

State making little progress with Smart Growth, study says Policies had little impact on sprawl, congestion

By Timothy B. Wheeler, The Baltimore Sun

12:10 a.m. EST, January 6, 2011

Thirteen years after Maryland embarked on a nationally recognized effort to promote Smart Growth, the state's laws and policies have had little discernible impact on sprawl or traffic congestion, a new study says, and farms and forests are still threatened by development.

In its most comprehensive review to date, the University of Maryland's National Center for Smart Growth Research says development patterns, commuting times and other trends indicate that the state "has not made measurable progress toward improving its performance in many of the areas it says it cares about."

Gerrit Knaap, director of the center, said there are "a few bright spots," notably the preservation of land and recent promotion of development around transit stops in the Baltimore and Washington areas. But overall, he said, "the evidence suggests that we haven't really bent the curves [of growth] in ways we hoped we would."

The study, underwritten by the Abell Foundation, assessed trends in population and employment, transportation, housing and development and in natural area preservation through 2007. It comes on the eve of a daylong state forum Friday on sustainability convened by **Gov. Martin O'Malley**, who ran for governor in 2006 on a pledge to strengthen Smart Growth policies. The session is meant to help the O'Malley administration shape its approach to environmental protection, farming and growth over the next four years.

Maryland drew national attention in 1997 when it adopted Smart Growth laws and policies aimed at using state funds to preserve rural land and steer new development to existing communities. It was hailed as a more politically palatable way to curb sprawl than the tight curbs on suburban and rural development in Oregon, which have focused growth in **Portland** but have provoked political backlash.

Maryland's incentive-based approach has been less controversial, but the study also suggests it's been less effective.

Though Smart Growth was intended to promote more compact development, sprawl does not appear to have eased. Three-fourths of the acreage on which new, single-family homes have been built since 1997 are outside of areas designated under the law for growth, and the study says that ratio has worsened slightly in recent years.

On Smart Growth's other major goal — preservation of open land — the study finds that Maryland has slowed but not halted its chronic losses of farms and forests. Roughly 20 percent of the state's farmland and forestland has been preserved, either through the state buying it or giving private landowners tax breaks in exchange for pledges not to develop their property. Last year, the state protected 12,812 acres, exceeding a 9,700-acre goal set by the O'Malley administration.

But the study notes that farm and forest acreage is trending downward in Maryland and nationwide, and that 60 percent of the state, including a "substantial amount" of open land and important natural areas, remains unprotected.

By other measures, there's not much evidence that Smart Growth has altered the state's demographics and economy — or how residents get around. Population growth has been in line with the national average, the study notes, and there is no clear evidence that Smart Growth has either helped or hurt the state's economy, as employment growth outpaced the national average, at least through 2008.

And until the recent recession, Marylanders continued to drive more, and congestion and car ownership increased. Transit ridership has been higher than in most states, which the study said probably stems mostly from public investment in rail and bus networks in Baltimore and Washington that began before the Smart Growth policies took effect.

Richard E. Hall, the state's planning secretary, said the study's inability to find much impact is "not wildly unexpected," as it echoes previous studies of Smart Growth's effectiveness. He said it takes years, even decades, to alter land use trends, in part because of the long lead time involved in planning for development and the limited impact government can have on market forces.

"You're really turning a battleship with a paddle," he said. "It takes a long time to see differences."

Yet Hall said some positive trends are too recent to show up in data analyzed in the report. Annual losses of farmland peaked at more than 22,000 acres in 2004, he noted, and have lessened since. Meanwhile, nine of the state's 23 counties now have zoning or other programs in place to discourage development in farming areas.

Still, the planning secretary acknowledged that Smart Growth "needs improvement."

"Smart Growth is tough, and some of the measures we have ... don't show great progress by themselves," he said. "But we've got to continue to do better because we don't have land to waste."

John E. Kortecamp, executive vice president of the Home Builders Association of Maryland, said Smart Growth policies haven't changed development patterns much because state and local governments have never invested enough in schools, transportation and other infrastructure in existing communities to accommodate more people. And he said residents in such areas often balk at denser development because classrooms and roads are already overcrowded, which he called a "Catch-22."

"It's a huge problem, and until that's addressed, the numbers really aren't going to change," Kortecamp said. "Until more money starts coming in from fees, taxes and new economic activity, they're going to be stuck — commutes are going to be unbelievable and ... housing is going to be significantly dispersed."

Dru Schmidt-Perkins, executive director of the 1000 Friends of Maryland, a nonprofit group dedicated to land preservation, contended that the report fails to credit some of Smart Growth's effects, notably in protecting farmland and forests. She said the biggest problem has been the lack of "follow-through" by local governments to change development plans, zoning and regulations, which forces state government to help pay for roads, sewers, schools and other services in outlying areas rather than making greater use of existing infrastructure.

"Are we still sprawling in very expensive ways? Absolutely, yes," she said.

She said she does not believe there is a single solution but that the state's budget crisis — a \$1.6 billion shortfall — presents an opportunity to begin questioning the soundness of paying to bail out poor development decisions. For example, since older residential septic systems are leaching pollutants into the **Chesapeake** Bay, "why are we still allowing subdivisions on septic systems?" she asked.

Leslie Knapp Jr., associate director of the Maryland Association of Counties, contends that local officials have largely embraced the desirability of protecting farms and open land. But Smart Growth hasn't been as popular in rural counties, he said, because the state policy calls for more compact development than residents want.

"You don't see a lot of condos or apartment buildings" in small towns and villages, he said.

Jon Laria, a Baltimore real estate lawyer who is chairman of the state's growth commission, acknowledged the dilemma, but said he hoped that even with government funding scarce, state and local laws and regulations could be revised to discourage sprawl. He suggested a tradeoff might be possible, with development rules relaxed in areas targeted for growth and more restrictions imposed in rural areas.

Above all, he said, town, county and state officials must work together to change how Maryland is growing, and put away long-running frictions over which level of government has the last say on development.

"The Chesapeake Bay does not care what jurisdiction it's in," he said.

tim.wheeler@baltsun.com