.	 Do you agree or disagree with the following policy alternatives regarding land use? Strongly Agree (SA), Agree (A), Not Sure (NS), Disagree (D), Strongly Disagree (SD) 									
	SA	А	NS	D	SD	A.	Land use policy should be continued without much change.			
	SA	А	NS	D	SD	B.	Land use policy should be adjusted to allow developers to build for their customers and to allow the free market to work better.			
	SA	А	NS	D	SD	C.	Land use policy should protect more prime farmlands and open space from urban development.			
	SA	А	NS	D	SD	D.	Land use policy should encourage more redevelopment of central cities and rural community main streets.			
	SA	А	NS	D	SD	E.	Land use policy should encourage incentives to manage growth in rural-urban fringe areas.			

For More Information

Visit these Web sites:

http://www.policy.com/issuewk/1999/0426_70/index.html http://www.nga.org/CBP/Activities/SmartGrowth.asp http://www.nahb.com/ http://www.landuse.org/ http://www.lanning.org/ http://www.farmfoundation.org/pubs/increas/98/contents1.htm http://www.farmland.org/

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