



How Your Tax Dollars Subsidize Sprawl



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1000 Friends of Washington

1000 Friends of Washington is the only statewide organization in Washington that brings citizens together to manage growth and stop sprawl. 1000 Friends promotes healthy communities and cities while protecting farms and forests for this and future generations.

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Purpose of the Report

1000 Friends of Washington prepared this report to identify existing local and state policies and programs that contribute to sprawl. The report also suggests how they can be changed to encourage high quality, attractive communities. As the analysis will show, the sprawl-inducing effects of policies and programs are largely unin-

tended. The reforms suggested in this report can be generally done without affecting the goals of the policies and programs.

The policies and reforms are summarized in the following section of this introduction. The summary also gives the page number where the discussion of the policy and reform can be found.

Chapter One briefly

defines sprawl and identifies its adverse effects. Chapter Two discusses the sprawl-inducing impacts of the policies and programs, and the steps that should be taken to fix them. Following Chapter Two is a bibliography that gives additional resources and, for most of the bibliography, the Web site where the publication can be found.

Introduction

Summary

Policy and Solutions

| Policy and Solutions / Description | Page Number of Description |
|---|----------------------------|
| <p>1. Federal, State, and Local Transportation Facility Planning, Funding, & Construction Should Support Our Existing Communities.</p> <p>The construction of transportation facilities can be a major contributor to sprawl. To prevent this adverse effect, Washington should fully implement Chapter 189, Laws of 2002 (ESSB 5748). This law calls for considering the potential for transportation facilities, especially highway projects, to shift growth from city and town centers to other parts of the region. Facilities that will result in sprawl should not be built. State and local governments should also adopt a fix-it-first policy for transportation facilities that prioritizes safety improvements, repair and maintenance, and more efficiently using existing facilities over highway expansion.</p> | 8 |
| <p>2. Water, Sewer, Storm Water, and Public Service Extensions Should Avoid Sprawl.</p> <p>Public facilities, such as water and sewer lines, can contribute to sprawl. To prevent sprawl, cities, counties, and special districts should fully consider the potential sprawl-inducing effects of public facilities and services and minimize these impacts. They should also fully consider the potential for public facilities to shift growth from city and town centers to other parts of the region and not build facilities that will generate sprawl and center city deterioration. Encourage compact urban development by funding capital facilities that support compact development in appropriate locations.</p> | 11 |

Policy and Solutions

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| <p>3. Local and State Government Building Construction and Leasing Should Support Mixed Use Centers.</p> <p>The location of city, county, state, and federal buildings can either encourage sprawl or livable communities. Local and state government facilities should be located in existing downtowns and centers to encourage livable, mixed use development.</p> | 13 |
| <p>4. Connect Colleges and Universities to Communities.</p> <p>The location of colleges and universities can either promote sprawl or help encourage compact and livable communities. Locating colleges and universities in mixed use centers will encourage growth where state policy encourages growth.</p> | 14 |
| <p>5. Build Smart Schools to Encourage Smart Growth.</p> <p>Schools are another powerful influence on where growth occurs. Encouraging high quality schools in existing communities will promote compact communities and discourage poorly managed sprawl. State regulations should be amended to encourage the rehabilitation of existing schools and to encourage locating schools in existing communities. Cities, towns, and counties should work cooperatively with school districts to site schools in existing communities and to insure adequate land is available. The Washington State legislature should adopt a law to require cooperative planning for schools modeled after Florida's cooperative school planning law.</p> | 15 |
| <p>6. Strengthen Protections Against Using Economic Development Programs to Relocate Firms to Sprawl Locations.</p> <p>Economic development programs should encourage the growth of family wage jobs and incomes. They should not be used to encourage the relocation of firms to sprawl locations.</p> | 16 |
| <p>7. Reduce Competition for High Sales and Property Tax Producing Uses.</p> <p>The competition between local governments for businesses that generate high levels of sales and property taxes leads to poorly planned sprawl. To reduce this competition, the state should reinstate sales tax equalization when adequate state funding becomes available. The legislature should allow, and under the right circumstances require, local governments to share tax revenues to reduce fiscal competition between local governments. The legislature should make funding sources available to counties and special districts so counties can fund regional services and special districts can fund rural services as cities annex unincorporated urban areas.</p> | 18 |

| Policy and Solutions / Description | Page Number of Description |
|---|----------------------------|
| <p>8. Comprehensive Plans and Development Regulations Should Encourage Infill and Centers Development.</p> <p>Infill is the opposite of sprawl; it is development in existing communities. Weak plans promote sprawl. Cities and towns can encourage infill and city and town center developments by identifying those infill sites that are likely to provide the greatest economic, environmental, fiscal, and community benefits and then remove the obstacles to infill investment. Cities and towns can also do an “infill checkup” on their plans and development regulations to ensure they encourage infill development in good locations.</p> | 20 |
| <p>9. Building Codes Should Encourage the Rehabilitation of Underused and Abandoned Properties.</p> <p>Existing building codes focus on new construction, and can discourage redevelopment. To encourage the rehabilitation of existing buildings, Washington State should adopt a building code specific to the repair and rehabilitation of existing buildings.</p> | 22 |
| <p>10. Water Policy Should Discourage Sprawl.</p> <p>Water is needed for development, and water policy, when consistent with the state growth management policy, can encourage development where state policy directs it. To make water policy consistent with state growth policy, exemptions to the requirement to obtain a water right should not encourage sprawl. Water purveyors should be prohibited from extending water facilities into rural areas unless authorized by county comprehensive plans. The plans of water purveyors should be consistent with the county, city, and town comprehensive plans.</p> | 22 |
| <p>11. Annexation Methods Should Encourage Annexations within the Urban Growth Area.</p> <p>Annexation is the procedure used to add land to cities, towns, and special districts. Annexation should be easy for properties that should be in cities. Unfortunately, a recent court decision has made annexation difficult. The legislature should adopt new methods that encourage needed annexations to cities and towns while eliminating conflicts over high tax producing uses and conflicts with the appeal process for urban growth areas.</p> | 23 |

Policy and Solutions

(continued)

Chapter One: Sprawl & Its Adverse Effects

What is Sprawl

Why Sprawl is a Problem

What is Sprawl

Sprawl consumes open spaces, farms, and forests because it inefficiently uses land and expands urban uses into rural areas, resources lands, and fish and wildlife habitats without limit. Sprawl consists of large expanses devoted to a single low density use, requiring residents to drive long distances to learn, work, recreate, worship, or shop. The street network serving these uses is poorly connected, further lengthening driving and walking distances and increasing congestion because everyone must use the same streets to get anywhere. Sprawl lacks well-defined, thriving centers of activity and vitality.

In contrast to sprawl,



the problems associated with sprawl.

Why Sprawl is a Problem

Sprawl creates a host of adverse problems for our communities. They fit into four categories: higher costs, adverse environmental impacts, harmful effects on the quality of life, and adverse social impacts.¹

drainage systems, parks, schools, public works facilities, administrative facilities, fire stations and trucks, police stations, jails, and vehicles. A comparison of the higher costs is shown in the following table. This table uses percentages to compare the costs of sprawl development with more compact development. Typical sprawl development costs are 100 percent. So percentages less than 100 represent a savings compared to sprawl.

■ Studies in Washington State have reached similar conclusions. For example, in 1994, Tischler & Associates prepared an analysis for the King County Growth Management Planning Council that highlighted options for future development. Analyzing five separate alternatives, the study concluded that the scenarios featuring more compact urban center development cost less money to serve, generated more funds for utility districts, and significantly reduced environmental impacts in rural and agricultural areas.

Compact Development Costs as a Percentage of Sprawl Development Costs: Findings from Three Major Studies

| Infrastructure Category | Sprawl Development | Duncan Study (1989) | Frank Study (1992) | Burchell Studies (1992-97) | Synthesis Percentage |
|-------------------------|--------------------|---------------------|--------------------|----------------------------|----------------------|
| Roads (local) | 100% | 40% | 73% | 74-88% | ≈75% |
| Schools | 100% | 93% | 99% | 97% | ≈95% |
| Utilities | 100% | 60% | 66% | 86-93% | ≈80% |

Source: Robert W. Burchell, Naveed A. Shad, David Listokin, Hilary Phillips, Anthony Downs, Samuel Seskin, Judy S. Davis, Terry Moore, David Helton, Michelle Gall. The Costs of Sprawl—Revisited p.49 (Transit Cooperative Research Program Report 39, Transportation Research Board, National Research Council 1998). Cited herein as The Costs of Sprawl—Revisited.

compact development is a pattern of development that efficiently uses land and that includes a mix of uses; such as homes, stores, offices, services, light manufacturing, public uses, and parks; in centers and other suitable areas. Compact development can accommodate growth while avoiding many of

These impacts are summarized in the following subsections.

Higher Costs

■ Low-density development leads to higher public facility capital costs because of longer streets, pipes, and other factors. Public facilities include streets, water systems, sewer systems, storm

¹Unless otherwise noted, the source of the adverse impacts is Robert W. Burchell, Naveed A. Shad, David Listokin, Hilary Phillips, Anthony Downs, Samuel Seskin, Judy S. Davis, Terry Moore, David Helton, Michelle Gall. The Costs of Sprawl—Revisited (Transit Cooperative Research Program Report 39, Transportation Research Board, National Research Council 1998).

■ Sprawl also increases public utility operating and maintenance costs. A study of ten waste water systems in the Chicago and Cleveland metropolitan areas for the Natural Resources Defense Council found that the density of development was the primary factor in per housing unit operating and maintenance costs for sewer conveyance. In low-density areas, operating and maintenance costs were twice as high per housing unit served as in higher density areas.

■ There is some agreement among the studies that sprawl has adverse fiscal impacts on governments compared to compact development because operating costs are higher. Local governments also tend to compete for the most fiscally advantageous uses and this effect is associated with sprawl.

■ There is also some agreement in that the total public and private land costs are higher for sprawl than for more compact forms of development. While land prices tend to be lower for sprawl development types, the densities are lower too. More compact forms do have higher land prices, but spread these higher costs over more residents and more jobs, reducing total land costs. There is also evidence that where residential growth is limited rather than managed, housing prices are higher than in comparable communities

that focus on managing growth.

Transportation and Travel Costs

■ *The Costs of Sprawl—Revisited* concluded that the studies show that “[s]prawl generates more total miles of vehicle travel than more compact forms of development.” *Measuring Sprawl and Its Impact* also found “that in relatively sprawling regions, cars are driven longer distances per person than in places with lower-than-average sprawl. Over an entire region, that adds up to millions of extra miles and tons of additional vehicle emissions.”²

■ *The Costs of Sprawl—Revisited* also concluded that the studies demonstrate that “[a] greater share of trips is made by car and a lesser share by transit, walking, and bicycling in sprawl development than in more compact development.” *Measuring Sprawl and Its Impact* found that a greater degree of sprawl was correlated with fewer people walking or taking transit to work. Low residential densities were found to be correlated with having to drive farther.

■ Transit service is less efficient and

effective in sprawl development compared to compact development because trip origins and destinations are more dispersed.

■ Studies of the full cost of travel have shown that single-occupancy vehicles, the dominant travel mode in poorly planned sprawl, have the highest social costs. The social costs include air and water pollution, noise pollution, parking costs, road construction and maintenance costs not paid by automobile users, and losses due to accidents not paid by drivers.

■ *Measuring Sprawl and Its Impact* concluded that “[s]prawling places are likely to have more traffic fatalities per capita than more compact regions due to higher rates of vehicle use and perhaps more aggressive driving. For example, in Riverside CA, the most sprawling region according to the Index, 49 of

Why Sprawl is a Problem:

Higher Costs

Transportation and Travel Costs



Why Sprawl is a Problem:

Transportation and Travel Costs

Environment and Natural Habitat Impacts

every 100,000 residents die each year in traffic crashes. The seven least sprawling metro areas all have traffic fatality rates of fewer than 20 per 100,000. This difference of 29 fatalities per 100,000 is what can be expected between extremely sprawling and extremely compact regions.”

Environment and Natural Habitat Impacts

■ Sprawl converts more prime agricultural land from farming to urban uses than more compact forms of development.

■ Sprawl destroys more critical areas and other environmentally

Agency concluded that sprawl resulted in fish and wildlife habitat losses and habitat fragmentation, the separation of habitats by development. Habitat fragmentation reduces the value of the habitat, reduces breeding choices for fish and wildlife, and increases the risk that the plants, animals, and fish that live in the habitat may be wiped out by fires or other natural catastrophes.

■ *Our Built and Natural Environments* also concluded that sprawl's dispersed development pattern has significant water quality impacts.

“The construction of impervious surfaces such as roads and rooftops leads to the degradation of water quality by increasing runoff volume, altering regular stream flow and watershed hydrology, reducing groundwater recharge, and increasing stream sedimentation and water acidity.”

■ In the Puget Sound lowlands, the point at which these adverse impacts occur has been

quantified. Scientists at the University of Washington have concluded that although impacts on salmon habitat from urbanization occur in a lin-

ear fashion, changes to the physical and biological factors necessary for high quality salmon habitat occurs most rapidly when five to ten percent of a river basin is covered by impervious surfaces (roads, buildings, and parking lots).

■ A study by American Rivers, the NRDC (Natural Resources Defense Council), and Smart Growth America, *Paving Our Way to Water Shortages: How Sprawl Aggravates the Effects of Drought*, analyzed the reduction in rain water that infiltrates into the ground due to the impervious surfaces that result from sprawling development. The report concluded that ground water infiltration in the Seattle metropolitan area had been reduced by between 10.5 billion to 24.6 billion gallons in 1997.

■ There is some agreement that sprawl consumes more energy, especially more oil, than more compact forms of development.

■ *Measuring Sprawl and Its Impact* found that a greater degree of sprawl was correlated with a greater severity of ground level ozone pollution, a pollutant generated by motor vehicle exhaust. Ozone threatens the health of children and other vulnerable populations.

■ In *City Limits: Putting the Brakes on Sprawl*, the Worldwatch



PHOTO BY GEORGE PATTON

sensitive areas than more compact development.

■ In *Our Built and Natural Environments*, the United States Environmental Protection

Institute concluded that sprawl and its reliance on cars for transportation generates more greenhouse gases than more compact cities. Greenhouse gases are the gases that retain the sun's heat in the atmosphere and contribute to global climate change.

Quality of Life Impacts

■ There is some agreement that sprawl results in less of sense of community than more compact development patterns.

■ The literature indicates that commuting leads to stress and that sprawling communities require longer commutes.

■ *Creating a Healthy Environment: the Impact of the Built Environment on Public Health* identified significant health impacts caused by sprawl. They included disease caused by air pollution and reduced exercise because residents have to drive rather than walk due the long distances between homes, stores,

and workplaces and a lack of sidewalks in sprawling developments.

Social Issues

■ Sprawl contributes to the migration of high income taxpayers and firms from central cities to suburbs. This weakens the tax base of the central city, often resulting in increased taxes and further out-migration. While there are many causes of this syndrome, sprawl contributes to central city fiscal deterioration.

■ In addition to weakening the tax base of cities, the out-migration sprawl contributes to results in deteriorating physical conditions and building abandonment.

■ In *Seattle Metropolitics*, Myron Orfield noted that these adverse effects are not confined to central cities. They can also affect suburbs as growth shifts to the fringe of the metropolitan area.

The focus of this chapter is on the adverse impacts of poorly planned sprawl. The literature does point to some advan-

tages, mainly that sprawl produces the single-family homes on individual lots preferred by many Americans and that sprawl gives people choices in where to live. However, sprawl limits housing choices and housing variety to housing types that are difficult for many families to afford and are poorly suited to many in our society. Many of the housing types that are difficult to build because of sprawl's large lots and high capital facility costs, such as cottages and town homes, are more affordable.

Given the many adverse impacts of sprawl, the challenge is to provide single-family homes, along with other housing choices, in a manner that promotes more compact development. This has been done before. Many of the grand old neighborhoods in our state that are valued for their attractive homes and tree lined streets were built at compact densities with walkable streets and nearby parks, schools, and shopping.

Why Sprawl is a Problem:

Environment and Natural Habitat Impacts

Quality of Life Impacts

Social Issues

Chapter Two: Sprawl- inducing Policies & Programs

1. Federal, State, and Local Transportation Facility Planning, Funding & Construction Should Support Our Existing Communities

Sprawl- inducing Policies & Programs

Chapter One documented the significant adverse effects of sprawl. But sprawl does not just happen; it results from the intended and, in most cases, unintended impacts of various federal, state, and local policies and programs. This chapter identifies policies and programs that contribute to sprawl and how to reform those policies so they will encourage development patterns that support our homes, health, heritage, and environment.

1.

Federal, State, and Local Transportation Facility Planning, Funding & Construction Should Support Our Existing Communities

Transportation facilities can be a major contributor to sprawl. Transportation facilities include highways, highway interchanges, streets, roads, rail lines, transit stations, and airports. Transportation facilities can have two sprawl causing effects:

First, highways and interchanges that increase the accessibility of farms and forest lands on the urban/rural fringe makes them more attractive to development. A

discussion paper published by the Brookings Institute concluded: "The evidence suggests that metropolitan highway investments can (and do) act as conduits for growth, influencing where new firm and household growth occurs within a metropolitan area. In broad terms, this pattern is likely to favor suburban places over central cities."³ In a normal real estate market, the farther land is located from urban centers, the cheaper it is. However, for most businesses and residents, transportation costs often outweigh the lower land costs. The construction of highways, highway interchanges, and major arterials reduce transportation costs by increasing the ease of travel and effectively reducing the land's distance from the city center and other employment centers that tend to locate near highways. The reduced effective distance due to highway construction triggers the conversion of farms and forests on the urban/rural fringe to residential and commercial uses.

This expansion of transportation infrastructure encourages lower density, diffused development. The evidence indicates that this development occurs at the expense of other areas within the region. It decreases the demand for infill development because one of the principle advantages of land



PHOTO BY GEORGE PATTON

in existing center cities is that it is close to jobs, shopping, entertainment and services and also has a well developed and efficient transportation system. Without the sprawl-inducing effects of new highways, interchanges, and arterials, more infill development would occur in existing urban areas and it would likely be more compact.⁴

Second, there is a strong correlation between increased highway construction and increased land values.⁵ As a given piece of land becomes more connected to a regional transportation infrastructure, the traditional stewards of rural areas – farmers and foresters – can no longer afford to keep the land in agricultural or forest production. More and more land at the urban/rural fringe is succumbing to this end, making it extremely difficult to maintain the ecological function of the land. A study focused on the urban/rural fringe of Metropolitan Atlanta estimated that the value of land located within a mile of a new four-lane highway more than tripled on average. The value of land located within a mile of an interchange quadrupled on average.⁶

The clear lesson is that highways and arterials should not be constructed to increase accessibility to rural and resource lands beyond what is needed to serve rural and resource uses. An example of just the type of highway not to

build is the long proposed, but never approved, Highway 605. If approved and built, Highway 605 would be located in now rural eastern King, Pierce, Skagit, Snohomish, Thurston, and Lewis counties.

Solutions

The new criteria for the Transportation Commission's Comprehensive Six-Year Investment Program and Transportation Improvement Board funded projects support compact development within urban areas and the rural densities set in county and city comprehensive plans.⁷ These criteria should discourage investments in transportation facilities that will encourage sprawl in farms and forests and discourage development in cities and towns.

Many counties have similar policies. For example the King County Comprehensive Plan Policy R-303 prohibits transportation capacity improvements within rural areas. The policy also requires that new connections between cities or interstate highways that traverse rural areas must be designed to avoid exerting pressure on rural areas to urbanize.⁸ This policy is implemented through capital facility plans that provide safety and maintenance funding for rural roads, but direct spending for new capacity elsewhere. If a new connection is provided between urban areas, new

exits are discouraged within the rural area. Those counties that have not adopted such policies should do so.

Conversely, transportation facilities that improve mobility within urban areas throughout the state should be built. Given urban area densities and the adverse impacts generated by single-occupancy vehicles, many of these investments should be in transit or multi-modal facilities. General purpose capacity is needed in some urban areas within the state, and their designs should avoid significant adverse impacts on the built and natural environments.

Transportation funding should also incorporate a "fix-it-first" policy. Such a policy prioritizes safety improvements, repair and maintenance, and more efficiently using existing facilities over facility expansion. The Washington State Department of Transportation, in RCW 47.05.010, RCW 47.05.035, and RCW 47.06.050, already gives priority to repair and maintenance. State transportation priorities and budgets sometimes do not reflect these priorities.

Federal, state, and local governments spend millions on transportation facilities each year. Where that money is spent shows private investors where they should invest their funds. Allowing transportation facilities in existing communities to deteriorate while build-

Sprawl-inducing Policies & Programs

1. Federal, State, and Local Transportation Facility Planning, Funding & Construction Should Support Our Existing Communities (continued)

Sprawl- inducing Policies & Programs

1. Federal, State, and Local Transportation Facility Planning, Funding & Construction Should Support Our Existing Communities (continued)

ing new facilities on the urban fringe encourages private investment on the fringe. Investing public funds in existing communities will also encourage private investment in these areas.

The following summarizes the federal, state, and local transportation programs and includes policy recommendations that should be enacted.

Program

Washington State Department of Transportation (WSDOT) Capital Improvement and Preservation Program

Provides for safety, maintenance, and mobility improvements on state and federal highways, including the ferry system.

Reforms to Stop Sprawl

■ Fully implement Chapter 189, Laws of 2002 (ESSB 5748). The provisions amended and adopted by ESSB 5748 are: RCW 35.63.060, RCW 35A.63.060, RCW 47.05.051, RCW 47.06.040, and RCW 47.26.282.

■ Fully consider the potential for transportation facilities, especially highway projects, to shift growth from centers to other parts of the region and do not build facilities that will generate such adverse effects. Adopt policies that require consideration and mitigation of these impacts.

■ Adopt a fix-it-first policy by refining existing laws and policy.

Program

Federal Transportation Funding

Various federal funding sources that may be used by States and localities for capital projects on any Federal-aid highways, other allowed streets, roads, bridges, and transit.

Reforms to Stop Sprawl

■ Fully consider the potential sprawl-inducing effects of transportation facilities and minimize these impacts.

■ Fully consider the potential for transportation facilities, especially highway and major arterial projects, to shift growth from city and town centers to other parts of the region. Do not build facilities that will generate such adverse effects.

■ Adopt funding criteria that require consideration and mitigation of these impacts.

■ Encourage compact urban development by funding transportation facilities that support compact development in appropriate locations.

■ Adopt a fix-it-first policy by refining existing laws and policy.

Program

State Transportation Funding: including the Transportation Improvement Board (TIB) and County Road Administration Board (CRAB) funding

Provides for safety, maintenance, and mobility improvements on local

streets and roads, state and federal highways, including the ferry system, and transit.

Reforms to Stop Sprawl

■ Same recommendations as above.

■ Adopt state laws and agency regulations setting funding criteria that direct funding away from locations where it will cause sprawl and toward targeted locations where it will encourage compact urban development.

Program

City and County Transportation Funding

Provides for safety, maintenance, and mobility improvements on local streets and roads, local ferries, transit, and, in some cases, state and federal highways, including the ferry system. The funding includes state monies, such as state fuel tax distributions, and local funds.

Reforms to Stop Sprawl

■ Same recommendations as above.

■ Adopt policies similar to King County Comprehensive Plan Policy R-303.

■ Adopt investment policies that direct funding away from locations where it will cause sprawl and toward targeted locations where it will encourage compact urban development.

■ The state laws governing the distribution of the state fuel tax to cities and towns, RCW 46.68.110(4), should be

clarified to provide that all cities and towns can use the tax to maintain streets and highways. This will ensure that the tax can be used to meet the community's transportation priorities including safety and maintenance. Counties already have this authority.

2.

Water, Sewer, Storm Water, and Public Service Extensions Should Avoid Sprawl

We have seen that transportation facilities can encourage the development of forests and farms. Other infrastructure investments can have the same effect. The extension of water mains, sewer and storm sewer interceptors, and other public facilities and services can affect where development occurs and its density. These effects are similar to the effects of highways; the development potential of property served by these facilities increases and the value of the land increases. When public facilities and services are extended into farms and forests, those lands will be converted to other uses.

Solutions

The Growth Management Act (GMA) prohibits the extension of urban services into rural areas unless specific standards are met.⁹ However, not all counties have effectively

implemented this requirement. They should.

Sprawl results not only from the conversion of farms and forests, but also from low-density development within the urban growth area (UGA). A system that charges growth the costs of the public facilities and services can encourage a desirable intensity of development within the urban growth area. If development pays the costs of new infrastructure it has an incentive to efficiently use the water mains, sewers, and other public facilities. Such a system can encourage growth in city and town centers by reducing charges within them, or if public facility needs in these areas are low, having no change at all. This type of system must be carefully prepared and implemented to ensure that development is matched to needed facilities.¹⁰ Matching growth with public facilities and services is a requirement of the GMA.¹¹ State and federal public facility funding should discourage public facility capacity improvements outside the UGA and should encourage a funding strategy that encourages their

efficient use within the UGA. This will encourage development within urban areas throughout Washington State.

The State of Maryland's "Priority Funding Areas" legislation could be used as a model for Washington State policies that direct investments to areas throughout the state where we want to encourage growth. The "Priority Funding Areas" law limits most state public facility, economic development, housing and other funding programs to smart growth areas that local governments designate for growth consistent with state criteria. The criteria include incor-



PHOTO BY PUGET SOUND REGIONAL COUNCIL

porated cities and towns, existing industrial areas in unincorporated areas, and areas designated for new development that meet criteria for use, density, and location. See page 26 of the bibliography for a link to the

Sprawl-inducing Policies & Programs

2. Water, Sewer, Storm Water, and Public Service Extensions Should Avoid Sprawl

Sprawl-inducing Policies & Programs

2. Water, Sewer, Storm Water, and Public Service Extensions Should Avoid Sprawl (continued)

Maryland's Smart Growth Web site for information on "Priority Funding Areas" legislation.

Public facility funding should adopt a "fix-it-first" policy. Such a policy prioritizes safety improvements, repair and maintenance, and more efficient use of existing facilities over facility expansion.

Federal, state, and local governments spend millions on public facilities each year. Where that money is spent shows private investors where they should invest their funds. Allowing public facilities in existing communities to deteriorate while building new facilities on the urban fringe encourages private investment on the fringe. Investing public funds in existing communities will also encourage private investment in these areas.

The following table

summarizes the federal, state, and local capital facility programs and includes policy recommendations that should be enacted.

Program

Federal Capital Facility Funding

Various federal funding sources that help construct capital facilities. These funds are limited but include Economic Development Administration grants that provide public facilities for economic development projects, Environmental Protection Agency Wastewater Treatment Construction Grants, U.S. Department of Agriculture Community Facilities Loans and Grants, U.S. Department of Agriculture Rural Economic Development Loans and Grants, and Community Development Block Grants (which are allo-

cated by the state or county).

Reforms to Stop Sprawl

■ Fully consider the potential sprawl-inducing effects of public facilities and services and minimize these impacts.

■ Fully consider the poten-

tial for public facilities to shift growth from city and town centers to other parts of the region and do not build facilities that will generate these adverse effects.

■ To the extent allowed by the federal programs, adopt funding criteria that require consideration and mitigation of these impacts.

■ Encourage compact urban development by funding capital facilities that support compact development in appropriate locations.

Program

State Capital Facility Funding

Provides for the construction of capital facilities. Like federal funding, these funding sources are limited and include: Department of Health Drinking Water State Revolving Loan Fund (which funds water facilities) *see* RCW

70.119A.179 and Chapter 246-296 WAC, the Bond Cap Allocation Program (BCAP) (which allocates federal tax exempt bonding capacity to specific development projects and capital facilities that support such developments) *see* Chapter 39.86 RCW and Chapter 365-135 WAC, Community Economic Revitalization Board (CERB) (which funds infrastructure for economic development) *see* Chapter 43.160 RCW and Chapter 133-10 WAC, the Centennial Clean Water Fund (which funds sewers and other facilities and programs to re-



PHOTO BY MICHAEL SCHULER

duce water pollution) *see* Chapter 70.146 RCW and Chapter 173-95A WAC, and the Public Works Trust Fund (which provides loans to plan and build public facilities) *see* Chapter 43.155 RCW and Title 399 WAC.

Reforms to Stop Sprawl

■ Same recommendations as above.

■ Adopt state laws and agency regulations setting funding criteria that direct funding away from locations where it will cause sprawl and toward targeted locations where it will encourage compact urban development. The State of Maryland's "Priority Funding Areas" legislation is a model for such a program.

■ Adopt a fix-it-first policy.

Program

City and County Capital Facility Funding

Provides for the construction, maintenance, and operation of capital facilities including water systems, sewer systems, storm water systems, park and open space systems, and public buildings.

Reforms to Stop Sprawl

■ Same recommendations as above.

■ Adopt investment policies that direct funding away from locations where it will cause sprawl and toward targeted locations where it will encourage compact urban development.

3.

Local and State Government Building Construction and Leasing Should Support Mixed Use Centers

The location of state office buildings can either contribute to or combat uncontrolled sprawl. Washington State has recognized its contribution to urban sprawl and its ability to encourage compact development. The Thurston County Lease and Space Planning Study found that "state leasing practices over the past ten years have contributed to urban sprawl."¹² This has resulted in significant adverse impacts.

Sprawl aggravates a number of economic and social problems that reduce the quality of life in our communities and adds to public spending. Sprawl produces traffic congestion, air pollution, large-scale absorption of open space, extensive use of energy for mobility, and adds high development costs to provide adequate infrastructures to accommodate growth. Sprawl impacts the containment of surface water through the expansion of impervious surfaces such as parking lots. This in turn increases water pollution.¹³

Responding to

sprawl or low density growth reduces the ability of local government to maintain older infrastructure, gradually undermining the sustainability of the existing infrastructure inventory. This disperses and minimizes rather than maximizes the use of existing public and private resources.¹⁴

In addition to these societal problems, scattering state agency offices throughout Thurston County has resulted in increased fragmentation of state offices. "This fragmentation has created critical problems in service delivery," communication within agencies, and agency management.¹⁵ The sprawling building locations have also required customers and workers to drive, increasing traffic.

Solutions

Recognizing these adverse outcomes, the Department of General Administration has identified "preferred development areas" and "preferred leasing areas" where state agencies located in Thurston County will be concentrated. This strategy will achieve the following important successes:

■ Reducing unsustainable sprawl.

■ Protecting the environment.

Sprawl-inducing Policies & Programs

2. Water, Sewer, Storm Water, and Public Service Extensions Should Avoid Sprawl (continued)

3. Local and State Government Building Construction and Leasing Should Support Mixed Use Centers

Sprawl-inducing Policies & Programs

3. Local and State Government Building Construction and Leasing Should Support Mixed Use Centers (continued)

4. Connect Colleges and Universities to Communities

- Improving agency operations by reducing fragmentation.

- Improving service to clients. The offices will also be more accessible to clients.

- Increasing transportation choices and reducing trips. Because the offices are near other services, customers can combine trips and state employees can walk or drive shorter distances to do errands, visit their children's day care centers during the day, and to conduct state business.

- "Concentrating employment into central locations creates a more compact people oriented living and working community versus a low density, auto-centered multi-

plicity of places.

- "It is also prudent use of public monies, by making the most of existing investment and resources."¹⁶

The preferred locations will also encourage private investment in existing communities, rather than sites on the urban fringe. The Department of General Administration's important innovations should be strongly supported. The legislature should adopt it as state policy.

General Administration is working to extend "preferred development areas" and "preferred leasing areas" to downtowns statewide. Again, this innovation should be supported and formally adopted as state policy by the legislature. These policies will help sustain our cities and towns, reduce unmanaged sprawl, improve agency operations, improve service, and improve accessibility.

Cities, towns, counties and other government agencies should also locate their public buildings in downtowns, centers, and existing neighborhoods. This will achieve the same advantages as the "preferred development areas" and "preferred leasing areas."

of colleges and universities can either promote sprawl or help encourage compact and livable communities. Colleges attract students and employ many. When located in a city or town center, they help reinforce compact development. Research universities are also sources of business spin-offs that use the university's research. If the university is located in a compact community, new businesses will want to locate there too.

When located in sprawling sites separated from other uses, colleges and universities contribute to sprawl and encourage both employees and students to drive. They also increase the distances employees and students must drive. The Washington State University Branch Campus in Vancouver, Washington, and the joint University of Washington/Cascadia Community College in Bothell, Washington, are examples of colleges and universities located in sites that are separated from the community.

In contrast, the University of Washington Tacoma Branch Campus and the Washington State University Spokane Riverpoint Campus are examples of colleges and universities that are well connected to communities and have contributed to urban revitalization. These sites allow students and employees to walk, bike and take transit to the institution. Colleges and universities



4.

Connect Colleges and Universities to Communities

Teaching by example is a powerful force for stopping sprawl. The location

meant to serve areas outside center cities can also be located in areas with a good mix of uses, that are walkable, and that are well served by transit. These locations will help support city and town centers. They will also make education more accessible to those who do not or cannot drive.

Solutions

The Washington State legislature should adopt a policy locating colleges and university in center cities where that can fulfill their educational mission. For colleges and universities serving other areas, they should be located in areas of mixed use with good walking, biking, and transit connections.

These policies should also apply to private colleges that use Washington State Higher Education Facilities Authority bonds. These provide federally tax exempt financing for private colleges and universities in Washington State. Title 253 WAC should incorporate criteria encouraging new facilities to follow these principles.

5.

Build Smart Schools to Encourage Smart Growth

In *Historic Neighborhood Schools in an Age of Sprawl: Why Johnny Cannot Walk to School*, the National Trust for Historic Preservation documents the negative

impacts of mega-schools built in rural areas: increased sprawl because people want to live near the newest schools, so their children get what is perceived to be the best education; increased traffic because school children have to be driven long distances to school; a loss of landmarks in our cities and towns since the schools are no longer located within them; an alienation of school children from the community because they are located away from the centers of the community; and less personal attention as small schools are replaced by mega-schools.¹⁷

Solutions

To address these issues, state school funding practices should be reviewed to ensure school renovation is on an equal footing with new school construction. The following reforms should be made:

■ The minimum acreage regulations in WAC 180-26-020(2) should be eliminated. While Washington State's minimums can be modified and are not as large as those in some states, minimum acreage standards do encourage the movement of schools out of existing neighborhoods and into the urban fringe or even rural areas where large acreages are easier to assemble.

■ The maximum cost limits should also be repealed. WAC 180-33-040 provides that state assistance for modernization is

limited to 80 percent of the cost of new construction. This requirement can encourage new construction over upgrading existing schools. The problem with these regulations is they do not consider the hidden costs paid by local and state governments. These include the cost of extending streets, water, and sewer lines to new school sites and the costs of transporting students to remote sites. Renovating can often be more economical than new construction, even when these social costs are not considered.

Washington State already has good rules that encourage the maintenance of existing schools, helping them remain functional and attractive, and extending their economic life. Washington State also has nationally recognized successes in the renovation of schools. The Spokane School District renovated Wilson Elementary School, in the heart of one of the city's older neighborhoods, to meet current codes and incorporate the latest technology. People love this beautiful brick school with its high educational standards. It is small, so students receive individual attention and children can walk to school on sidewalks along tree-lined streets. Other Washington school districts have renovated beautiful historic schools or rebuilt schools within our existing towns and cities.

Sprawl-inducing Policies & Programs

4. Connect Colleges and Universities to Communities (continued)

5. Build Smart Schools to Encourage Smart Growth

Sprawl-inducing Policies & Programs

5. Build Smart Schools to Encourage Smart Growth (continued)

6. Strengthen Protections Against Using Economic Development Programs to Relocate Firms to Sprawl Locations

Towns, cities and counties can strongly influence where schools are located through their land use planning. By working cooperatively with school districts and the community—towns, cities, and counties can help identify the need for schools and alternatives for meeting these needs. Cooperative planning has significant benefits for schools. The school district learns about the community's plans for growth, how these plans may affect the need for schools, whether adequate sites for school facilities are available, and helps local governments and the community better understand the need for schools and the funding required to meet these needs.

Cooperative planning also has benefits for the community. School districts understand the importance of schools in central places in neighborhoods and communities, the community benefits of rehabilitating schools that continue to serve students, and the community benefits of constructing new and replacement schools in locations central to the community. Cooperative planning can also help communities jointly use schools and the athletic fields built along with schools.

Because of the benefits of cooperative planning, the State of Florida has adopted a new law requiring coordinated planning between school boards and cities, towns, and

counties. The purposes of this coordinated planning include ensuring that schools are available as residential growth occurs, integrating school facilities plans and policies with comprehensive plans and development regulations, and considering the effects of the location of school facilities. These effects include keeping central city schools viable to encourage central city revitalization, the efficient use of existing public facilities and services, and "discouraging uncontrolled urban sprawl."¹⁸ The law requires local governments and school boards to enter into interlocal agreements that address school siting, joint review of decisions to close schools, enrollment forecasting, school capacity, public facilities and services, the safety needs of schools, using schools as emergency shelters, and sharing facilities. Local governments must also review proposed school sites for consistency with their comprehensive plans. Washington should adopt a similar law to ensure that local communities benefit from cooperative planning, to ensure central city revitalization,



and to discourage destructive urban sprawl.

Some may be concerned that these reforms put the mission of the school — education — in a secondary position. That is not the case. Locating schools in existing communities can reduce transportation costs since the number of students bused can be reduced along with the distances students must be bused. Placing schools within the community can reduce alienation and increase community involvement, all of which will benefit their educational mission.

6.

Strengthen Protections Against Using Economic Development Programs to Relocate Firms to Sprawl Locations

Economic development is an important goal, par-

ticularly during the current recession and for the parts of Washington State that did not benefit as much as the Puget Sound region from the economic growth of the 1990s. Washington is well positioned for a comeback when the national economy recovers; *The 2002 State New Economy Index* gave Washington State the second best economic policy rating of any state.¹⁹ We need to build on this success.

An important component of effective and efficient programs is to ensure that our economic development programs bring new family wage jobs to the state, rather than relocating businesses from central cities and other close-in areas to the metropolitan fringe. Unfortunately, in some states programs such as Community Revitalization Funding (referred to as Tax Increment Financing in other states) have been used to relocate firms not to generate new jobs. For example, a case study of one suburb on the fringe of the Twin Cities in Minnesota found that the offer of free land and tax increment financing resulted in the relocation of 29 companies employing about 1,600. Fifteen companies came from Minneapolis or its inner ring suburbs.²⁰

This has contributed to unmanaged sprawl and deteriorating central cities. It also encourages other cities to provide similar subsidies to retain

businesses or to encourage relocations to their city. This is inefficient, because relocations within the region do not bring new jobs or new incomes to the state. It also reduces revenues available to schools, cities, counties, the state and other governments that rely on the property tax. If the relocating firms generate new jobs, that job growth is lost to the communities from which they relocate. The relocations to the urban fringe also moved firms from areas with good transit to a location with poor transit service, worsening traffic and making the jobs poorly accessible to those without cars. Locating jobs on the urban fringe also makes them less accessible to minorities and those with low incomes who tend to be concentrated in central cities and inner ring suburbs.

Solutions

Economic Development Programs do not have to work this way. Properly formulated economic development programs can increase jobs and incomes without encouraging relocations to the urban fringe. Many of Washington's economic development programs already prohibit their use to relocating businesses within the state. Washington also tends to rely less on subsidies than other states, so it is less susceptible to this problem. State laws establish- ing economic develop-

ment programs should be amended to prohibit subsidizing the relocation of jobs to sprawling locations on the urban fringe.

Washington's Economic Development Programs include

■ Community Economic Revitalization Board (CERB) which funds infrastructure for economic development, see Chapter 43.160 RCW and Chapter 133-10 WAC. CERB grants and loans already cannot be used for developments or expansions that will displace jobs anywhere in the state, so the CERB program only needs an anti-sprawl criterion.

■ Community Revitalization Funding that builds public facilities to encourage redevelopment and new development and uses 75 percent of increase in the local property tax to repay the funds used to build the facilities, see Chapter 39.89 RCW.

■ The Public Works Trust Fund which provides loans to plan and build public facilities, see Chapter 43.155 RCW and Title 399 WAC.

■ Sales and use tax exemptions such as the exemption on Machinery and Equipment Exemption which grants a state-wide sales and use tax exemption for machinery and equipment used directly in a manufacturing operation, see RCW 82.08.02565, RCW 82.12.02565, and WAC 458-20-13601.

■ Business and Occu-

Sprawl-inducing Policies & Programs

6. Strengthen Protections Against Using Economic Development Programs to Relocate Firms to Sprawl Locations (continued)

Sprawl-inducing Policies & Programs

6. Strengthen Protections Against Using Economic Development Programs to Relocate Firms to Sprawl Locations (continued)

7. Reduce Competition for High Sales and Property Tax-Producing Uses

pation Tax credits and credits against similar taxes such as the tax credit against the insurance premium tax for creating international insurance services jobs in eligible areas, *see* RCW 48.14.029.

■ Tax-Exempt Economic Development Bonds, also referred to as “Industrial Revenue” and “Exempt Facilities” Bonds. These bonds provide low cost loans using bonds that are exempt from federal income taxes for the construction, expansion, or purchase of industrial and manufacturing facilities, pollution control facilities, and housing. The state can also issue taxable bonds for these purposes. *See* Chapter 39.84 RCW.

■ Loan funds, such as the Community Development Block Grant (CDBG) Float Loan and the Section 108 program, which use state or federal funds to help attract and leverage private sector investment.

Reforms to Stop Sprawl

■ Amend the state authorizing laws to prohibit subsidizing the location or relocation of firms in sprawl locations.

■ Expansions in other communities should be allowed where they will not undermine the vitality of the communities in which the firm is currently located. Incentives should encourage these expansions in distressed communities.

7.

Reduce Competition for High Sales and Property Tax-Producing Uses

Washington’s local government financing system is highly dependant on retail sales taxes and property taxes. As a Kirkland City Councilmember recent said: “Cities like ours are all held hostage by the sales tax. We make decisions relative to revenue that we’d rather not have to make.”²¹

This dependence leads to “fiscal zoning” and it is a powerful force shaping our communities. The fiscal stress placed upon local governments by recent initiatives limiting taxes has aggravated the tendency to engage in fiscal zoning and results in the following adverse impacts:

■ Local governments compete for retail sales tax dollars by over-zoning for retail uses and trying to lure large retailers to their community. In some cases, retail developments are subsidized in the hope that the retail sales taxes will eventually result in revenues that exceed the subsidies and the high public service demands of retailers.

■ Retailers may abandon downtowns for newly zoned malls, either in the same city (approved by that city fearing that another city will allow a mall) or in other communities. This results in distressed downtowns and

an auto-dependant land use pattern, increasing traffic, air pollution, and water pollution.

■ The loss of major retailers to other communities results in decreased revenues. The local government may need to address this loss by reducing services, increasing taxes, or both. These strategies may make the community less attractive for investment and as a home. This can lead to the loss of businesses and population. Over time, these effects build on and reinforce each other, leading to community decay.

■ This competition harms cities and leads to sprawl. Professor Rob Wassmer of California State University Sacramento studied retail sales in California. The data showed that the competition for sales tax revenues caused central cities to have less retail sales than their incomes, populations, and demographics warranted. Suburban cities had more retail sales than their populations, income, and demographics warranted. He noted that if central city residents tired of driving to the suburbs to do their shopping, they may move to the suburbs and generate even more sprawl.

■ Retail relocation, business loss, and population loss can lead to sprawl, increased traffic and increased air and water pollution as businesses and residents move from one commu-

nity to another and another.

■ Since housing only directly generates property taxes and not sales taxes, low- and moderate-income housing is discouraged because it is perceived to cost more in services than it generates in taxes. This can result in shortages of affordable housing and, because retail sales workers often have low- and moderate-incomes, increased traffic as retail workers commute to their jobs from communities where they can afford to live. It can also lead to a concentration of the poor in certain communities, making them less desirable places to live and locate businesses.

Another issue is that counties lack the funds needed to pay for important regional services. The GMA designates counties as the providers of regional services, the historic role of counties. This lack of funding has many causes, but one is related to fiscal zoning. The GMA wisely designates cities as the providers of urban services and directs urban growth to cities. This is a good policy since only cities have the ability to provide the local government services that urban areas need. However, as urban areas are annexed to cities and new cities incorporate, this reduces the revenues available to counties to provide for regional services, such as courts and jails. Rapidly rising criminal justice

costs have made this problem more acute.

Solutions

The following policies reduce incentives for destructive competition between local governments for high tax generating uses and the sprawl this competition can generate. They provide incentives for cooperation and good regional planning.

Sales Tax Equalization

Washington State had a limited form of tax base sharing, the sales tax equalization payments funded by the motor vehicle excise tax repealed after the voters approved I-695. The legislature should fund sales tax equalization, now referred to as local government financial assistance, as soon as additional funding becomes available. Reinstating sales tax equalization will reduce the competition for retail sales tax generators and assist small towns and counties, which often lack strong retail sales tax bases.

Regional Tax Base Sharing

Through regional tax base sharing, the local governments in a region share property taxes, sales taxes, and other revenues. The shared funds could be part of an increase in revenues or part of the total revenues collected. Regional tax base sharing works best where there is widespread agreement among the local governments in a region that they need to

work together to improve the region's land use pattern and reduce revenue differences. In preparation for the next round of comprehensive plan updates, cities and counties will be working together on countywide planning policies. This is an opportunity for the local governments to consider if the time is ripe for regional tax base sharing in their area.

If there is regional support, the legislature could adopt a state law requiring tax base sharing for the region. This will reduce pressures for fiscal zoning. It also recognizes that sales tax revenues are generated by the purchases of residents and businesses located throughout the region, not by the major retailers located in a few favored communities. Regional tax base sharing will reduce the potential for blight and will help counties fund regional services. Regional tax base sharing has been used successfully in the Twin Cities of Minnesota and the Hackensack Meadows of New Jersey. The *Growing Smart Legislative Guidebook*, listed in the bibliography and available on the Web, includes a model regional tax base sharing law. Please see page 26 of the bibliography.

Interlocal Revenue-Sharing Agreements

Another approach is for the legislature to explicitly authorize interlocal revenue-sharing

Sprawl-inducing Policies & Programs

7. Reduce Competition for High Sales and Property Tax-Producing Uses (continued)

Sprawl-inducing Policies & Programs

7. Reduce Competition for High Sales and Property Tax-Producing Uses (continued)

8. Comprehensive Plans and Development Regulations Should Encourage Infill and Centers Development

ing agreements. Research has shown that interlocal revenue-sharing agreements work best when local government representing part of a region wish to share revenue, but want the flexibility to negotiate specific conditions customized for their situation. While Washington's broad Interlocal Cooperation Act (Title 39.34 RCW) allows local governments to share revenue, specific legislation authorizing the use of interlocal revenue-sharing agreements would increase the likelihood they would be used. Skagit County, Anacortes and Mount Vernon are an example of local governments using the Interlocal Cooperation Act to share sales tax revenue.

In its discussion of Interlocal Agreements and Joint Planning Areas on pages 19 to 22, the 1000 Friends of Washington Report *Pricing Growth*, explains how local governments can use interlocal agreements to reduce county fiscal stress and tax base competition along with the sprawl and urban deterioration to which they contribute. Please see page 26 of the bibliography for the 1000 Friends of Washington website where *Pricing Growth* is available.

Provide Counties with Funding for Regional Services and Special Districts for Rural Services

Either through an expansion of community



PHOTO COURTESY OF PUGET SOUND REGIONAL COUNCIL

assistance funding or through new or reallocated taxes, the legislature should provide adequate funding for county-provided regional services so annexations do not starve counties for the revenues needed to support the criminal justice system (which is largely staffed and funded by counties) and other important regional services. Also, those special districts that will continue to serve rural areas (such as fire districts, water districts, and diking and drainage districts) should have the revenue sources necessary to continue to serve rural areas. These measures will allow cities, the level of government best equipped to provide urban services (such as police, fire, and sewer services), to annex urban areas without depriving counties and rural special districts of the revenues they need to provide the regional and rural services they do best.

8.

Comprehensive Plans and Development Regulations Should Encourage Infill and Centers Development

An important technique in combating sprawl is to encourage infill development in existing communities. Infill refers to building on vacant or underused properties within existing built-up cities and towns. Centers development refers to identifying mixed use areas, centers of activity, and encouraging development within them. In cities and towns, many of the public facilities and services needed for new development are already available. Building in these areas also reduces the need to urbanize rural areas and resource lands.

Weak plans encourage sprawl by providing for low densities and few opportunities for redevelopment. This pattern increases costs and results

in environmental damage.

However, infill and centers development presents many challenges compared to greenfield sites. Perceptions and realities about community opposition, the potential for contamination, the difficulty of assembling land for a development, site access, design requirements, and public facility and service requirements may discourage the development needed to strengthen existing communities.

Solutions

Cities and towns can encourage infill and centers development by identifying those infill sites that are likely to provide the greatest economic, environmental, fiscal, or community benefits and then removing the obstacles to infill investment. Cities and towns can also do an “infill

checkup” that answers the following questions:

- Is the community ready to accept infill development?
- What are likely to be the residents’ greatest concerns and how can they be addressed?
- Do the comprehensive plan and development regulations support infill development? Do the zoning standards such as setbacks, lots sizes, and building heights allow infill development to occur and fit into the neighborhood’s desired future?
- Does the zoning encourage mixed use development in appropriate locations?
- Do design standards encourage high quality, human scale development that fits the neighborhood’s desired future?
- Do public investments support infill development?

■ Does the community have a transit system that supports infill development?

■ Do parking standards allow for infill development and are they consistent with the community’s transit system?²²

Using these questions, a community can analyze its readiness for

infill development and take steps to encourage infill development in a way that will discourage sprawl and address neighborhood and community needs. Depending on the level of redevelopment planned, a community may also need to develop an anti-displacement strategy to help existing residents benefit from infill development. Please see page 26 of the bibliography for resources that have information on how to provide for infill development and anti-displacement strategies.

Another step local governments can take for targeted redevelopment areas is to adopt a planned action or phased review under the GMA and the State Environmental Policy Act (SEPA). A planned action is a proposed development or set of developments that have been identified in a community or neighborhood plan and whose environmental impacts have been analyzed in an environmental impact statement (EIS) and mitigated. Phased review means that the environmental impacts of a proposal are generally analyzed in a broader environmental document, such as a programmatic EIS on a comprehensive plan, and more specific issues are addressed later in a narrower environmental document that focuses on issues specific to the proposed development. This approach encourages development by

Sprawl-inducing Policies & Programs

8. Comprehensive Plans and Development Regulations Should Encourage Infill and Centers Development (continued)



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Sprawl-inducing Policies & Programs

8. Comprehensive Plans and Development Regulations Should Encourage Infill and Centers Development (continued)

9. Building Codes Should Encourage the Rehabilitation of Underused and Abandoned Properties

10. Water Policy Should Discourage Sprawl

saving time and money.

Some of the areas for which planned actions have been adopted are: The Esther Short Redevelopment in downtown Vancouver, the Southwest Everett/Paine Field industrial area, the Overlake Neighborhood in Redmond, the Fidalgo Bay Subarea in Anacortes, and the Southport Redevelopment in Renton. An example of an integrated GMA/SEPA EIS and phased review is Tacoma's Thea Foss Redevelopment in downtown Tacoma. A new study of planned actions and integrated GMA/SEPA EISs prepared for the Washington State Department of Community, Trade, and Economic Development (CTED) found that five planned

eight planned actions and integrated GMA/SEPA EISs, \$500 million in private investment was directly tied to the integrated procedures and another \$1.75 billion in private investment was influenced by them.

9.

Building Codes Should Encourage the Rehabilitation of Underused and Abandoned Properties

Building codes are usually designed for new construction. These codes may discourage the rehabilitation of underused and abandoned buildings. Abandoned buildings both blight existing neighborhoods and encourage growth in previously un-

built sites, sometimes referred to as greenfield sites. Properties that have not paid their property taxes are often vacant and abandoned. They also tend to blight existing communities.

encourage the rehabilitation and reuse of existing buildings and the improvement of existing neighborhoods. New Jersey, for example, passed a new rehabilitation code to encourage the restoration of older buildings while protecting the health and safety of the community. The rehabilitation of existing buildings in New Jersey's five largest cities increased by 60 percent in 1998, the first year the code was in effect. Following New Jersey's lead, rehabilitation codes been adopted by Maryland, Rhode Island, and other states. A web link to the New Jersey rehabilitation code can be found on page 29 of the bibliography.

Several states and cities have reformed tax foreclosure laws and initiated improved inventory and tracking systems to more quickly identify negligent owners of abandoned properties and transfer them to new investors who will improve and use these properties. Washington cities and towns should adopt tracking systems to encourage reuse and redevelopment if tax foreclosed and abandoned properties in their communities are not being rehabilitated in a timely fashion.

10.

Water Policy Should Discourage Sprawl

Since water is essential for development, water policy plays an important role in determining where



actions and the Thea Foss phased review saved \$1.3 million in costs. The study estimated that the dollar value of saved costs will increase over time. In

Solutions

Washington State should adopt a building code specific to the rehabilitation of existing buildings. This will en-

growth occurs. Water policy, if well coordinated with the state's growth management policy, can support that policy. If it is not coordinated, it can undermine our state and local growth management efforts.

Solutions

There are currently several efforts underway to reform the state's water policy and to resolve disputes about water use. Water policy reform should incorporate the following principles to support the state's growth management policy:

■ Washington's current water code includes several exemptions from the requirement to obtain a water right before using water. One of the exemptions is for a well to be used to serve small scale residential water users where no more than 5,000 gallons a day is withdrawn from the well. This year, the Washington Supreme Court affirmed that this exemption is limited to 5,000 gallons and a subdivision qualifies for only one exemption for multiple residences and may not drill multiple wells for a single development where those wells will withdraw more than 5,000 per day in total.²³ These types of well systems, known as "six packs," had been used to allow residential developments in rural areas. The legislature should support this interpretation of the water code since it upholds the goal of encouraging growth in cities

and towns and the goal of protecting the character of our rural areas. This interpretation also protects existing water right holders since the exempt wells were not reviewed for their effect on either existing water rights or the environment. Exempt wells should not be allowed where an area is already served by a water provider. Existing exempt wells should connect to the water system serving the area when the providers' pipes are close to the homes served by the existing exempt wells.

■ Legislation should be enacted requiring the plans of water purveyors to be consistent with county, city, and town comprehensive plans. Water purveyors should only be required to provide water service within their service areas if the uses, activities, and intensities of use being served are consistent with the GMA comprehensive plans. Water facilities should also be consistent with GMA comprehensive plans.

11.

Annexation Methods Should Encourage Annexations within the Urban Growth Area

Sprawl does not need cities and towns. But well designed and attractive neighborhoods well served by parks, public facilities, and services do. Only cities and towns have the authority and funding tools to provide

the comprehensive suite of public facilities and services great attractive and functional communities need.

Annexation is the procedure used to add land to cities, towns, and special districts. The Washington Supreme Court held that the existing petition methods of annexation violated the privileges and immunities clause of the Washington State Constitution.²⁴ An unanticipated consequence of this decision is that the most common method of annexation is no longer available to Washington cities and towns. Petition methods tend to be quick and certain. Having them declared unconstitutional will interfere with efforts to build great cities and towns. While the Supreme Court is reconsidering this decision, it is unclear if the court will reinstate the petition annexation methods.

The only other annexation method that is available for most types of annexations is an election. Elections work well for large areas that have a significant number of voters. But for land with few or no voters, they do not work well. If land has no voters, then it cannot be annexed. Strategies, such as moving in a trailer with an employee onto properties with no voters raise many issues regarding the propriety of our elections. It also does not work well for annexations with a few voters either.

Sprawl-inducing Policies & Programs

10. Water Policy Should Discourage Sprawl (continued)

11. Annexation Methods Should Encourage Annexations within the Urban Growth Area

Sprawl-inducing Policies & Programs

11. Annexation Methods Should Encourage Annexations within the Urban Growth Area

There is one other important problem with the current annexation process. In two recent cases, the Central Puget Sound Growth Management Hearings Board was faced with the situation where a county expanded an UGA and then argued that the appeal of the UGA expansion was moot because the land had already been annexed by a city. Growth Boards are state agencies that decide appeals alleging that comprehensive plans or development regulations do not comply with the GMA. County comprehensive plans designate urban growth areas (UGAs). This mootness argument, if agreed to by the Growth Boards or courts, would prevent the review of improper UGA expansions. While no Growth Board has agreed with the argument, the Central Puget Sound Growth Management Hearings Board has recommended that the legislature resolve this problem.²⁵

Solutions

The Washington State Legislature should comprehensively reform Washington's annexation laws. The laws are old and have not been evalu-

ated for efficiency and effectiveness in many years resulting in inefficient annexation methods and a failure to address problems such as funding for counties as cities annex the urban area. The Supreme Court decision presents an opportunity to finish the comprehensive review and updating of Washington's annexation laws. The update should include new expedited methods of annexation, mechanisms for transitioning the duties, responsibilities, assets, and liabilities of special districts to cities as annexation occurs, adequate funding sources for counties' regional services, and adequate funding sources for rural special districts.

The following laws should be adopted:

■ Enact legislation that allows annexation of land on which owners or residents have circulated and submitted a petition for annexation signed by both (a) owners of a simple majority of the acreage proposed for annexation, and (b) a simple majority of the area's qualified voters.

■ Enact legislation allowing cities and towns planning under the GMA to annex land within the

UGA. If a petition is signed by a reasonable percentage of voters within the annexation area, then an election would be held to decide the annexation.

■ Enact legislation prohibiting final approval of annexations until the appeal period for the UGA has ended. If an appeal is filed, the annexation should not be approved until the Growth Board decides the appeal or the appeal is settled. If a judicial appeal of the board decision is filed, the annexation should be allowed to proceed during the period of judicial appeals if the Growth Board upheld the UGA.

■ Annexations can both reduce the burdens on counties and special districts and reduce their revenues. Agreements between cities and towns and counties and special districts can give counties and special districts time to adjust to these changes and should be encouraged. The legislature should adopt amendments to the annexation statutes encouraging these agreements. The agreements should be prepared in advance of annexations to ensure that annexations are not delayed.

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reas in the county, and new connections between portions of King County's contiguous Urban Growth Area that must traverse the Rural Area and are identified in an adopted transportation plan or policy, shall be designed to avoid pressure to convert to urban uses."

9. RCW 36.70A.110(4) provides that (i) cities are the most appropriate providers of urban governmental services, (ii) it is generally not appropriate to extend or expand urban governmental services into rural areas, but (iii) limited occasions to extend or expand urban services are allowed that are: (iv) shown to be necessary to protect: (a) basic public health and safety and (b) the environment, but; (v) only when the urban governmental services are financially supportable at rural densities; and (vi) only when extension or expansion does not allow urban development.

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