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GROWTH MANAGEMENT -- AN OVERVIEW

By

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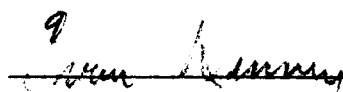
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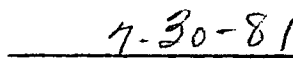
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TABLE OF CONTENTS

	Page
ACKNOWLEDGEMENTS	ii
INTRODUCTION	1
Chapter	
I. MIGRATION TRENDS.....	2
II. REASONS FOR THE URBAN-RURAL MOVEMENT.....	7
Government Policies.....	8
Changing Values and Lifestyles.....	13
Movement of Jobs to Suburbs and Non-Metropolitan Areas	15
III. REASONS FOR THE GROWTH MANAGEMENT MOVEMENT.....	20
Local Communities Are Against Growth.....	21
Fiscal reasons.....	22
Social/personal impacts.....	24
Environmental impacts.....	26
Problems associated with urban sprawl.....	27
Impacts on agricultural land.....	27
Flooding and water supply problems....	29
Erosion.....	30
Water quality.....	30
Impacts on wildlife.....	31
Energy usage.....	32
Sprawl costs.....	34
Air pollution costs.....	35
Positive effects for central cities.....	37
Response to fair housing laws.....	38
IV. GROWTH MANAGEMENT PLANS.....	39
Techniques for Implementing Growth Management.....	45
V. SOME NEGATIVE EFFECTS OF GROWTH CONTROL.....	52
Effects on construction industry.....	52
Effects on Housing Prices.....	56
Reinforces Segregation by Race and Income.....	62

Effects on Cities' Tax Bases..... 65
Denial of Better Services to the Poor and Minority.... 66
Effects on Employment in Communities with Growth
Controls..... 69
VI. CONCLUSION..... 72
BIBLIOGRAPHY..... 78

INTRODUCTION

Perhaps few contemporary issues have been subject to as much debate as growth management plans which have been defended as necessary for fiscal, ecological and aesthetic considerations and condemned as encouraging racial and social polarization.

This study attempts to examine why growth management has become so popular and to look at the possible consequences of implementing these plans. It does so by analyzing the following topics: 1) recent migration trends and reasons for their occurrence; 2) why and how local communities are responding to the influx of people; and 3) the allegedly harmful effects of such policies. The study concludes that some form of growth management is necessary in many communities. However, local communities should not be allowed to implement these techniques unless steps are taken to mitigate the harmful effects.

CHAPTER I

MIGRATION TRENDS

The 1970's were characterized by three basic trends in the geographic distribution of people and jobs in the United States. Population and employment moved in substantial numbers from the older urbanized regions, primarily the Northeast and North Central states to the South and West. Within metropolitan areas, a decades-old pattern of movement out of central cities to suburban areas accelerated, and both people and jobs began to move out of these densely populated centers into the lightly developed adjacent counties and also into counties distant from metropolitan centers.¹ These migration trends are of significance because many of the areas attracting population may neither welcome the increased growth nor be able to accommodate it.

Thus the 1970's marked a turning point in metropolitan growth in the United States. During the 1960's, metropolitan areas grew at a rate four times that of non-metropolitan areas, attracting more than 700,000 net migrants each year from small cities and the rural countryside, but after 1970 metropolitan growth slowed sharply, particularly in the largest urban areas, and by 1975 nearly one in six of the

¹Standard Metropolitan Statistical Areas (SMSA's) consist of a central city of at least 50,000 residents plus the surrounding suburban areas that are economically linked to the central city.

nation's 259 metropolitan areas had begun to lose population.² This change in growth patterns between metropolitan and non-metropolitan areas can be seen in the following. Between 1970 and 1980, the national population grew by 10.8 percent to almost 226 million people. At the same time, non-metropolitan areas grew by 15.4 percent while metropolitan areas grew by only 9.1 percent. In absolute terms, the number of people in non-metropolitan counties increased from 54.4 million at the beginning of the 1970's to 62.8 million by 1980. This figure includes a net of at least four million people who moved in from metropolitan areas and abroad.³

Prior to 1970, non-metropolitan growth, where it occurred, could be primarily attributed to the growth of non-metropolitan cities at the expense of surrounding countryside and rural areas, or to the spillover of growth beyond metropolitan boundaries. But after 1970, non-metropolitan growth has increasingly taken place in counties which are neither adjacent to metropolitan areas nor contain a large urban place. Counties not adjacent to metropolitan areas accounted for 43 percent of total non-metropolitan growth after 1970, compared to only 16 percent during the 1960's.⁴ Moreover, counties with no urban places greater than 10,000 population are now growing faster than those with places over 10,000, and counties with no urban place greater than 2,500

²U.S. Department of Housing and Urban Development, The President's National Urban Policy Report, 1980, p. 1-17.

³The Missoulian, 3 March 1981.

⁴The President's National Urban Policy Report, 1980, p. 1-9.

are growing most rapidly of all. This suggests that while metropolitan spillover remains an important factor, the current population growth in non-metropolitan areas is markedly dispersed and may be looked at as part of the spreading out of urban settlement patterns, long observed within metropolitan areas in the form of suburbanization.⁵

Communities that were traditionally isolated are experiencing growth rates of 100 to 200 percent. Similarly, non-metropolitan and rural areas within commuting distance of metropolitan centers are seeing substantial increases. In contrast, population has dropped sharply in older cities like New York, Philadelphia, Cleveland and Chicago, as well as in older suburbs.⁶ Northeastern cities, however, are not the only ones losing population. Between 1970 and 1980, Seattle lost about 10 percent of its population, dropping to 475,000. In contrast the population of Snohomish County, 25 miles to the north, increased 23.8 percent, from 265,000 in 1970 to 328,000 in 1980. Even in areas of the South that experienced substantial population growth, the greatest increase was experienced outside the large cities. For example, according to early census figures, the population of Miami grew by 3.8 percent, to 347,600, while the unincorporated areas of Dade County grew by 48 percent.⁷

During the last decade, metropolitan growth, where it has occurred, has been concentrated in the suburban ring, and although the

⁵Ibid, p. 8-1.

⁶The Missoulian, 1 October 1980.

⁷Ibid.

suburbs lost migrants to non-metropolitan areas, these losses were more than balanced by the in-flow of migrants from the central city. Suburban areas in the U.S. gained 8.9 million residents between 1970 and 1977 while central cities lost almost 2.9 million. Before 1974, population loss from central cities was most dramatic in the largest metropolitan areas, particularly those located in regions of net out-migration, but thereafter, smaller metropolitan areas and even many rapidly growing metropolitan areas experienced net out-migration from their central cities.⁸

There is, however, increasing evidence of reviving life in the central cities with a rising demand for central city housing on the part of middle- and upper-income families.⁹ More importantly, many of these households are established urbanites who, instead of moving out to the suburbs, buy a house in an older neighborhood.¹⁰ There has also been recent evidence of a net out-migration of blacks from central cities into inner suburbs. Suburbs physically contiguous to predominantly non-white areas of the central city gained minority population during the 1970's and this trend is expected to continue through the 1980's.¹¹

⁸The President's National Urban Policy Report, 1980, p. 1-10.

⁹Frank S. So et al., ed., The Practice of Local Government Planning (Washington, D.C.: The International City Management Association, 1979), p. 581.

¹⁰Dennis E. Gale, "Middle Class Resettlement in Older Urban Neighborhoods: The Evidence and the Implications," Journal of the American Institute of Planners 45 (1979), 293.

¹¹The President's National Urban Policy Report, 1980, p. 12-11.

The back-to-the-city movement is occurring because of significant changes in lifestyle. Increasing numbers of childless couples decrease the relative desirability of single-family, suburban homes compared to central city dwellings. In addition, a low-cost central city housing stock, the employment opportunities offered by the central city, and rising costs associated with transportation are making the central city an attractive place in which to live.¹²

Despite the back-to-the-city trend, however, net migration from central cities to suburbs and non-metropolitan areas appears to be continuing at a high rate. Suburban growth is uniformly strong in metropolitan areas of all sizes and all regions of the country, resulting in an increasing proportion of total metropolitan growth occurring outside of central cities. Since 1975, 3.8 million more people moved from central cities to suburbs than went the other way, and since 1960, the suburban share of metropolitan residents has risen from 50 to 60 percent.¹³

¹²Gregory S. Lipton, "Evidence of Central City Revival," Journal of the American Institute of Planners 43 (1977), 146.

¹³The President's National Urban Policy Report, 1980, p. 1-10.

CHAPTER II

REASONS FOR THE URBAN-RURAL MOVEMENT

Studies of current population shifts attribute the movement of people away from cities to suburbs and non-metropolitan areas to re-location of industries, businesses, services and education institutions to rural areas due in part to government-sponsored stimulants, the increasing ease of long-distance commuting via expressways, the growth of retirement and recreational communities in rural areas, and the renewal of mining.¹

Advances in transportation and communication have allowed people to locate where they want to rather than where they have to. The computer has loosened historical ties of non-agricultural employment to large metropolitan areas, and in this regard, the advent of interactive television will expand the opportunity for home-based employment, allowing people to live even further away from service centers. In addition, the increasing number of retirees with portable incomes such as social security have further weakened the links between work and home.²

¹The Missoulian, 3 March 1981.

²The President's National Urban Policy Report, 1980, p. 1-23.

Government Policies

Federal monies fund 90 percent of interstate highway construction, up to 80 percent of mass transit investments, 75 percent of the cost of interceptor sewers and treatment plants, and 70 percent of non-interstate highways, all having substantial impacts on the location, pattern, timing, and density of development.³ Although these programs and policies have had many positive impacts upon urban areas, some such as mortgage payment subsidies, highway construction programs, and federal tax measures favoring new construction have inadvertently harmed some central cities by reinforcing growth on their outskirts.⁴

Extension of transportation over the past 100 years fostered first the growth of suburbs, then exurbs, and most recently a new scattered rural life. In a recognizable cycle of interaction, transportation systems open up previously isolated areas for development, thus accommodating interregional and intraregional traffic flows, consolidating previously more diverse travel patterns, and increasing sales opportunities.⁵ The average worker commutes 35-40 minutes to a job. Freeways and high capacity arterials encourage workers to move

³Council on Environmental Quality, The Growth Shapers: The Land Use Impacts of Infrastructure Investments by Urban Systems Research and Engineering, Inc. (Washington, D.C.: U.S. Government Printing Office, May 1976), Preface.

⁴The President's National Urban Policy Report, 1980, p. 11-2.

⁵U.S. Department of Transportation, Economic Impacts in Environmental Assessment Notebook Series, pp. 76-77, cited by Isaac Heard Jr., Growth Management: An Overview (Charlotte, N.C.: Charlotte-Mecklenburg Planning Commission, December 1978), p. 9.

farther away from employment centers and indirectly benefit employers by giving them access to an expanded labor market.⁶

Today, however, suburbanization and increasing land values tend to follow extensions of interceptor sewers rather than the major feeder highways. The relative supply of vacant developable land opened up by the sewer determines the pattern and density of residential development while relative demand determines how quickly the development occurs once it has been opened up.⁷

In the past, federal funding policies have tended to favor construction of new sewer facilities over rehabilitation of old ones. Prior to statutory amendments in 1977, Environmental Protection Agency (EPA) projects frequently acted as a strong inducement for growth, drawing development to outlying urban areas.⁸ In a recently released study of EPA grants to build sewage treatment plants and interceptors in 52 localities, a Boston-area environmental consulting firm found that grantees were being encouraged to build sewer systems of a far greater capacity than needed. While the excess capacity relieved current pressures on the systems, it ensured that localities would attract a great deal of growth because of reduced costs of development due to the availability of facilities. Thus, grants intended for environmental purposes were in fact encouraging sprawl, leapfrog development, and

⁶Heard, p. 10.

⁷The Growth Shapers, p. 54.

⁸The President's National Urban Policy Report, 1980, p. 11-9.

out-migration from central cities that already had some excess sewer capacity.⁹

Several features of the federal income tax structure tend to benefit suburbs relative to central cities. For example, deductions allowed to homeowners for interest paid on mortgages and for real property taxes may have benefitted suburban residents more than city residents because suburban residents tend to be homeowners to a far greater degree than city residents, and the deductibility feature has value primarily to high-income persons. Reforms in the 1978 Tax Act helped to reduce this anti-urban bias by increasing the standard deduction, but the problem remains. Another aspect of federal taxation that appears to work against cities, especially those with an older industrial base and little growth potential is contained in the business investment tax credits which provide tax benefits to industries that invest in new equipment and machinery. This provision has encouraged industrial expansion in developing suburbs and growing central cities in the South and West. Amendments in the 1978 Tax Act will somewhat mitigate this impact by extending investment tax credits to rehabilitation of older factories, but adjustments are unlikely to have effects comparable to the investment tax credit for new equipment and machinery.¹⁰

⁹"EPA Grants May Foster Urban Sprawl," Planning 41 (November 1974), p. 2., cited by Earl Finkler, William J. Toner and Frank J. Popper, Urban Non-Growth: City Planning for People (Praeger Publications, 1976), p. 195.

¹⁰Kathy Jean Hayes and David L. Puryear, "The Urban Impacts of the Revenue Act of 1978," in The Urban Impacts of Federal Policies, Norman J. Glickman, ed., cited by The President's National Urban Policy Report, 1980, p. 11-12.

Federal regulation of environmental quality, of worker safety, of competition and pricing, and of a wide range of other concerns has also influenced the economic growth of cities and suburbs. Most federal regulations are defined and implemented uniformly across the nation resulting in uneven effects across industries or types of plants. Thus older cities with older industrial plants tend to be more negatively impacted than places with newer plants. Examples are Occupational Safety and Hazard Administration regulations setting standards of safe plant design and EPA regulations setting standards for pollution emissions.¹¹

Local government policies and resources can also pose barriers to economic growth. Cities with a declining employment base are frequently in a strained fiscal position and less able to offer special services or tax incentives. In addition, declining cities more than growing cities have payroll or income taxes that are objectionable to business managers. Also, higher central city property taxes may encourage developers to leave the central city by discouraging rehabilitation of urban properties, thus leading to urban blight and encouraging urban sprawl.¹² For example, in 1961, of the 38 largest SMSA's, central city property taxes were higher than suburban taxes in all but six. The differences were often quite substantial. In twelve cases, tax rates were more than 25 percent higher in the central city, and in

¹¹The President's National Urban Policy Report, 1980, p. 3-14.

¹²U.S. Central Accounting Office, Land Use Planning, Management and Control - Issues and Problems (July 28, 1977), p. 48.

nine cases, they were 40 percent higher. Since the relative fiscal position of cities has tended to decline since then, there is good reason to believe that present property tax differentials are even greater today. Higher city property taxes tend to reduce the relative attractiveness of new investment including maintenance outlays in the central city.¹³ In addition, businesses undertaking major plant modernization or expansions may move out of a city because of red tape and delays in obtaining the required zoning and building permits, and public construction projects or other actions may cause businesses to relocate out of cities.¹⁴

Land speculation receives favorable treatment in federal taxation policies. Real estate taxes and interest paid on money borrowed to finance land speculation are deductible from income. Also, with some exceptions, gains from land sales may qualify for treatment as capital gains and be taxed at a lower rate than ordinary income.¹⁵ In addition, lands are often assessed for local tax purposes on the basis of their highest and best use rather than actual use. This significantly increases the tax burden on the landowner and increases pressure

¹³William H. Oakland, "A Rationale for Federal Government Intervention in Housing: Distortions Arising from Present Fiscal Arrangements at the Local Government Level," in U.S. Department of Housing and Urban Development, Housing in the Seventies, Working Papers I (Washington D.C.: Government Printing Office, 1976), p. 466.

¹⁴The President's National Urban Policy Report, 1980, p. 3-14.

¹⁵Marion Clawson and Harvey S. Perloff, "Urban Land Policy: Alternatives for the Future," in Management and Control of Growth - Issues, Techniques, Problems, Trends, Vol. III, Randall W. Scott, David J. Brower and Dallas Miner, ed., (Washington, D.C.: The Urban Land Institute, 1975), p. 19.

to develop the land in order to recoup property taxes. State and federal tax policies may also pressure landowners to sell farm, forestry and open space lands in order to pay real estate taxes.

Changing Values and Lifestyles

Many Americans have come to perceive urban life as distasteful and dangerous and have moved to the suburbs to find a cleaner environment and higher social status. In many cases, this attitude has become a self-fulfilling prophecy and suburbia has become a haven from the city with its poor, elderly, minorities and unemployed.¹⁶

Households can seldom control their environment in immediate and individual ways but they can try to choose one that they feel is favorable. Thus the wholesale exodus of whites from the central city in the 1950's and 1960's was not merely a move from older to newer housing, it was also an exodus from the many problems of the city -- from racial tension, poorer schools, increasing crime, and social problems.¹⁷ In addition, busing of students is claimed to have contributed to this trend.¹⁸

Besides the "push" effects associated with cities and their lifestyles, there has been the "pull" effect of newer places in better

¹⁶Urban Land Institute, Fair Housing and Exclusionary Land Use: Historical Overview, Summary of Litigation and a Comment with Research Bibliography, ULI Research Report 23 (National Committee Against Discrimination in Housing NCDH and ULI - The Urban Land Institute, 1974), p. 55.

¹⁷So et al., p. 621.

¹⁸Ibid, p. 305

climates, with less pollution.¹⁹ During the 1950's and 1960's household migration had been in response to employment opportunities with high county income closely related to high population growth and low county income with heavy population losses. This pattern no longer prevails. Today, the low- and middle-income non-metropolitan areas have had the greatest reversal in population trends.²⁰ Surveys of post-1970 migrants to non-metropolitan areas found that employment-related factors are less frequently cited as the primary reason for relocating than are "quality of life" considerations.²¹ The desire for access to recreational areas and resources, pleasant scenery, and relief from urban problems and pollution are all aspects of the "quality of life" phenomenon.²²

Migrants, however, vary in terms of the size of the non-metropolitan community they choose. Those who come from metropolitan areas more often settle in small towns or the open countryside than do those relocating from other non-metropolitan counties. Among those from metropolitan areas, households seeking amenities tend to settle in

¹⁹Earl Finkler, William J. Toner and Frank J. Popper, Urban Non-Growth: City Planning for People (Praeger Publishers, 1976), p. 6.

²⁰Council on Environmental Quality, Environmental Quality: The Ninth Annual Report of the Council on Environmental Quality (Washington, D.C.: U.S. Government Printing Office, 1978), p. 224.

²¹The President's National Urban Policy Report, 1980, p. 1-20.

²²Council on Environmental Quality, Environmental Quality: The Tenth Annual Report of the Council on Environmental Quality (Washington, D.C.: U.S. Government Printing Office, December, 1979), p. 480.

rural areas, while those moving in response to job factors frequently select towns or small cities.²³ Evidence of the desire for rural living is also seen in a growing willingness to accept trade-offs, such as lower income, in moving to a smaller community.²⁴ On the other hand, growth in some non-metropolitan areas may be due mainly to the retention of native residents who no longer feel compelled to migrate by economic pressures.²⁵

In summary there appears to be a diversity of motivating factors underlying the growth of suburbs and non-metropolitan areas: the urge to escape central city problems of poverty, racial conflict, crime, and neighborhood deterioration; and the traditional aspiration of every American family to own its own home and plot of land.

Movement of Jobs to Suburbs and Non-Metropolitan Areas

The factors that underlie the spreading out of population and jobs are complex. Many of the same cost and demand factors that were historically responsible for the economic growth of suburbs relative to inner cities are responsible for the decentralization of economic activity into non-metropolitan areas. Lifestyle changes and innovations in production, transportation of goods and in rapid telecommuni-

²³The President's National Urban Policy Report, 1980, p. 1-22.

²⁴U.S. Department of Agriculture, Rural Development Progress, January 1977-June 1979, Report of the Secretary of Agriculture to the Congress (Washington, D.C., October 1979), p. 3.

²⁵Finkler, Toner and Popper, p. 6.

cation systems have greatly reduced the need for manufacturing, wholesaling, and even office establishments to locate near urban areas, thus allowing firms to take advantage of spatial variations in production costs, or to locate in areas rich in amenities.²⁶ Moreover, shifts in population and employment are mutually reinforcing; people follow jobs, then jobs follow people.

One of the contributing factors to the exodus of industry from central cities has been the development of the Interstate Highway System, which made it possible for industrial plants to be located almost anywhere in the United States. With goods that could be shipped by truck, and employees who could commute by automobile from distances of sixty to seventy miles, a factory had almost unlimited locational possibilities. However, the preferred location has been along the Interstate Highway System, preferably near an interchange. Traffic congestion and lack of parking space for employees have also reduced the attraction of central city locations. Public transportation is often inadequate or non-existent, and workers therefore depend on their cars; older industrial sites in central cities cannot compete with the modern industrial facility that provides generous off-street parking.²⁷

Another contributing factor has been the development of continuous flow automation processes which require a large floor area in a single-story plant. This made the multi-story loft buildings common to

²⁶The President's National Urban Policy Report, 1980, p. 8-5.

²⁷So et al., p. 479.

older industrial areas obsolete for most modern industrial processes.²⁸ Plentiful supplies of comparatively cheap, vacant land in the suburbs made new development there easier and cheaper than in densely built-up older areas. Moreover, innovations in transportation and communication enabled businesses to take advantage of the cheaper land with little sacrifice in access and information.²⁹

Initially, the suburbanization of employment was led by manufacturing firms eager to take advantage of large tracts of undeveloped land, lower land costs, lower property taxes, and ease of access to newly built expressways which facilitated the transportation of goods and workers. As residential suburbanization proceeded, retail trade and other services also dispersed to the newer areas, thereby reinforcing and strengthening the decentralization of population and employment.³⁰ Wholesaling also has decentralized because of the increasing use of the truck for interregional shipment, relatively cheap warehouse space in the suburbs and, in part, because of suburban gains in manufacturing and retailing which opened up opportunities for wholesaling.³¹

While cost differences in locating industrial and retail facilities may decrease over time as suburban land becomes more scarce and

²⁸Ibid.

²⁹The President's National Urban Policy Report, 1980, p. 3-8.

³⁰Ibid, p. 7-3.

³¹Ibid, p. 3-8.

more costly and as densities in central cities fall, current cost differences generally favor suburban location.³²

Recently, office and government employment have also begun to locate in suburban and non-metropolitan areas. Industrial parks, executive office complexes, and large free-standing shopping centers have all become familiar features in these areas, particularly along expressways radiating out from the city center.³³

Whatever the causative factors -- more space, less cost, proximity to labor force, minimized social and environmental consequences -- the majority of metropolitan jobs are now contained in areas other than the central city.³⁴ Between 1948 and 1967, central city jobs for production workers in the nation's 39 largest SMSA's declined 17 percent, while jobs for production workers in the suburbs increased 58 percent.³⁵ Since the 1950's, the share of metropolitan manufacturing located outside the central city has risen from less than 40 percent to more than 60 percent, a pattern that has hit the older industrial cities hardest. Retail trade also has grown rapidly in the suburbs. By 1970, three in every five persons employed in retail trade worked outside the

³²Ibid, p. 3-14.

³³Ibid, p. 7-3.

³⁴Lawrence B. Burrows, Growth Management -- Issues, Techniques and Policy Implications (Rutgers University, The Center for Urban Policy, 1978), p. 2.

³⁵Hugh Miels, Jr., "Building Better Communities: Development by Objectives," in Scott, Brower and Miner, Vol. III, p. 449.

central city.³⁶ But not all central cities have lost employment. Employment in Houston, Phoenix, Austin, Tulsa, Wichita and Charlotte grew between 3.9 and 6.4 percent annually after 1970. However, the majority of cities with an expanding base are located in the South and West, with the remaining in small to mid-size cities in the Mid-west.³⁷

³⁶The President's National Urban Policy Report, 1980, p. 1-17.

³⁷Ibid, p. 1-16.

CHAPTER III

REASONS FOR THE GROWTH MANAGEMENT MOVEMENT

Heedless growth in terms of population, geographic size, commercial or industrial development, or government bureaucracy is increasingly being perceived as a public problem.

At the world level, the main problem is seen as continued growth of all kinds despite limited resources and carrying capacity of the earth. According to the "Limits to Growth" study published by Dennis Meadows and his colleagues at the Massachusetts Institute of Technology in 1972, the world economy will catastrophically collapse in the next 40 to at most 100 years unless exponential growth of world population stops relatively soon. Related to exponentially growing world population are pollution of the environment, marginal world food production, the increasing disparity in living standards between citizens of rich and poor nations, and the depletion of non-renewable resources because of industrial use.¹

Along these lines, various books forecasting the coming shortage of resources and their consequences are resulting in hoarding of

¹J. Ross MacDonald, "The Problem of Growth and the Limits to Growth," in Management and Control of Growth -- Issues, Techniques, Problems, Trends, Vol. I, Randall W. Scott, David J. Brower and Dallas Miner, ed., (Washington, D.C.: The Urban Land Institute, 1975), p. 311.

foodstuffs and other necessities. Some are even arming themselves and setting up fortresses for protection against the inevitable social breakdown. This doomsday scenario assumes that man is an acquisitive, competitive and aggressive animal with a social ethic of work, struggle and achievement.

Local Communities Are Against Growth

Undoubtedly the desire of many states, cities and suburbs to stop or limit growth has much to do with the concern about unlimited growth at national and world levels. Many believe that the city, metropolitan or state level is the place to start controlling the population problem.

Towns, counties, and states have historically competed with each other to attract new business and residents with the unquestioned assumption that bigger is better.² Recently, however, emphasis on growth and change is being replaced by a concern for stability, protection of the environment and a greater sense of community.³ Land use and growth are now being identified as the two most serious environmental problems and this concern is being reflected in increasing

²Richard D. Lamm and Steven A. G. Davison, "The Legal Control of Population Growth and Distribution in a Quality Environment," Denver Law Journal, 49(1972); 2.

³Council on Environmental Quality, Environmental Quality: The Fourth Annual Report of the Council on Environmental Quality (Washington, D.C.: U.S. Government Printing Office, 1973), pp. 1-40.

citizen involvement in land-use decision-making.⁴

To date, major support for controlled growth has come from homeowners in rural areas, environmental groups, central city businessmen, and planners. Homeowners are concerned about higher property taxes for schools, increased need for fire and police protection, and expanded sewer and water systems, roads, and other services associated with increased residential development; environmental groups are concerned about the rapid depletion of natural resources from haphazard growth; and central cities have become alarmed at the exodus of people, industry, and commercial enterprises to the suburbs.⁵

In an analysis by Brower et al. of thirteen communities enacting some form of growth management controls, it was found that reasons include holding down municipal service costs, a desire to maintain the existing lifestyle, and the wish to preserve environmentally sensitive areas and to protect prime agricultural lands.⁶

Fiscal Reasons

Communities experiencing rapid population growth are faced with the need to upgrade existing public services. An expanding population

⁴Council on Environmental Quality, Environmental Quality: The Fifth Annual Report of the Council on Environmental Quality (Washington, D.C.: U.S. Government Printing Office, 1974), p. 1.

⁵Gunnar Isberg, "Controlling Growth in the Urban Fringe," in Scott, Brower and Miner, Vol. III, p. 30.

⁶Brower et al., Urban Growth Management through Development Timing, p. 109, cited by Burrows, p. 11.

puts increasing demands on water, sewer, safety (police and fire), road maintenance, snow removal, school busing, power, and trash removal -- which are reflected in budget demands. As government officials have come to realize this, they have become more reluctant to approve new development.⁷

The evidence on how public costs are affected by population growth is not, however, clear. It seems to depend very much on the particular characteristics of both the community involved and the growth that occurs. For larger communities, several studies have indicated that most per capita service costs rise rather than fall as communities get larger.⁸ There is also a growing body of evidence which, while not conclusive, shows that cities beyond a given point experience "diseconomics of scale" resulting in higher per capita taxes. In every tax category -- property, general sales, selective sales -- the per capita tax rate increases for cities between 200,000 and 500,000 when compared with communities of less than 50,000. All these rates increase again when comparing the former with cities of over one million.⁹

For smaller communities, on the other hand, average costs may fall with further development as facilities become used to capacity. With extensive growth, however, existing residents may end up paying higher taxes for the same level of service they received before because

⁷So et al., p. 413.

⁸The Growth Shapers, p. 10.

⁹Lamm and Davison, p. 5.

they would now be paying for facilities built to serve future populations.¹⁰

Suburbanization may also bring problems for farmers in the form of forced liquidation of the families' landholdings upon the death of the farmer to pay inheritance taxes, rising property taxes, and the temptation to liquidate the substantial equity in property as suburbanization drives land prices for residential subdivisions higher.¹¹

Social/Personal Impacts

With suburbanization comes both gains and losses. The gains are a better quality of life for many people seeking relief from a highly urbanized society, while the losses are the destruction of much of the quality of life sought by the refugees through the construction of more residences, shopping centers, parking lots and facilities required to support more people.¹²

Social impacts involve relationships between individuals and are generally intangible and difficult to quantify.¹³ They may include considerations such as the presence or absence of community focus and

¹⁰The Growth Shapers, p. 10.

¹¹John V. N. Klein, "Preserving Farmland on Long Island," in Management and Control of Growth -- Techniques in Application, Vol. IV, Frank Schnidman, Jane A. Silverman and Rufus C. Young Jr., ed., (Washington, D.C.: The Urban Land Institute, 1978), p. 145.

¹²Ibid, p. 144.

¹³Peter Fisher, Land Use Controls and the Costs of Urban Fringe Development (University of Iowa, The Institute of Urban and Regional Research, January, 1980), p. 2.

identity, loss of rural character and personal security, fear of crime and the spread of "undesirables" from the central city which a low- or moderate-income project portends, fear of diminished property values from commercial or high density encroachment, fear that the quality of the educational system will be reduced, and the fear of change and alteration of familiar neighborhood patterns.¹⁴

Fueling this resistance to change is the dichotomy of city and suburbs, the increased level of seemingly unresolvable social problems, and a growing disenchantment with major reform programs, including federally subsidized housing, urban renewal, and so on.¹⁵

Another reason given by those in favor of growth control is that as population grows, local residents will face increasing competition for jobs and other services from the new in-migrants who may be younger, better-trained, and more employable than existing residents. Old people and those on a fixed income would be particularly hard hit because growth will bring a higher cost of living through such things as an increase in property taxes. Also population growth may encourage more national firms to move into the area, which in turn would place pressure on local retail and industrial developments. Any of the local retail firms whose products are easily imitated are likely to be injured by increased population growth, for example, the local hamburger stand that has to compete with a new McDonald's.¹⁶

¹⁴Scott, Brower and Miner, Vol. III, p. 111.

¹⁵Scott, Brower and Miner, Vol. I, p. 7.

¹⁶Finkler, Toner and Popper, p. 96.

Others argue that the benefit of growth management is that it keeps the local population down. In all countries and during all historical periods, wages have been consistently higher in large cities than in smaller ones, and this remains true even if differences in the makeup of city and non-city populations are adjusted for. The argument for controlling growth is that wages are higher in larger cities to compensate workers for the net disamenities found there.¹⁷

Environmental Impacts

Environmental impacts generally involve a spillover of costs, whereby one person's use of land alters the surrounding environment in a way detrimental to others.¹⁸ Environmental costs associated with the urbanization process included silted streams, flooding, erosion, polluted air and water, and the destruction of unprotected open space and natural features.¹⁹ In terms of water quality and supply, the removal of vegetation, the construction of impermeable surfaces, alterations in the slope of the land and the natural drainage patterns, the disposal of liquid wastes through septic tanks or community systems, the disposal of solid wastes, and the construction of wells and withdrawal of water from aquifers, streams and rivers -- combine to produce the potential

¹⁷R. C. Ellickson, "Suburban Growth Controls: An Economic and Legal Analysis," Yale Law Journal 86(1977), 443.

¹⁸Fisher, p. 2.

¹⁹Council on Environmental Quality, The Fifth Annual Report, p. 6.

for greater soil erosion, flooding, pollution of ground water and surface water, and depletion of aquifers and/or reduction in stream flows.²⁰

Problems Associated with Urban Sprawl

Urban sprawl is thought to have a number of undesirable consequences including higher energy consumption, adverse effects on water quality and supply, higher public service costs, reduced viability of agricultural land, encroachment on wildlife habitat, loss of valuable recreational and open space land, congestion on highways, and social problems created by conflicting lifestyles.²¹

Impacts on Agricultural Land. -- Urban sprawl entails the conversion of land from agricultural and other life-supporting uses, such as forest and wetlands, to urban and transportation uses. Between 1940 and 1969, this process absorbed 23 million acres in the mainland states, three times the amount converted during the previous thirty years, raising the total portion of U.S. land in urban and other built-up areas from 37 to 60 million acres. Since World War II, urban sprawl has consumed some of the most valuable American farmland, in addition to wetland and forest resources. Of the acreage converted between 1959 and 1969, about 40 percent (3.0 million of 7.3 million acres) had recently been in productive agricultural use.²²

²⁰Fisher, p. 19.

²¹Ibid, p. 1.

²²Alan Altshuler, James Womack and John R. Pucher, The Urban Transport System, Policies and Policy Innovation (The Massachusetts Institute of Technology, 1979), p. 379.

Though only fragmentary data are available, the prime culprit in the conversion of farmland appears to be low-density sprawl.²³ A 1971 Department of Agriculture survey of 96 counties in twelve northeastern states established that 85 percent of their acreage converted from agriculture during the 1950's went for new residences with an average density of two units per acre; development at townhouse densities of nine units per acre would have cut the required acreage by three-quarters.²⁴ Moreover, it is estimated that between 1960 and 2000, approximately 47 million more acres of agricultural land will be developed.²⁵

From the information that is available regarding farmland conversion, it appears that the nation's good quality agricultural land is being threatened by continued rapid urban development because many of the same features that make land attractive for farming, such as level terrain, the absence of dense natural vegetation, the presence of good topsoil, and good drainage also single it out as a desirable target for subdivision development.²⁶

Development represents an irreversible and irretrievable commitment of natural resources in the form of land because it is very

²³Ibid.

²⁴U.S. Department of Agriculture, Urbanization of Land in the Northeastern United States, Economic Research Services, Miscellaneous Publication 485, cited by Altshuler, Womach and Pucher, p. 12.

²⁵Jerome G. Rose, "Myths and Misconceptions of Exclusionary Zoning Litigation," Real Estate Journal 8(1979), 106.

²⁶The President's National Urban Policy Report, 1980, p. 9-18.

difficult and costly to convert land from urban use back to its natural state. Scattered development tends to have greater impact on farming even though the total land consumed may be no more than compact development because the costs of farming increase with scattered development as a result of increased travel between fields and inefficiencies in operating large equipment on small or irregular plots. In addition, because land farther away from the city is generally cheaper and lots tend to be larger, the same number of households may consume more land when sprawl occurs rather than compact development.²⁷

Although estimates on farmland conversion differ, the Economics, Statistics and Cooperative Service of the United States Department of Agriculture has estimated that of the approximately 750,000 acres of "rural" land currently lost to development each year, 300,000 acres were actually employed in crop production. On the other hand, there is a national base of approximately 400 million acres already in cropland use and more farmland is brought into production each year, through draining and irrigation, than is lost to urban development. Thus, based on presently available information, the long-run argument against urban encroachment on farmland seems to rest more heavily on the quality and location of the lands lost than the amount of acreage.²⁸

Flooding and Water Supply Problems. -- There are a number of activities associated with urban development which combined produce the

²⁷Fisher, p. 23.

²⁸The President's National Urban Policy Report, 1980, p. 9-18.

potential for flooding and depletion of aquifers and/or reduction in stream flows.

The removal of vegetation and the substitution of impervious surfaces such as streets, pavement and roof tops tend to increase stormwater runoff thus reducing the quantity of water percolating through the soil for groundwater recharge and increasing the propensity for downstream flooding. Scattered development requires somewhat more paved area than clustered communities.

Erosion. -- Construction contributes to soil erosion by removing the natural vegetation and exposing the soil underneath to wind and water erosion and also by altering the slope of the land. Wolman found that the tonnage of sediment derived by erosion from an acre of land under development or from highway construction may exceed 20,000 to 40,000 times the amount eroded from farm and woodlands in an equivalent period of time.²⁹ With denser development, sediment during construction may be 80 percent less than with sprawl development.

Water Quality. -- Land use in all forms affects water quality. Agricultural use results in an increase of nutrients in stream water both from excretion products of farm animals and from commercial fertilizers. A change from agricultural use to residential use tends to reduce these types of nutrients but this is counteracted by the widely scattered pollutants such as beer bottles and other garbage associated

²⁹M.G. Wolman, Problems Posed by Sediment Derived from Construction Activities in Maryland -- Report to the Maryland Water Pollution Control Commission, cited by Luna B. Leopold, Hydrology for Urban Land Planning - A Guidebook on the Hydrologic Effects of Urban Land Use (Washington: Geological Survey Circular 554, 1968), p. 12.

with man.³⁰ When compared to development occurring within established areas, development on the fringe or in rural areas may be subject to very different controls and will generally utilize different systems for water supply, sewage disposal and stormwater management.³¹ The use of both wells and septic tanks, if not properly designed, may result in groundwater contamination. The addition of nutrients into streams tends to increase the dissolved-solids content and decrease the dissolved-oxygen content thus affecting the balance of the stream biota.

Impacts on Wildlife.-- Development of a scattered rather than compact nature has a pronounced impact on the quality of wildlife by requiring many miles of roads, generating additional traffic and disturbing winter range areas.

Subdivision of winter range and other critical areas such as calving grounds, migration routes, and nesting areas affect wildlife over wide areas. Permanent structures, the loss of browse and bunch grass for road construction, and the clearing of trees and brush result in a permanent loss of foraging areas and cover -- two vital components of wildlife habitat. Next to the actual loss of habitat, the greatest threat to wildlife are activities associated with development and human occupancy. Constant human activity in a locality will cause some wildlife species to leave the area. Pets may harass wildlife and destroy birds' nests, fences can disrupt herd movement and are a potential cause of accidental death, and sewage may pollute watersheds.

³⁰ Leopold, p. 2.

³¹ Fisher, p. 20.

In addition, creation of new roads for subdivision development has created access to formerly back country areas, permanently removing acres of wildlife habitat and encouraging harassment of wildlife through ease of vehicular access.³²

Energy Usage. -- Studies by the New York Regional Plan Association and the Real Estate Research Corporation both found that sprawl communities utilize more energy than compact communities. The former study found that per-capita energy consumption for all purposes combined in the New York region was 32 percent below the national average, with consumption in the city itself being 45 percent below average.³³

The Council on Environmental Quality's Costs of Sprawl study was an analysis of six prototype hypothetical communities using data from empirical studies done by others. Typical site conditions and an absence of any existing infrastructure (roads, sewers, etc.) were assumed at the site and standard cost figures were used to estimate the costs of building alternative types of development. Costs were estimated for neighborhoods of 1,000 units and for communities of ten neighborhoods. Whereas different neighborhood types were assumed to require different amounts of land for the dwellings, all communities were assumed to contain 6,000 acres. The neighborhoods also differed slightly in population, depending upon the housing type, whether townhouse, walk-up apartment (two stories), or high-rise apartment (six

³²Five Valleys District Council of Governments, Natural Resources in the Five Valleys Area (Missoula, Montana, October, 1980), p. 12.

³³Altshuler, Womack and Pucher, p. 380.

stories), whereas the communities contained the same population. Findings were then derived for three basic community types: low-density sprawl (3.5 units per acre), combination mix, and high-density planned (19 units per acre).³⁴

The Costs of Sprawl found that with respect to overall energy consumption, the well-designed high-density community would require up to 44 percent less energy than the typical low-density community. Heating and air conditioning requirements are related primarily to the type of dwelling unit with denser developments having lower demand than single-family units.³⁵ This is due to savings in heating fuel obtained in high-density patterns because of shared walls, and installation of larger, more efficient furnaces to serve more than one unit. However, most of the energy savings attributed to higher density development result from savings in transportation fuel. High density communities, being compact, reduce the average mileage of local trips, and thereby save gas. Also, other modes of transportation can replace cars for some purposes -- mass transit for work trips and walking for light trips.³⁶

³⁴Council on Environmental Quality, The Costs of Sprawl, Executive Summary, for the Council on Environmental Quality; The Office of Policy Development and Research, Department of Housing and Urban Development; and the Office of Planning and Management, Environmental Protection Agency, by Real Estate Research Corporation (Washington, D.C.: U.S. Government Printing Office, April 1974), pp. 1-2.

³⁵Ibid, p. 5.

³⁶The Growth Shapers, p. 15.

Taken together, urban passenger transportation and residential space heating and cooling account for close to 20 percent of the total energy consumed in the United States. An additional 9 or 10 percent is accounted for by transportation of goods in urban areas and the heating and cooling of commercial buildings.³⁷

Sprawl Costs. -- Any type of land development is expensive, but there is substantial evidence that economic costs are strongly affected by development patterns. In terms of public and private investment costs to occupants, taxpayers and municipal governments, it appears that low-density sprawl communities cost more than compact communities because it is more costly to serve outlying areas. Moreover, residents of non-contiguous developments rarely pay the full costs of serving these areas but pay only the same average cost as other city taxpayers, thus raising average costs and having all city residents pay more for services.³⁸

In the Costs of Sprawl, costs for utility lines were analyzed at the neighborhood and community level for different types of development. The analysis showed that substantial savings in the capital costs of fixed network services could be obtained through high-density development because larger pipe diameters and street widths in dense development was more than offset by the reduction in the length of the network.³⁹ Total capital cost, public and private combined, of the

³⁷The President's National Urban Policy Report, 1980, p. 9-2.

³⁸Fisher, p. iii.

³⁹Ibid, p. 31.

high-density community would be 44 percent less than that of the typical low-density community and 21 percent less than the combination-mix community, with the largest cost savings in construction of residential dwellings and important savings due to reduced costs for roads and utilities.⁴⁰ It would appear that as development is spread out, all costs except the capital cost of land are uniformly higher.⁴¹

Air Pollution Costs. -- Air pollution has two major sources: automobile emissions and residential heating. Air pollution resulting from automobile travel is clearly higher when development occurs at lower densities because travel distances, which cannot be completely offset by making fewer trips, are increased.⁴² The Costs of Sprawl found that the high-density planned community generates about 45 percent less air pollution than the low-density sprawl community with a reduction of 20 to 30 percent due to less automobile travel.⁴³

It is important to note, however, that although the high-density community generates less air pollution, it does so in a smaller area, resulting in a higher amount of pollution generated per developed acre.⁴⁴ For example, air pollution from natural gas used by residences is reduced by more than half at densities of 10 units per acre compared

⁴⁰The Costs of Sprawl, Executive Summary, p. 3.

⁴¹The Growth Shapers, p. 10.

⁴²Fisher, p. 22.

⁴³The Costs of Sprawl, Executive Summary, p. 4.

⁴⁴Ibid, p. 4.

to densities of 2 units per acre, but the concentration more than doubles at the former density.⁴⁵

The impact of automobile emission on human health depends, therefore, not only on the level of emissions but also on the pattern of dispersion of pollutants in the atmosphere.⁴⁶ Studies indicate that more individuals are exposed to risks from air pollution when they live and work in densely concentrated areas than in areas of low-density development.⁴⁷ Interestingly, in many cases one of the primary reasons for moving out of the city into rural areas is to seek a cleaner environment including less pollution. But in the long run this trend tends to contribute to urban sprawl and increased air pollution.

In general, moderate overall densities, with lower air pollution emission rates, are likely to lead to better local and regional air quality. Moreover, planned communities with greater amounts of open space for absorbing pollution will tend to have better air quality than sprawl communities, no matter what the density.⁴⁸

⁴⁵Council on Environmental Quality, The Costs of Sprawl, Detailed Cost Analysis, for the Council on Environmental Quality; The Office of Policy Development and Research, Department of Housing and Urban Development; and the Office of Planning and Management, Environmental Protection Agency, by Real Estate Research Corporation (Washington, D.C.: U.S. Government Printing Office, April, 1974), p. 18.

⁴⁶Fisher, p. 22.

⁴⁷The President's National Urban Policy Report, 1980, p. 9-14.

⁴⁸The Growth Shapers, p. 13.

Positive Effects for Central Cities

Some proponents of growth management claim that these controls can have positive results for older inner cities. For example, if newer, more desirable communities all clamp down on zoning for foot-loose industries, they may have to consider remodeling and other remedies in order to stay in inner cities where jobs are most needed. The same principle applies to residential and commercial development. Thus, strong non-growth policies in suburbs and non-metropolitan areas could result in more preservation and vitality in central cities by stemming the flight of people.⁴⁹

Another argument along these lines is that growth management may encourage in-filling of vacant land near sewer connections skipped over by past development.⁵⁰ However, in-filling of vacant land could cause an increase in property values and a corresponding increase in densities. As a result, local neighborhood groups, who may at first have approved of growth controls, may disapprove when they consider the full impacts of the in-fill concept.⁵¹ Moreover, the belief that it is better to revitalize the city centers than populate non-metro areas assumes that older cities have underutilized sewer and water

⁴⁹Finkler, Toner and Popper, pp. 19, 101.

⁵⁰Malcolm D. Rivkin, "Sewer Moratoria as a Growth Control Technique," in Management and Control of Growth -- Issues, Techniques, Problems, Trends, Vol. II, Randall W. Scott, David J. Brower and Dallas Miner, ed., (Washington, D.C.: The Urban Land Institute, 1975), p. 481.

⁵¹Heard, p. 26.

systems when on the contrary they may be overtaxed and falling apart.⁵²

Response to Fair Housing Laws

Others argue that the recent proliferation of growth management controls are in response to the fair housing laws and lower-income programs which attempt to promote equal housing opportunity.

For many years, the Low-Rent Public Housing Program, established in 1937, was the only program capable of serving the housing needs of lower-income families. Where public housing operated in metropolitan areas, it was confined largely to central cities because under the federal governing legislation, the program could not operate in a municipality unless the local governing body signed a "cooperative agreement" agreeing, among other things, to exempt the public housing project from real and personal property taxes, and to provide them with normal municipal services. The effect of this agreement was to permit localities, by mere inaction, to exclude public housing. Seldom did the issue reach the point at which municipalities that wished to exclude minorities from all or part of their jurisdictions had to use land controls for that purpose. Today the situation is quite different. Strong federal legal protection against housing discrimination exists, and a series of substantive housing programs have been established capable of producing a large volume of lower-income housing throughout both metropolitan and non-metropolitan areas.⁵³

⁵²Richard High, "Mixed Reviews for the Massachusetts Growth Policy," Planning 45(October 1979), 26.

⁵³Fair Housing and Exclusionary Land Use, p. 8.

CHAPTER IV

GROWTH MANAGEMENT PLANS

Every community already has a growth program in operation. Public attitudes toward growth, master plans, zoning procedures, building permits, industrial revenue bonds, capital improvement programs, transportation plans, tax rates and structures, and sewer and water extension policies are all policy instruments used to control growth in nearly every city in the country. Yet most local governments have not effectively mobilized these components into a coordinated growth program aimed at shaping future growth in accord with local goals. Moreover, where growth programs have been active, more has been done to promote growth than to discourage it.¹

Growth management can be defined as the utilization by government of a variety of traditional and evolving techniques, tools, plans and activities to purposefully guide local patterns of land use, including the manner, location, rate, and nature of development.² In this way, orderly and efficient use of public resources can be ensured while accommodating growth and maintaining environmental quality and

¹ Steve Carter, Kendall Bert and Peter Norbert, "Local Government Techniques for Managing Growth," in Scott, Brower and Miner, Vol. II, p. 333.

² Scott, Brower and Miner, Vol. I, p. 4.

the unique character of the community.³

Growth management, however, can mean different things to different people. To an "environmentalist," it is a device to preserve environmentally sensitive land; to a "developer," a plot to deprive him of his livelihood; to a "local resident," a way to maintain the present character of the community as well as halt the soaring tax rate; and to those desiring to move into the community, it may represent rising costs of housing which might prevent them from living there.⁴

The public's broad concern for the environment has been reflected in increasingly stringent new federal, state and local laws. Almost intuitively, many communities are deciding that their present size is optimum and are imposing certain restrictions which have a population-limiting effect.⁵ In many cases also, before development is allowed, adequate water and sewer service must be proved, critical environmental concerns must be answered, hazardous areas must be avoided, the area must be within a specific service area, and a demonstration of need must be presented.⁶

Boulder, Colorado was one of the first cities in the nation to actively pursue non-growth strategies. In 1971, citizens of Boulder

³Heard, p. 29.

⁴Stephen R. Seidel, "The Effect of Growth Controls on Residential Development," in Schnidman, Silverman and Young, Vol. IV, p. 313.

⁵Michael A. Agelasto II, "No-Growth and the Poor: Equity Considerations in Controlled Growth Policies," in Scott, Brower and Miner, Vol. I, p. 430.

⁶So et al., p. 399.

called for a population limitation, and later the state rejected the 1976 Olympic Games. Many communities followed this trend: Ramapo, New York; Petaluma, California; Dade County, Florida; San Diego, California; Baton Rouge, Louisiana; and Orange County, California are among the many local governments recognized for their concern with growth.⁷

Under the Ramapo, New York ordinance, before a subdivision, building permit, zoning or planned unit development can be approved, a subdivider is required to obtain a special permit. This permit will not be issued until the proposed development has accumulated fifteen development points based on the availability of minimum facilities and services (for example, the availability of sewers, roads, fire protection and parks). Another recognized tool to control growth is the annual permit limitation utilized by Petaluma, California, where only 500 building permits may be approved annually with the exception of small subdivisions of four or fewer lots and single-family in-fill on existing lots. A complicated point system measures factors such as architectural design, recreational facilities, environmental design, and availability of low- and moderate-income units.⁸

Other communities have developed similar concepts in an attempt, through incentive or regulation, to discourage or prohibit premature developments or development in an unacceptable location. The Minnesota legislature has passed a metropolitan area mandatory planning

⁷International City Management Association, "Strategies for Controlling Growth: A Collection of 13 Articles," in Scott, Brower and Miner, Vol. III, p. 252.

⁸So et al., p. 399.

bill which formalizes the urban service area concept which the Twin Cities has been developing. According to this bill, a city or county in the metropolitan area must adopt a land-use plan which designates the proposed location, intensity, and extent of land for various uses. They may also designate an "urbanized area" in which development will be permitted for the next five years. This effort on the part of the Twin Cities is by far the most comprehensive approach to phasing development in an area of numerous political jurisdictions.⁹

Many cities are also now measuring the social, environmental, and fiscal impacts of proposed developments before accepting annexation requests. Longmore, Colorado has defined in its plan a service area in which the costs of new development are lowest to the city. To amend the Prime Urbanized Area to make additional areas available for subdivision, the costs of providing services are measured against revenues expected from the development. In an attempt to make the new occupants bear the costs of additional services, the developer may be required to provide water, sewer, parks, streets, drainage and in some areas, school land. In addition, offsite improvements, such as bridges and major arterials, may be required.¹⁰

One of the most sophisticated anti-growth techniques that has emerged is sequential development controls or development timing, which add the dimension of time to the spatial controls associated with

⁹Ibid, p. 401.

¹⁰Ibid, p. 414.

zoning.¹¹ This concept is not a new one. Fagin, in 1955, stated that effective urban planning involved both time and space.¹² Underlying the idea of development timing is that development is desirable if it is the logical extension of an existing urban area and can be serviced by incremental expansion of existing facilities.¹³

Growth management control can be classified in a number of different ways: control over the amount of growth, control over the availability of land, and control of location and adequacy of facilities serving the growth. Controlling the amount of growth includes devices such as moratoria, annual permit limitations and cap rates. With moratoria and annual permits, the necessary building, water or sewer permits are either refused or only a certain number are permitted. On the other hand, the cap rate actually limits the number of people who can live in the area. Controlling the availability of land has the indirect effect of limiting population by minimizing the amount of developable acreage. Open space acquisition programs, agricultural zoning, rigid annexation policies or urban service areas achieve this purpose. Finally, control over location and adequacy of facilities control population by regulating necessary services such as water, sewer and roads.¹⁴

¹¹ Herbert M. Franklin, "Legal Dimensions to Controlling Urban Growth," in Scott, Brower and Miner, Vol. II, p. 234.

¹² Scott, Brower and Miner, Vol. I, p. 185.

¹³ Fred P. Bosselman, "Town of Ramapo: Binding the World?" in Scott, Brower and Miner, Vol. II, p. 104.

¹⁴ Burrows, p. 4.

Other growth controls include the refusal to accept subsidized housing or setting high standards through building and related codes, which can raise the cost of housing. Devices may also take the form of creating high local taxes that will discourage those who cannot afford them, maintaining very poor schools to make them unattractive to all except those who can afford to send their children to private schools, or refusing to provide utilities for large-scale development but allowing low-density development by permitting the use of septic tanks and wells. The municipality may also keep out those industries that would employ the moderate- and low-income groups, through regulation or the failure to provide the necessary infrastructure.¹⁵ In addition, municipalities may employ severe zoning restrictions on mobile homes, apartments and modest single-family housing, or even specify the age and family characteristics of households permitted in various neighborhoods.¹⁶

Growth control techniques may also be categorized by whether they are short-term, long-term or permanent controls. Short-term controls include interim development controls. Long-term controls, on the other hand, include subdivision regulation, landbanking, service areas, impact zoning, contract and conditional zoning, transfer of development rights, and controls which time development according to adequacy of capital facilities. Permanent controls include environmental controls such as floodlands, wetlands and shoreland zoning; population caps;

¹⁵William Alonso, "Urban Zero Population Growth," in Scott, Brower and Miner, Vol. I, pp. 408-409.

¹⁶Ellickson, p. 390.

conventional controls such as large-lot zoning and minimum floor area requirements; restrictions on types of housing; and exclusive industrial and agricultural areas.¹⁷

Techniques for Implementing Growth Management

1. Action Planning calls for area wide identification of problems, regional analysis, and carefully supervised expansion of local powers.
2. Capital Budgeting is a budgetary process which, when used to reduce the level of improvements or expansion of public facilities, can cause a lowering of the capacity to absorb growth.
3. Capital Programming involves the planning and scheduling of the provision of public services during a future time period in order to guide the location, timing, and quantity of development.
4. Fair Share is a concept most commonly used with regard to dispersal of low- and moderate-income housing, but it is applicable in terms of planning and programming for regional growth.
5. Regional Taxation may be utilized to collect, pool, and redistribute portions of local property taxes on a regional basis in order to reduce disparities and misallocations.
6. Administrative Delays may be intentionally pursued or may result from administrative inefficiencies, resulting in discouragement

¹⁷Robert H. Freilich, "Development Timing, Moratoria and Controlling Growth: Preliminary Report," in Scott, Brower and Miner, Vol. II, p. 362.

of development and increases in overall housing costs.

7. Annexation Policies may be used to secure jurisdiction over outlying areas that may not otherwise be in accord with the community's plans or overall growth management strategy.

8. Timing/Phasing involves the "sequencing" of facilities, permits, etc., in order to time the absorption of appropriate increments of growth.

9. Districts Tiered emphasizes development in certain "zones" prior to others and is usually used in conjunction with other tools.

10. Service Areas are certain sectors of the locality designated for specific public service levels. If utilized for extended periods, this can effectively limit the density and type of land use which is accommodated.

11. Rationing Methods consist of a range of methods, from restricting building permits to limiting sewer capacities for certain types of development.

12. Building Permits involve formal or unofficial restrictions on the location, type or total amount of permits in order to slow down development.

13. Building Moratoria may be instituted on subdivision requests, building permits, rezoning proposals, and variances to allow a "pause" for land use and facility planning.

14. Special Permits rather than allowing development as a matter of right, offer the opportunity for intensive administrative review.

15. Point Systems involve the awarding of points to projects according to evaluation systems set forth in ordinances. High thresh-

olds can limit the number and type of permits.

16. Special Districts involve the formation of districts which allow for unequal provision of services and non-uniform taxation.

17. Facility Adequacy is a method by which development may be conditioned on the adequacy and availability of public services and facilities.

18. Refusal to Extend Services may be practiced by communities because of the fear that new residents will be attracted.

19. Sewer Moratoria is a type of growth control which is enacted because of inadequate sewer facilities, combined with an actual or imminent threat to public health and safety, or to the environment.

20. Agricultural Zoning involves the designation of certain districts for agricultural use in order to preserve such activity, to maintain open space, and to limit land speculation and development.

21. Conservation Zoning limits growth in areas due to their fragile nature or unique value, for example, wildlife preserves, wetlands, aquifer recharge areas.

22. Greenbelts/Open Space Zoning may be done via the use of conservation zoning, condemnation, easements, etc.

23. Environmental Review is an environmental assessment procedure measuring development impacts.

24. Environmental Controls include those controls dealing with air and water quality, noise, flood control, etc.

25. Large-lot Zoning involves zoning of land to preserve open space or to encourage somewhat costly single-family dwellings, thus slowing growth or limiting the overall potential densities in the area.

26. Fee Simple Acquisition is being utilized by many communities who are being told that it is easier to buy up land than to have to provide services if it were developed.

27. Land Banking consists of the acquisition of land by a public body in advance of actual need in order to control the location and rate of development, and to reduce speculation.

28. Holding Zones are those areas zoned for agriculture or large lots and include the designation of areas for uses which are unlikely in the long run.

29. Excess Condemnation occurs when more land is obtained than is necessary for the immediate purpose concerned. At the time of acquisition it may be used for scenic or other reasons.

30. Carrying Capacity is an analytical tool which can aid in determining the "natural" ecological limitation of the land, in order to provide a basis by which development can be guided.

31. Transfer of Development Rights allows the right to develop to be transferred from one parcel to another.

32. Building Codes may consist of unrealistic code standards thus effectively excluding some types of units. For example, because of material specifications, prefabricated or mobile homes may be excluded.

33. Height Restrictions may serve to limit high-rise and multi-family development.

34. Aesthetic Controls may be used for regulating exterior appearance and design and may be utilized by some to reject or otherwise control development proposals according to perceived levels of

desirability.

35. Amenities Requirement involves requiring extensive provision of amenities such as central air conditioning and garbage disposals in each unit. While encouraging higher quality, this may significantly affect the costs of housing construction.

36. Parking Requirements may be unreasonable if too many spaces are required resulting in an increase in overall building costs.

37. Multi-family Prohibitions include actually prohibiting or otherwise limiting the building of or zoning for multi-family units, thus excluding lower-income people.

38. Mobile Homes may be restricted or prohibited in some communities due to their lower tax bases and in some cases their school loads.

39. Maximum Bedrooms may be specified where multi-family projects are allowed thus reducing the likelihood of large families establishing residence.

40. Minimum Floor Space or Lot Requirements can restrict the type and cost of housing built.

41. A Percentage Ratio may be imposed by which all multi-family units may not exceed the total number of single-family residential units within a community.

42. School Capacity may be used by communities to deny growth or to encourage developers to provide school sites.

43. Dedication/Fees may be required, either mandatorily or voluntarily, from the developer in the form of land with or without improvements or fees to cover public costs of the development.

44. Construction Taxes are often imposed on developers, according to amount of land area, volume of new units, etc., to obtain revenues, discourage construction, or recapture publicly-generated benefits.

45. User Fees can be structured so as to discourage development in outlying areas, as well as types and rates of facility usage. Each parcel of land is charged for the municipal services actually used or for those services maintained for it but perhaps never used, for example, fire and police protection.

46. Population Caps are formal population restrictions to which facilities, capacities, etc. must conform.

47. Impact Zoning is a technique used to determine the full range of development impacts in an attempt to understand and lessen prospective effects of growth.

48. Rezoning to increase, decrease, or "hold" densities and to alter types of land uses is a major control tool; cyclical rezoning can be further used to limit development.

49. Conditional Zoning, invalidated in some states, amounts to a method of "negotiation" whereby developers make concessions in order to obtain their requested zonings.

50. Incentive Zoning is a process by which land may be zoned or regulated so that developers may apply for higher densities or other incentives by meeting special additional construction or development requirements.

51. Down-Zoning is a process by which the allowable intensity of development is reduced on a parcel of land.

52. Exclusive Districts involve zoning for exclusive, rather than cumulative uses. In this way a municipality may restrict residential development.

53. Historic Districts may be designated in areas about to experience growth pressures in order to restrict development.

54. Planned Unit Developments utilize higher densities, mixed-use developments and amenities such as open space.

55. Industrial Recruitment is practiced by some communities. The type of industry deliberately planned for a community tends to influence the employment base, housing needs, rate of growth, etc. in that locality.

56. Initiative Method and Referendum Processes are often used by citizens to reverse or force actions by local legislative bodies. Rezoning and lower-income projects are frequently denied by these methods.

57. Negative Advertising can discourage people from moving into a community. For example, Oregon invites people to visit but not to stay, and Fort Lauderdale, Florida closed its publicity and advertising department after nineteen years in existence.

Many of the above growth management techniques are already in use by communities wishing to control their population growth. As more people become concerned about growth and as knowledge of these techniques becomes more widespread, we can expect to see their adoption by many communities throughout the United States.

CHAPTER V

SOME NEGATIVE EFFECTS OF GROWTH CONTROL

Effects on Construction Industry

In many growth management plans, the developer is burdened with exactions in the form of monetary or service donations which tend to increase the cost of housing, prohibiting construction of low- or moderately-priced structures.¹ Moreover, the developer is penalized not for the content of his proposal, but for the time at which he decides to build, when services are approaching the saturation point.²

In addition to the money that the developer must spend in meeting standards and providing amenities, growth controls affect developers in a number of ways. Delays encountered in project approval increase front-end administrative costs and land-holding costs. Also, the uncertainties associated with review procedures that provide few standards and great discretion to the reviewers make development, which is already a risky business, even riskier. Ironically, these added constraints make investment in innovative projects and the provision of

¹Burrows, p. 12.

²Ibid, p. 110.

low-income housing infeasible.³ Moreover because of economic necessity, developers might avoid large-scale land assemblages and large-scale development which is viewed very favorably by some growth-control advocates. Thus growth controls can be expected in some ways to work against the objectives of growth management.⁴ In addition, growth controls, which increase costs, may in the long run favor large developers over small ones, since the former can afford to spread the risk of refusal over several unrelated projects.⁵

Builders tend to regard fees and taxes as part of the total cost of development -- just like land, sewer, concrete, steel, lumber, or the cost of money.⁶ For example, in municipalities where there are moratoria on hookups to existing sewers, developers may be forced to install "package treatment systems" which add to the cost of housing in the short run and create substantial maintenance and monitoring costs for the locality in the future.⁷ Thus a profit is added to the costs, the new figure becomes the selling price and consumers, not builders, bear the costs of growth management in the price of their new homes or

³Donald C. Priest, "Epilogue: Managed Growth and the Future of City Building," in Scott, Brower and Miner, Vol. III, p. 544.

⁴Ibid, p. 545.

⁵Robert G. Healy, "Issues in Implementing State Land Use Laws," in Schnidman, Silverman and Young, Vol. IV, p. 272.

⁶Jay Janis, "Impact Taxes: Unfair (Good Intentions Aside)," in Scott, Brower and Miner, Vol. I, p. 290.

⁷Council on Environmental Quality, The Fifth Annual Report, p. 62.

apartments.⁸ This ability to pass part of the cost on to the final consumer depends, of course, on the elasticity of demand for the product and the elasticity of supply. In general, if there are many good substitutes, the developer absorbs most of the costs but if substitutes are few, the consumer must bear most of the burden.⁹

As mentioned earlier, some advocates of growth management claim that controlled growth in suburban and non-metropolitan areas may benefit inner cities by encouraging in-fill and rehabilitation of older buildings. However, this does not appear to be true. According to a 1973 survey conducted by the Urban Land Institute, developers view new suburban construction and inner city rehabilitation as almost completely different enterprises. Therefore, unless there are parallel efforts to publicly support rehabilitation efforts, rehabilitation in inner cities by the development industry cannot be expected to occur.¹⁰ A second survey also conducted by the Urban Land Institute in 1974 came to basically the same conclusions.¹¹ Thus it appears that short-term no-growth controls in most areas of the country are not causing any rehabilitation in inner cities because of a number of reasons: the nature of growth controls themselves, the perception of developers of the ways to respond

⁸Janis, in Scott, Brower and Miner, Vol. I, p. 290.

⁹Healy, in Schnidman, Silverman and Young, Vol. IV, p. 272.

¹⁰Donald E. Priest and Randall W. Scott, "Impact of No-Growth on Rehabilitation Production," in Scott, Brower and Miner, Vol. III, p. 241.

¹¹Ibid, p. 244.

to these pressures and the range of alternatives available to them, and the views held by builders of the difficulties associated with rehabilitation work.¹²

As a result of these perceptions by builders and the availability of land farther from the municipality not covered by growth controls or less stringently controlled land in a nearby municipality, growth controls in one municipality may shift growth to another area and/or encourage sprawl. Thus some of the demand for new units that would be met in growth centers in the absence of restrictions may be transferred to rural sites. The price of new units on such sites would not be higher than those provided in growth center sites because the rural units would not be hooked up to sewage and water treatment plants or served by well-graded streets or sidewalks.¹³

While such infrastructure will reduce the monthly cost of homeownership, it does so by transferring costs from the individual homeowner to all present and future users of the region's environment. Moreover, if in the long run, the population of these areas grows more politically powerful, they will call for the public improvement of substandard roads, the replacement of wells and septic tanks with modern treatment plants, and the provision of school, police and fire services. In all probability, the cost of providing such infrastructure

¹²Ibid, p. 241.

¹³Claude Gruen, "The Economics of Petaluma: Unconstitutional Regional Socio-Economic Impacts," in Scott, Brower and Miner, Vol. II, pp. 183-184.

at this stage will be more expensive than if they had originally been built to "urban standards".¹⁴

Effects on Housing Prices

A system of land use control that severely restricts the supply of developable land around an urban area in order to force compact contiguous development is very likely to produce substantial increases in land and housing costs within the developable urban area.¹⁵ Such a system can also redistribute property wealth from landowners outside the developable ring to landowners within the ring, as the land price differential increases.¹⁶

In Sacramento County, California where growth controls are in effect, the assessed values per acre of agricultural land, that land outside the developable urban area, declined severely after the plan was in effect; their original higher value was attributable to development expectations or speculation.¹⁷

It is clear from the experiences of a variety of metropolitan areas in the United States and abroad that growth controls will raise the price of developable land, which in turn will be reflected in higher

¹⁴Ibid.

¹⁵Fisher, p. iii.

¹⁶Ibid, p. 17.

¹⁷Heard, p. 27.

costs of housing.¹⁸ In Canada, an interesting contrast is provided by Toronto, Calgary, and Saskatoon. In the early 1960's, Toronto adopted a growth-control policy which has been very effective, but in the face of rapid population growth, the price of a standard building quadrupled between 1964 and 1974, reaching \$23,000 at that time. Calgary, on the other hand, with a comparable income level and growth rate during this period, but with few growth restrictions, developed in a low-density sprawl fashion, and by 1974, land was 40 percent cheaper than in Toronto. Finally, the City of Saskatoon, through the operation of a public land bank, has been able to exercise close control over development and still maintain low land prices -- \$4,230 for a standard lot in 1974.¹⁹

Boulder, Colorado is another example of this phenomenon. As a result of Boulder's strong land-use controls, both the cost and supply of land for residential development has been affected resulting in high-priced single-family units and multi-family apartments and townhouses. This has created a shortage of moderately-priced single-family dwellings, leading many moderate-income households to locate outside of Boulder.²⁰ In an effort to preserve some middle-income housing in

¹⁸Fisher, p. 15.

¹⁹Thomas A. Muller and George E. Peterson, Economic and Fiscal Costs, Land Use Center Working Paper: 5049-19, pp. 13-20, cited by Fisher, p. 16.

²⁰James A. Murray, "Some Effects of Local Land Use Controls in Housing Markets in Boulder, Colorado," in Impacts of Land Use Planning, compiled by Maurice Baker (University of Nebraska - Lincoln, Department of Agricultural Economics, Nebraska Agricultural Experiment Station, September, 1974), p. 58.

Boulder, the City Council, in May 1980, approved an ordinance under which owners of moderate-priced housing may charge only the original price plus the cost of major improvements and are also entitled to a percentage equal to the increase in median income between the time of purchase and resale. Although the ordinance does not specify what constitutes moderate-income housing, the Boulder Housing Authority defines it as a single-family house priced at about \$52,000.²¹

The cost increases caused by land-use controls have their most direct impact on consumers of threshold housing, the cheapest new housing available without government subsidy. Purchased by those earning between \$8,000 and \$15,000 a year, these units are usually built on cheap land at the fringes of the urban area, or at a higher than average density or both.²²

On an annual basis, new housing construction accounts for only one to three percent of the total stock. Therefore, the homes built today are likely to be occupied for 40 years or more. However, this net annual addition provides the safety valve that prevents demand pressures from either raising the price of the existing units or lowering the quality of portions of the stock.²³

Most housing for lower-income households is not new but used, because even in the absence of direct limitations on supply, other

²¹Sandra Kashdan, "A New Housing Law for Boulder," Planning 46(Sept. 1980), 8.

²²Healy, in Schnidman, Silverman and Young, Vol. IV, p. 274.

²³Nina J. Gruen, "In the Land Use Game...Who Gets the Monopoly on the Good Life?" in Schnidman, Silverman and Young, Vol. IV, p. 317.

governmental restrictions have placed the cost of new housing out of the reach of households that earn approximately \$8,000 a year and less. Thus, constraints on the supply of housing penalize two levels of income households: those who would purchase the new housing, and those who would purchase the used housing vacated by those purchasing new housing. It is this "filtration" process that most affects the poor and inner-city dweller, because the kinds of housing made available through filtration are mainly of benefit to low-income households.²⁴

If inner-city housing stock, which already tends to be older and more obsolete, is placed in a "tight" housing market by demand created through growth controls, quality declines as housing that is old and should be replaced remains in the market to service demand. In addition, landlords tend to forego maintenance of rental units if demand permits, allowing them to rent the same housing at the same or higher rents without maintaining quality.²⁵

The reduction in the percent of net additions in situations where demand remains high may result in widespread price-raising that has a polarizing effect on housing quality. Those consumers in the lower-income bracket cannot afford to pay, if they own their own units, or bargain, if they rent, for increased quality. For those lower-income households who do manage to buy their own house, the mortgage payments would probably consume all the income that the householder can

²⁴Malcolm A. Misuraca, "Petaluma vs. the T. J. Hooper: Must the Suburbs be Seaworthy?" in Scott, Brower and Miner, Vol. II, p. 202.

²⁵Ibid, p. 203

devote to shelter, leaving little to maintain the unit's quality. On the other hand, the higher-income consumer, noting that the value of his house continues to rise and confident that he can realize his investment at the time of sale, will be encouraged to improve his structure. Moreover, the social character of the neighborhood can be expected to change as the poor are barred from entering because of rising prices.²⁶

In addition to the moderate- and low-income households who, because of growth controls, may be prevented from moving into a municipality or forced out because of high housing prices, those that actually buy housing at the inflated prices will suffer along with those who like the community too much to move out and who will have to pay higher rents when they renew their leases.²⁷ On the other hand, present owners who sell their homes to relocate in areas where the housing market is not constrained beyond the usual zoning and subdivision regulations will gain a windfall profit.²⁸

An uneven economy and possible increased capital and operating costs will mean that future supply of rental units may be inadequate to meet housing needs. As a result, increasing pressure will be placed on the existing supply. Displacement of the poor, while not a major

²⁶Nina J. Gruen, in Schnidman, Silverman and Young, Vol. IV, pp. 317-318.

²⁷Ellickson, pp. 509, 402.

²⁸International City Management Association, "Strategies for Controlling Growth," in Scott, Brower and Miner, Vol. III, p. 259.

problem in most cities, may become one if neighborhood revitalization efforts proceed without concern for the housing needs of lower-income residents.²⁹ A recent study by a government-sponsored commission warned that the nation faces a severe housing shortage unless it slashes regulations and changes tax laws to help Americans who are priced out of the housing market because of exclusionary zoning and unnecessary, time-consuming building codes, which, according to some economists, can add up to 25 percent to the cost of housing. Underlying the report was a deep concern that a shortage of rental housing and the rising cost of homeownership could trigger serious social problems.³⁰

Over the last decade, one of the most significant aspects of housing has been the rising cost in relation to other costs and income. This has priced the single-family house out of the reach of many households. According to preliminary 1980 figures, between 1975 and 1980, the median price of a new single-family home across the nation increased from \$39,300 to \$64,600, an increase of 64 percent in five years.³¹ By 1977, nearly half of suburban renters were paying at least 25 percent of their income for rent, and 28 percent were paying more than one-third. Using the traditional standard that expenditures

²⁹The President's National Urban Policy Report, 1980, p. 13-14.

³⁰The Missoulian, 21 November 1981.

³¹U.S. Department of Commerce, Bureau of the Census; U.S. Department of Housing and Urban Development, Construction Reports, New One-Family Houses Sold and For Sale, December 1980 C25-80-12 (Washington D.C.: U.S. Government Printing Office, February 1981).

for housing should not exceed 25 to 30 percent of total income, this indicates that affordability is a growing concern for suburban renters, although the problem is less critical than in the central city, where one in three renters pays in excess of one-third of their income for housing.³²

As a result of the increase in housing prices, there has been increased interest in less expensive forms of housing such as town-houses, condominiums and mobile homes.³³ Also a fundamental change has taken place that could create the necessary conditions for a change in housing types. There has been a dramatic increase in young childless households resulting from the decreasing birthrate and the maturation of persons born during the post-war baby boom. Between 1960 and 1970, the population of the 16-to-24 age group increased by 10 million. During the same period, there was rapid growth in the "singles" population, with single persons over 14 years of age increasing by 9.7 million, or 36 percent, while the married population increased by 2.3 million, or 11 percent.³⁴

Reinforces Segregation by Race and Income

According to demographic studies, younger better-educated people tend to make many more interstate and intercounty moves. More-

³²The President's National Urban Policy Report, 1980, p. 7-14.

³³Ibid.

³⁴Donald E. Priest and J. Thomas Black, "The Central City: Time for Resurgence?" in Scott, Brower and Miner, Vol. III, p. 247.

over, professional people and those in higher occupational categories make more long-distance moves than laborers and those in lower occupational groups, thus altering the composition and structure of the local population. Specifically, such out-migration leaves behind an increasingly disadvantaged population whose needs mount as the municipality's capacity to meet them erodes.³⁵

Many growth management plans have the effect of concentrating the poor and racial minorities in the cities by restricting construction of the kind of housing that would facilitate their residence in the suburbs, or by imposing requirements that necessarily increase the cost of housing beyond their financial capacity.³⁶

With the exception of the South, where more than one-quarter of the non-metropolitan population is black, whites account for 87.8 percent of the non-metropolitan population, blacks 9.3 percent, and persons of Hispanic origin 2.5 percent.³⁷ Likewise, the population of suburban areas has traditionally been white, middle-to-upper-income, and family-oriented. In 1970, only 5 percent of the suburban population was black and only 8 percent was below the poverty level. In contrast, 22 percent of central city residents were black and 15 percent had poverty-level incomes. Whereas three-quarters of suburban households were husband-wife families and fewer than one in ten was

³⁵Finkler, Toner and Popper, p. 5.

³⁶Fair Housing and Exclusionary Land Use, Foreword.

³⁷The President's National Urban Policy Report, 1980, p. 8-2.

headed by a female in 1970, blacks, low-income households, and families with female heads have now begun to participate in the spreading out of metropolitan population to the suburbs.³⁸ However, while blacks make up 12 percent of the total United States population, they represent only 6 percent of suburban residents.³⁹ Although incomplete, existing evidence indicates that blacks are much more centralized than expected on the basis of their socio-economic characteristics. For example, Kain and Quigley report that in the 11 largest SMSA's, a higher percentage of whites with incomes below \$3,000 live in the suburban ring than blacks with incomes above \$10,000.⁴⁰

Despite the back-to-the-city trend that is taking place in some parts of the country, the income gap between city and suburbs has continued to widen. Prior to 1960, most poor people lived in small towns and rural areas, but by the mid-1970's, 60 percent of the poor lived in metropolitan areas, with six out of every ten in the central city. Furthermore, the 5.6 million low-income persons residing in suburban areas in 1977 made up less than 7 percent of the total suburban population, compared with a poverty rate of almost 16 percent in central cities. The evidence indicates that low-income persons have not

³⁸ Ibid, p. 1-10.

³⁹ Ibid, p. 1-13.

⁴⁰ John F. Kain and John M. Quigley, Housing Markets and Racial Discrimination, cited by John Yinger, Prejudice and Discrimination in the Urban Housing Market, Discussion Paper D77-9 (Harvard University, Department of City and Regional Planning, July, 1977) pp. 31-33.

suburbanized appreciatively during the 1970's, and of those who have, one in every five is still concentrated in poverty areas.⁴¹

From all indications, during the 1980's overall rates of central city out-migration will be somewhat lower, but those who leave will continue to be among the more affluent. Moreover, because low-income people in general and minorities in particular are not likely to share equally in the income growth expected in the 1980's, they will be less able than whites and middle-income households to afford the higher rents found in areas with growth controls or to purchase homes there.⁴²

Effects on Cities' Tax Bases

Many older cities face the problem of a shrinking tax base. Growth controls in suburbs and non-metropolitan areas will contribute to this problem by allowing relatively more in-migration of upper-income residents compared to middle- and lower-income ones.

As people move out of cities, the city's share of federal revenue based on population moves out with them. Further, the income of those moving into the central city is generally lower than those moving out. Between 1970 and 1974, central cities, as a whole, experienced a net loss of \$29.6 billion in the aggregate personal incomes of residents because of the different income levels between immigrants and

⁴¹The President's National Urban Policy Report, 1980, p. 1-16.

⁴²Ibid, p. 12-11.

out-migrants and the large number of out-migrants.⁴³ In addition, as business and industry move out, expenditures in most distressed cities are growing much faster than increases in value of real property, the chief tax base in most municipalities.⁴⁴ Also, other erosions of the property tax base can come about through the increase in tax-exempt properties such as universities, hospitals and other non-profit institutions.⁴⁵ But even as urban blight sets in and services decline, there is little relief for the city taxpayer. In 1970, local taxes were 9.1 percent of residents' income in central cities compared to 6.8 percent in the suburbs.⁴⁶

Denial of Better Services to the Poor and Minority

The socio-economic imbalance created by some growth management controls tends to deny to the excluded groups the opportunity for better housing, better schools, greater employment opportunities and better services.⁴⁷

⁴³Peter V. McAvoy, "Tightening the Ring Around the Poor: Discrimination in Residential Development on the Basis of Wealth in South-eastern Wisconsin," Marquette Law Review 60(1977), 977.

⁴⁴Council on Environmental Quality, The Ninth Annual Report, p. 228.

⁴⁵So et al., pp. 479-480.

⁴⁶Council on Environmental Quality, The Ninth Annual Report, p. 228.

⁴⁷Jerome G. Rose, "The Courts and the Balanced Community: Recent Trends in New Jersey Zoning Law," Journal of the American Institute of Planners 39(1973), 266.

Segregation and discrimination in the housing market tends to concentrate those with a relatively high need for publicly-provided services and little ability to pay for them.⁴⁸ For example, households in the central city have relatively poor access to health care, because doctors and other health care professionals have followed the white middle-class exodus to the suburbs. As a result, it is difficult in many inner city neighborhoods to find private doctors. Consequently, inner city residents must frequently depend on hospital emergency rooms for routine medical attention. However, private and voluntary hospitals are often reluctant to take low-income patients, particularly for emergency services, putting the burden of hospital care for the poor in central cities on the shrinking number of public institutions. Moreover, as central cities are faced with increasing fiscal strain, and as middle-class residents who can pay for health care leave the city, health care services in cities are cut back, the number of hospital beds are reduced, programs are phased out, and health facilities are closed.⁴⁹

At the most general level, while neither the overall level of distress nor the severity of problems faced by suburban communities match those of central cities, some older suburban communities face many of the same problems as do needy central cities.⁵⁰

"Economic segregation" may also aggravate an already unfortunate situation, namely that the quality of educational facilities

⁴⁸The President's National Urban Policy Report, 1980, p. 10-2.

⁴⁹Ibid, p. 10-11.

⁵⁰Ibid, p. 7-2.

available to the children in the community depend to some extent on the affluence of their parents.

Growth restrictions can force increased separation between places of residence and primary employment centers, thereby increasing commuting costs and foreclosing various job opportunities for persons unable to absorb the higher travel costs or to utilize alternative modes of transportation.⁵¹ Moreover, public transportation systems are rarely designed to facilitate reverse commuting, thus making many suburban jobs not available by transit. Forty seven percent of blacks holding suburban jobs in 1975 commuted from the central city and 42 percent of those who rely on public transportation to commute from central cities to suburban jobs are black. Thus, dependence on public transportation by black workers severely restricts their ability to find and retain many suburban jobs.⁵²

Studies have consistently found that many people first hear about job openings from relatives or friends. Therefore, minority and poor workers living in segregated central city neighborhoods are much less likely to hear about available jobs in the suburbs than suburban residents. However, increased minority participation in the suburban job market should reduce this problem to some extent.⁵³

It should be recognized, however, that land-use controls are not solely responsible for the discrimination that exists or the

⁵¹Scott, Brower and Miner, Vol. I, p. 14.

⁵²The President's National Urban Policy Report, 1980, p. 10-15.

⁵³Ibid.

generally disadvantaged position of racial and ethnic minorities and the poor.⁵⁴ Although blacks represent only 6 percent of all suburban residents, they constitute almost 28 percent of the suburban poor. Clearly this shows that suburbanization alone does not insure upward economic and social mobility for minorities.⁵⁵ However, as long as minorities and the poor remain concentrated in the central city, they will lack equal access to the informal information network through which many jobs are filled. Furthermore, throughout the country, black unemployment and labor force participation respond to variations in the condition of the national economy. This suggests that the economic welfare of the disadvantaged might improve substantially if they enjoyed access to areas of more vigorous economic activity.⁵⁶ In addition, access to better services and schools should in the long run result in a healthier and better-educated population.

Effects on Employment in Communities with Growth Controls

If growth controls impair the supply of the local work force, employers can expect to have to pay higher wages to attract and keep employees. For example, rapid growth in the Silicon Valley, California, coupled with a lack of affordable housing is hampering the effects of electronics firms to attract workers. A recent study by the Santa

⁵⁴Clawson and Perloff, in Scott, Brower and Miner, Vol. III, p. 8.

⁵⁵The President's National Urban Policy Report, 1980, p. 7-8.

⁵⁶Ibid, p. 10-15.

Clara County Manufacturing Group found that the jobs-housing imbalance is caused by local land-use controls. After release of this study and public hearings on the subject, Santa Clara and San José, California have rezoned industrial land to residential use. Another example of this phenomenon is seen in Vail and Aspen, Colorado where local growth controls are creating difficulties for businessmen to attract labor at the going wage rate because of extremely high cost of living, primarily housing expenses. Workers who were originally attracted to these resorts for the leisure time activities are increasingly being forced to work fifty to sixty hours per week to make ends meet.⁵⁷

Retailers, also, may experience fewer sales because of a smaller clientele, resulting in costs being passed onto the consumers in a higher cost of living. However, these sorts of effects should not be great where people can easily commute among suburbs to work or shop.⁵⁸ But, as the price of gas increases, commuting between suburbs or between city and suburbs will not be economical for many.

There is a tendency for commercial activity to grow at a much faster rate than the rate of population growth. In very large urban places, sophisticated or high level functions are supportable because even though only a tiny proportion of the population is interested in

⁵⁷ Santa Clara County Manufacturing Group, Vacant Land in Santa Clara County: Implications for Job Growth and Housing in the 1980's, cited by David E. Dowall, "Reducing the Cost Effects of Local Land Use Controls," Journal of the American Planning Association 47(April 1981), 152.

⁵⁸ Gruen, Gruen and Associates, "The Impacts of Growth: An Analytic Framework and Fiscal Example," in Scott, Brower and Miner, Vol. II, pp. 532-533.

paying for the function, when this is multiplied by a large population, there is a sufficient number of potential buyers. This means that a cessation of growth at any point is a choice not to perform some higher level urban function. Moreover, a limitation on size means that any increase in public services will have to be paid for by existing residents who would have to pay much more per capita than residents of large communities. Residents can, however, use similar facilities provided by larger nearby communities, but this would involve costs of travelling and an outflow of dollars, resulting in the foregone employment opportunities and the slowdown of growth in real net income.⁵⁹ There may also be a problem if other local jurisdictions decided to limit their growth and thus access to these facilities. Many larger inner cities are already suffering from this form of "suburban mercantilism," as their revenues drop due to the move to the suburbs of middle-class residents, while their costs increase as poor immigrants move in and suburban middle-class emigrants commute back in each day to work and enjoy the facilities offered by the city.⁶⁰

⁵⁹Ibid.

⁶⁰Ibid.

CHAPTER VI

CONCLUSION

In conclusion, although there is a definite need to control growth in order to protect the environment and not overload municipal facilities, it is also important to meet the needs of a growing population and a continuing urban-rural movement.

Despite the publicity of the zero population growth movement, those individuals who will be the major housing consumers over the next ten to fifteen years have already been born, and the expected 46 percent increase in this age group (25-34 years) will substantially tax the nation's housing market.¹ Therefore, severely restricting growth is not a viable alternative, since the demands of an expanding population cannot be easily ignored; it is not a matter of "whether" further population growth should be accommodated, but "where" that growth should be guided.²

While many growth management plans have been instituted to protect the environment, regulations are applied to all areas without regard to physiographic features.³ Moreover, many growth management

¹Burrows, p. 3.

²Scott, Brower and Miner, Vol. I, p. 12.

³Burrows, p. 131.

plans have been developed in response to a particular problem with little consideration given to side effects.⁴ For example, the sewage effluent in a sanitary district or locality may fall below acceptable water quality standards, polluting the surface water. However, a temporary ban on connection of more housing units to sewers will do little to improve water quality, and the increased pollution is trivial in relation to the problem of the inadequate sewage treatment capacity. The most reasonable solution -- rapid and substantial upgrading of treatment facilities -- is unfortunately the most costly one.⁵

Another criticism of existing growth management controls is that few localities engage in any monitoring or annual reviews and therefore there is no way to check on the system's effectiveness.⁶ For example, the low-income housing that Ramapo spoke about having consists of 200 multi-family units of which most are occupied by an elderly white population with only 10 percent of the 49 low- and moderate-income dwellings inhabited by blacks.⁷ Compounding the problem of lack of review is the fact that there is no real constituency for monitoring the potential abuses of growth restrictions. The development sector has assisted to some extent, but only to the degree that the market

⁴Ibid, p. 12.

⁵Herbert M. Franklin, "Controlling Urban Growth, But For Whom? The Social Implications of Development Timing Controls," in Scott, Brower and Miner, Vol. II, p. 80.

⁶Burrows, p. 12.

⁷Ibid, p. 107.

encourages it to do so. Likewise, the complaints of neighboring jurisdictions do not carry much weight and therefore are not adequately considered.⁸ However, one city can sue another if it thinks it will be negatively impacted by the former's action.

Further, while rapid community growth is a major motivating factor for initiating a plan, few plans control all aspects of growth; most, like Ramapo and Petaluma, regulate only residential development.⁹ Trying to control growth by controlling residences works on effects after the causes have occurred because most growth is caused by an initial economic impulse that brings about increases in the number of jobs, which in turn attract people, who need places to live.¹⁰

From all indications, it seems that growth management is well on its way to becoming a predominant trend in community land-use decisions, and because of this, there will be increasingly sophisticated attempts at growth control.¹¹ However, while every responsible government will want safe housing, well-serviced communities, and a sound housing stock, not every government will assume responsibility to accept the poor and minority because individuals at the local level will not make their decisions on the basis of abstract values or public objectives.¹²

⁸Scott, Brower and Miner, Vol. I, p. 14.

⁹Burrows, p. 131.

¹⁰Ibid, p. 108.

¹¹Scott, Brower and Miner, Vol. I, p. 9.

¹²Ibid, p. 11.

Therefore, a dividing line must be established between issues which are purely local in nature and those which are not. Bosselman suggested that local governments should be allowed to enact growth management policies only if one of three conditions existed: an effective system of regional planning, an extensive program of land banking, or detailed scrutiny of the effects of development timing.¹³ Others have suggested state involvement in land-use planning, which would require both mandatory local planning and regulation and state review of certain land-use decisions. Taken together, these would force local governments to make careful decisions in matters of purely local interest, while making it possible for the state to intervene if non-local interests are injured or ignored.¹⁴

Managed growth decisions must consider regional impacts. Curbing growth in one sector of the area to achieve environmental or other urban planning objectives is more acceptable if needs are being accommodated elsewhere in the area where environmental or other planning values are not threatened.¹⁵ The Mount Laurel case held that the proposed ordinance to slow the growth of the community should provide for the municipality's fair share of the present and prospective regional housing need.¹⁶ However, that decision also clearly made the point that

¹³Bosselman in Scott, Brower and Miner, Vol. II, p. 115.

¹⁴Schnidman, Silverman and Young, Vol. IV, p. 248.

¹⁵Herbert M. Franklin, "Legal Dimensions to Controlling Urban Growth," in Scott, Brower and Miner, Vol. II, p. 234.

¹⁶Southern Burlington County NAACP v. Township of Mount Laurel, 67 N.J. 151, 336 A.2d 713(1975).

the obligation of a developing municipality to provide housing for low- and moderate-income persons should be modified by environmental considerations.¹⁷ This case proposed regional planning which takes into account ecological objectives as well as provision of low- and moderate-income housing.

If planning on a regional scale is attempted, a concept like Transfer of Development Rights (TDR) should be utilized to accommodate private property rights. Most communities already have information on the capability of the land -- the inherent ability of the land to support a particular use over a period of time without damage to the parcel itself or adjacent areas. This information could be compared to land-ownership patterns to determine what the landowner has planned for his land, thus paving the way for utilization of TDR. If in addition, a regional need for housing and existing public service levels were available, all variables could be correlated by a computer, thus determining areas ripe environmentally, fiscally and socially for development.

There are, however, a number of problems with this approach. First, it may be difficult to define a region for planning purposes and secondly, sound data does not exist on all effects of growth management controls. In addition, many of the issues at stake in considering how we shape the nation's future growth and development are rooted in conflicts between two or more values. For example, while one of our basic beliefs has been the right to equal opportunity, the emphasis at

¹⁷Id at 186, 336 A.2d at 731(1975).

the local level has traditionally been one of individuality and competition; that is people should be able to buy what they are able to pay for in the public as well as the private marketplace. Therefore, even if there were quantitative data on which tradeoffs could be based and regions were determinable, the human element and values involved would necessitate the final decision to be a political one.

It is important to recognize that growth management is necessary in many communities. However, local communities should not be allowed to implement these techniques unless steps are taken to mitigate their harmful effects. Local communities must not only protect the environment and preserve the lifestyle of local residents but must also allow others desiring to do so to move into the community. To do otherwise would be shortsighted and detrimental to all in the long run.

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