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Smart Growth and Land Use Reforms in Connecticut

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Land use policies should be created after thoughtful debate by all stakeholders on what we need to do to grow smart – but grow we must. The alternative is to let this important debate lead to policies that will drive growth out of the state or be captured and compromised by an anti-growth minority. To foster economic prosperity we must grow our job base and population. Thus, to us, “smart growth” means balancing new development needs with environmental health and community character so that all of Connecticut's citizens can prosper and enjoy where they live, work, shop and play.

Before making your mind up about smart growth . . . :

- ***Know the facts about how we are growing!*** Since 1990 Connecticut has issued an annual average of 9,082 building permits for new housing. This compares to 18,300 per year for the decade of the 1980s. In many other parts of the country, cities by themselves issue residential building permits at a rate of three to five times the number issued in the entire state of Connecticut. Thus, Compared to the rest of the country and even to our own history, Connecticut is experiencing little actual growth. Also, statements that we are developing land eight or ten times the rate of population growth, such as in the “Connecticut Metropatterns: A Regional Agenda for Community and Prosperity in Connecticut,” are flat wrong and a misuse of U.S. Census Bureau data. We are in fact just keeping up with new household formations and the desires of the marketplace. UCONN land cover data shows that from 1985 to 2002 the amount of developed land in CT has grown from 16.3% to 18.7% of the state.
- ***Know what “smart growth” means!*** “Smart growth” generally means new growth should be at higher density on less land, at a pedestrian scale (i.e., walkable, less auto use, near transit), mixed-use communities in our existing urban and suburban areas where infrastructure already exists. Whether this type of growth – also termed “livable” communities – is desirable for much of Connecticut is untested given that this alternative continues to be largely unavailable (see why below). However, through much anecdotal discussions with builders and the general public, we believe that there is a strong market for smart growth development that has been underserved in this state.
- ***Know the distinction between what “smart growth” means (above) and the policies and regulations intended to achieve it!*** While there's general agreement on what “smart growth” means, we have disagreed most often with some of the tools proposed to achieve it. Numerous land use tools and policies have been tried around the nation to encourage or mandate the type of growth described above. These tools include urban growth boundaries, priority funding areas, regional tax base sharing, open space preservation, and top-down (i.e., state, county or regional) planning-driven development approvals, such as embodied in some planning “consistency” proposals. We have supported tools such as open space preservation when done appropriately and without abuse, but whether other such tools would be “smart” for Connecticut is the subject of great debate. However, since some people, but not all, desire smart growth types of neighborhoods, why not create policies that provide additional choices, smart

growth choices, for people without restricting the traditional choices that other people want to make?

➤ ***Know why “smart growth” communities have largely not been built in Connecticut!*** To provide smart growth neighborhood choices for people, policy makers must understand its obstacles. So-called smart “livable” communities are not built by developers in Connecticut for a number of reasons:

- **First**, to build an entire "smart growth" community from scratch, you need a substantial amount of land. It can take hundreds of residential units to support a single commercial use. Given our fractured land ownership holdings in Connecticut (i.e., hundreds of thousands of land owners, spread across multiple jurisdictions with a myriad of distinct regulatory restraints), it would be nearly impossible to amass together the type of land necessary to build a true smart growth community. So, we are left with building smart growth communities on top of (and in between) what we already have. And this is where smart growth faces the formidable NIMBY force for opposing increased densities, even in urban and inner suburban neighborhoods where smart growth proponents say new development should go. Higher density is the only alternative to sprawl short of stopping growth, which would be economic and social suicide. But if there is one thing people dislike more than sprawl, it's higher density.
- **Second**, there needs to be a market for a “smart growth” type of community. While the market for this is underserved, the majority of people - not all, but the majority - still want a single-family home on an individual, private lot. Nonetheless, the underserved market for “smart growth” should be accommodated as much as the market for individual, private lots.
- **Third**, even where developers perceive a market for a “smart growth” type of community and find a place where it could be built, it's extremely difficult to get it approved in Connecticut. The approval process can be more daunting than for traditional developments. You can create quality plans and you can (although no town has) even make smart growth proposals “as-of-right” developments, but it won't happen unless the 15 – 20 decision makers involved in providing approvals and permits agree to accept it. Connecticut's complex, duplicative and outdated land use approval processes simply prevent the best of intentions by planners or developers.
- **Fourth**, the financial experience of many smart growth developments in other parts of the country demonstrates that smart growth designs are often *not* as financially rewarding for developers as traditional subdivision development. A large part of this is due to the approval process and lengthy delays that add substantially to the financial costs and risks. Also, contrary to smart growth proponents claims of financial efficiency, repairing and upgrading existing infrastructure in urban settings, with its associated easement, approval, contamination and other issues is often more expensive than building new infrastructure where it doesn't exist. Additionally, lenders do not understand these types of projects and they need assurances that they will work – not work in the sense that planners, advocates and governments are happy with the result – but that they'll work financially over the long haul.

➤ ***Learn the truth about the fiscal realities of new home construction and the important intangible benefits of homes:***

- ***Homes often pay their own way!*** Facts prove this! If our criticism of contrary statements or our analysis is incorrect, we challenge (and respectfully ask) anyone to tell us how. Put bias and predetermination aside and examine the last 100 new homes that were permitted in any community in Connecticut. Then examine the real number of public school age children living in those homes, as well as all the taxes and economic generators coming from the homes and their occupants. More often than not, credible analyses show that new homes pay their own way and more.
- ***The property tax does not drive all land use decisions!*** While property tax receipts are many times a large influence on land use decisions, most zoning, planning, inland wetland, conservation and other land use decision makers at the local level (not to mention the vocal minority of NIMBY's and virtually all the land use decision makers at the state and federal levels) consider numerous non fiscal issues, such as traffic, community character, scenic vistas, open space preservation, etc. when denying or approving development proposals.
- ***Balance is necessary!*** Virtually all communities have contributors and recipients in terms of tax payments and government services. What's important is achieving the right balance among different forms of land uses in our communities to create a vibrant economy and well-connected communities, which will lead to greater tax revenues and well-funded government services.
- ***Intangible benefits should not be dismissed!*** There are critically important non-fiscal considerations in planning for and implementing the right land use balance – including environmental health, social costs and benefits, job creation and the affordability of housing at all income levels. Housing affordability and housing choices at all income levels have a significant impact on our quality of life. Housing is necessary to drive commercial uses and homes are where jobs go at night! Home ownership is also one of the single most important goals and most personal and cherished rights enjoyed by Americans.
- ***The anti-housing debate is just plain wrong!*** It is nothing but shameful that anti-housing arguments have degenerated into public policy decisions that are anti-children and anti-family (i.e., we cannot have these new homes because we cannot afford more children in our public schools). Putting aside the fiscal realities of new home construction and the need for balanced land uses, there is something fundamentally wrong with this anti-housing debate. As a society, we should be encouraging strong families through greater homeownership opportunities, fostering achievement of the American Dream for all.

➤ ***Learn about better alternatives to solve the state's land use issues.*** See our policy statement, "Land Use, Growth & Taxes: What To Do" for our recommendations to achieve business and residential growth in balance with each other and with the environment and community character. These and other land use policies and position statements can be viewed on our web site at www.hbact.com.