

Cape Cod's drive to curb overdevelopment

Prov. Bus. News
3-26-90

By Chester Smolski

The mid 1980s in Rhode Island will be long remembered as a time of intensive real estate development, explosive house process and manmade growth sprawling over the countryside. These phenomena also generated a reaction in the form of environmental concerns, the NIMBY syndrome, affordable housing issues and the passage of the 1988 Comprehensive Planning and Land Use Regulation Act.

Developers were also quick to respond to this new interest in the real estate market by hiring new help, buying up more land and building single- and multi-family units wherever there was the opportunity. The result, with the downturn in real estate, is an overbuilt market, especially in condominiums, and a stabilizing to weakening of housing prices.

The results of this intensive development activity have shown up in a recent study by the state Department of Environmental Management, which claimed that it is now impossible to drive a single mile of the state 6000 miles of roads without seeing some form of development. And this in a state where more than one half of the land is in farms and forests!

This type of sprawling development does nothing to enhance the landscape, makes infrastructure costs prohibitive, does little to make public transit a viable option, increases automobile travel and lowers the quality of the environment.

Public response is a slow process, of necessity, because it involves government and public participation, but actions to combat the poor use of the limited supply of land are now in place. The Comprehensive Planning and Land Use Regulation Act requires all of the state's communities to have a plan by the end of the year that is in compliance with state goals and objectives.

This legislation will allow communities to use more flexibility and innovation in their zoning ordinances, something that is not available from current enabling legislation that was passed by the General Assembly in 1921!

However, the likelihood of all communities meeting the Dec. 31, 1990, deadline for submitting their plans to the state is remote, partly because of a delay in the start of the process and in required state funding.

The deadline, as a result, will likely be moved to Oct. 1, 1991, and the zoning enabling act, assuming it is passed during this session of the General Assembly, will allow communities to get their zoning in place by Oct. 1, 1993.

So what are we to do until both of these measures come on line? Planning departments are still making decisions and operating on a day-to-day basis because regulatory mechanisms are already in place in most Rhode Island communities, and many have their own comprehensive plans under which they have been operating. It is the smaller more rural communities that will need help because of their lack of staff and experience in contending with this new growth and development.

Unfortunately, it is these same communities that need the most help and that should at meetings to educate themselves and to discover innovative means to regulate growth that do not participate.

An example of this is the recently conducted meeting on techniques and prospects on planning for sustainable growth. The meeting was sponsored by the Rhode Island section of the American Planning Association and the Land Management Project, an organization sponsored by the US Environmental Protection Agency and

Urban Deeds

the Rhode Island DEM.

Too few communities employ their own planners, even in those communities experiencing rapid growth. This was part of the message of Matthew Callahan, former town solicitor of Narragansett, Rhode Island's fastest-growing community over the past two decades and which now has a planner on staff.

Callahan also said that a building moratorium, instituted in May 1987, is not the answer to control growth; rather it represents a failure of good planning. He enumerated other points learned in the town's planning experience:

- The planning process should have high visibility;
- It is never too late to do planning;
- A moratorium should be used only as a last resort.

Robert Mitchell, planning director in Amherst, Mass., said his university town underwent tremendous growth in this decade, going from less than 100 building permits a year in the early '80s to 1200 each year. A two-year building moratorium gave the town time to come up with a phased-growth bylaw that is considered successful.

The three major elements of the bylaw are a growth cap of 250 dwelling units every two years, a development of four or more residential units is built in phases over a two to five-year period and points are awarded for these large developments for developing open space, affordable housing and cluster developments. These points are used as incentives to speed the development timetable.

Land banking has been most successful on the island of Nantucket, where a 2 percent real estate transfer tax is used to acquire open space. Since the passage of the tax in 1983, an average of \$64,000 a week has been collected up to this year, and nearly 3 percent of the island 50 square miles is now preserved forever.

According to Armando Carbonell, executive director of the Cape Cod Planning and Economic Development Commission, the most exciting and necessary new planning program will be voted on by the residents of the 15 towns comprising Barnstable County, Mass., on March 27. Cape Cod is a unique place and the vote will be to determine if a Cape Cod Commission can be established to preserve that uniqueness (see PBN, Jan. 29).

Now one-half developed, in some cases with the most horrifying developments of plazas, malls, strips, schlock and congested roads, the Cape is faced with an ultimatum: Work together as a region or future development will be more of the same and environmental quality will deteriorate even further. Listening to others describe similar growth issues makes one realize that maintaining a quality of the environment in a state that is already blessed with many unique natural and historic resources will not be easy.

But time is not standing still, and development continues. Will Rhode Island communities be able to manage this growth and still maintain its unique qualities? The challenge lies just ahead. □

Chester E. Smolski is the director of urban studies at Rhode Island College.