

# Land Lines

JULY 2002

Newsletter of the Lincoln Institute of Land Policy



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David Gerratt & Amanda Wait  
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The Lincoln Institute of Land Policy is a nonprofit educational institution established in 1974 to study and teach land policy and taxation. By supporting multidisciplinary educational, research and publications programs, the Institute brings together diverse viewpoints to expand the body of useful knowledge in two departments—valuation and taxation, and planning and development—and in the program on Latin America. Our goal is to make that knowledge comprehensible and accessible to citizens, policy makers and scholars in the United States, Latin America and throughout the world. The Lincoln Institute is an equal opportunity institution in employment and admissions.

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### Lincoln Institute of Land Policy

113 Brattle Street, Cambridge, MA 02138-3400 / USA

Tel: 617-661-3016 Fax: 617-661-7235

Email: [annleroyer@lincolnst.edu](mailto:annleroyer@lincolnst.edu) (editorial content)  
[help@lincolnst.edu](mailto:help@lincolnst.edu) (information services)

Web: [www.lincolnst.edu](http://www.lincolnst.edu)

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## From the PRESIDENT

The richness and multidimensional nature of the Lincoln Institute's educational program is well demonstrated by the seminars, courses and lectures offered at Lincoln House recently.

We are proud that the Institute is playing a significant role in helping scholars and practitioners from throughout the United States and around the world to clarify the issues and their own positions on complex land and tax policies.

In late May, Armando Carbonell, cochairman of the Institute's Department of Planning and Development, and Harvey Jacobs, professor of planning at the University of Wisconsin-Madison, assembled a group of leading scholars to discuss the changing nature of property rights in the twenty-first century. This topic has taken a prominent place in local debates around the U.S., and the Supreme Court is regularly asked to review property rights cases. Property rights and land tenure issues are also increasingly important in many contexts around the world. In rapidly growing cities in developing countries, for example, new calls for constitutional changes seek to ensure rights for the poor.

In another arena, the Institute continues to provide training for journalists who cover land use and property tax issues. We are all aware of the significant role that journalists play in informing the public on a variety of topics, yet most journalists are by training generalists rather than specialists. Our programs are designed to provide valuable background material and resources on land use and taxation issues to inform their work. Following the seminar on property rights, Carbonell and Jacobs reviewed the key themes of that debate with an invited group of 28 journalists who spent two days at Lincoln House. This course also included presentations by Joan Youngman, chairman of the Institute's Department of Valuation and Taxation, and Bob Schwab, an economist at the University of Maryland, on the interplay between property taxation and school finance. Rosalind Greenstein, cochairman of the Institute's Department of Planning and Development, and John Landis, professor of planning at the University of California, Berkeley, detailed the policy concerns related to sprawling patterns of development in California and other regions.

Training practitioners continues to be another major focus of our courses and seminars. We regularly provide training for transportation planners, state and regional planning officials, community development corporation directors, and professionals in urban universities who are responsible for real estate and community development. Martim Smolka, director of the Institute's Latin America Program, brought 23 policy makers and academics from 12 Latin America countries to examine the opportunities and pitfalls of large-scale urban developments. Finally, as part of our Lincoln Lecture Series, Anthony Vickers, the former president of the Henry George Foundation of Great Britain, presented a talk on the prospects for land value taxation in Great Britain.

Lincoln House is a busy place. We believe we are making a difference in many different ways—training a broad cross-section of scholars, educators, journalists and practitioners in land and tax policy, and providing a forum for public debate. We look forward to the new academic year that begins in July, and hope you will find a way to share this experience with us.



Jim Brown



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# Land and Biodiversity Conservation: A Leadership Dialogue

The Lincoln Institute, with the Land Trust Alliance and the National Park Service Conservation Study Institute, is working with two dozen senior conservation practitioners from public, private, nonprofit and academic organizations across the nation to consider the grand challenges facing the North American land and biodiversity conservation community in the twenty-first century. The conservationists, who shared ideas electronically for several months prior to their March 2002 meeting in Cambridge, explored emerging and needed conservation innovations that may prove commensurate with the challenges. Organized by James Levitt of Harvard's Kennedy School of Government, Armando Carbonell of the Lincoln Institute and Fara Courtney, an environmental consultant in Gloucester, Massachusetts, the group exchanged ideas through presentations, case studies and working groups. E.O. Wilson, the distinguished author and biodiversity scholar at Harvard University, addressed the session and participated in the discussions. This article presents several highlights of that leadership dialogue on conservation in the twenty-first century (C21).

## JAMES N. LEVITT

Ask almost any American concerned with natural resources resources, "How and when did we start practicing conservation in this country?" In most cases, the response involves the role of the federal government at the turn of the twentieth century under President Teddy Roosevelt. While Roosevelt and his close associate Gifford Pinchot do stand as giants in the history of conservation in this nation, the record shows that Americans have a remarkable tradition of conservation that stretches back at least to the early days of the Republic.

Individuals and organizations in the private, nonprofit, public and academic sectors have throughout our history brought landmark conservation innovations to life, and they continue to do so. They have focused their attention on sites that span the urban-rural continuum, from city parks to remote wildernesses. In the context of repeated waves of immigration and population growth, a chain of stunning technological advances and a pattern of long-term economic growth, American conservation innovators have acted creatively and often with considerable passion to protect and manage natural and scenic wonders, working landscapes, native wildlife and recreational open space for their own benefit, for the benefit of the public at large, and for the benefit of future generations.

Consider the history of the land trust movement. Thomas Jefferson set an early precedent for private and nongovernmental protection of natural beauty in America. In 1773, three years before he penned the Declaration of American Independence, Jefferson purchased a parcel of land known as Natural Bridge near the Blue Ridge Mountains. He treasured the parcel throughout his adult life, inviting writers, painters and dignitaries to visit the site and record its wonders. By 1815 he wrote to William Caruthers to say that he held Natural Bridge "to some degree as a public trust, and would on no consideration permit the bridge to be injured,

defaced or blocked from public view."

Some 60 years after Jefferson's death, Charles Eliot, son of the president of Harvard University and a protégé of Frederick Law Olmsted, took another historic step toward the nongovernmental protection of open space. He proposed the formation of a private association to hold parcels of land for the enjoyment of the citizens of Massachusetts, particularly the less affluent residents of Boston who needed an escape from the "poisonous" atmosphere of the crowded city so closely associated with the technological progress and demographic turmoil of the Gilded Age. With a charter from the Commonwealth granted in 1891,



Rocky Narrows in Sherborn, Massachusetts (227 acres) was established in 1897.

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that organization, now known as The Trustees of Reservations, became the first statewide nongovernmental land trust.

Eliot's innovation has proved to be truly outstanding, a *landmark conservation innovation* that meets all the criteria for outstanding innovations in the public interest set out by the Innovations in American

Government program at Harvard's Kennedy School of Government. The notion behind the Trustees has proved to be novel in conception, measurably effective, significant in addressing an important issue of public concern, and transferable to a large number of organizations around the world. Furthermore, and criti-

cally important in the field of conservation, Eliot's innovation has demonstrated its ability to endure and remain vibrant after more than a century. The Trustees' current director of land conservation, Wesley Ward, emphasizes that nongovernmental conservation organizations will continue to be called upon in the twenty-first century to "provide leadership by identifying challenges, advocating effective responses and providing relevant models of conservation and stewardship."

The Lincoln Institute played an important role in the resurgent growth of the land trust movement in the early 1980s, when it focused its resources as an academic institution on how an exchange of information among several dozen land trusts in the U.S. might strengthen conservation standards and practices throughout the entire land conservation community. Jean Hocker, at that time organizing the Jackson Hole Land Trust, remembers well the early discussions convened at Lincoln House by Boston-area lawyer Kingsbury Browne. She explains that emerging from those deliberations was the idea that "we ought to form a new organization called the Land Trust Exchange that could help us all do our jobs better." Hocker moved to Washington, DC, in 1987 to run the

group, which became known as the Land Trust Alliance (LTA). Under her leadership, the organization led the land trust movement into a period of rapid growth and enduring achievement. In 2002, there are more than 1,200 local and regional land trusts in the U.S. that have helped to protect more than six million acres of



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*"We have entered the twenty-first century, the century of the environment. The question of the century is, how can we best shift to a culture of permanence, both for ourselves and for the biosphere that sustains us?"*

E.O. WILSON

open space. Furthermore, the LTA's annual Rally is a now a high point of the year for more than a thousand land conservation volunteers and professionals spread across the continent and beyond who convene to share their best ideas.

The Trustees' long history of conservation innovation and achievement is paralleled by the histories of many other public, nonprofit, academic and private sectors organizations represented by C21 participants. Nora Mitchell and Michael Soukup of the National Park Service underscore the significance of America's creation of the world's first national park at Yellowstone in 1872, an innovation of worldwide significance that was in part the brainchild of two private railroad entrepreneurs, Jay Cooke and Frederick Billings. Laura Johnson, president of the Massachusetts Audubon Society, takes justifiable pride in the achievement of her organization's "Founding Mothers," two women who established the nation's oldest continuously operating Audubon society in 1896 and catalyzed the campaign that led to the signing of the first international migratory bird treaty. Robert Cook, director of Harvard's Arnold Arboretum, explains the pivotal role of that institution in the emergence of American forestry policy as far

back as the 1870s. And Keith Ross of the New England Forestry Foundation, who spearheaded the precedent-setting effort concluded in 2000 to place a conservation easement on more than 760,000 acres of forest land owned by the Pingree family in Maine, emphasizes that the family's private forest stewardship practices date back to the 1840s.

### Complex Conservation Challenges

Notwithstanding the conservation community's collective record of achievement, the land and biodiversity conservationists at the C21 meeting foresee grand challenges of extraordinary com-

plexity and difficulty in the coming 50 to 100 years. In the context of expected growth in North American and world populations, changes in demographic patterns and ongoing technological development, as well as systemic changes in climate and other earth systems, they express deep concern regarding myriad potential changes on the landscape. These may include the accelerating loss of open space; intensified landscape fragmentation; further degradation of wildlife habitat; alarming declines in the viability of a wide range of biological species; and potentially significant stresses to earth systems that provide essential ecosystem services. Will Rogers, president of the Trust for Public Land, notes, "from a conservation viewpoint, the pace of growth and development is rapidly running us out of time."

The concern of many C21 participants regarding the potential impact of growing human populations starts with the straightforward projection of the U.S. Census Bureau that the population of the U.S. will grow from some 280 million Americans in 2000 to about 400 million by 2050. Beyond the numbers, it is critical for conservation planners to understand that the diversity of the American population is forecast to change significantly,



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**Monument Mountain in Great Barrington, Massachusetts (503 acres) was established in 1899.**

with particularly strong growth in the ranks of Hispanic Americans and Asian Americans. Jamie Hoyte, an authority on conservation and diversity at Harvard University, explains, “one of the most significant challenges we face is broadening and diversifying the community of conservation-minded citizens. Those who advocate for conservation must do so in a way that speaks to people of all backgrounds and races, demonstrating an understanding of the needs of a broad range of people.” Robert Perschel of the Wilderness Society expands on the idea, advising that we need to “enter into a new dialogue with the American people...to touch the hearts and spirits and wisdom of our citizenry.”

C21 participants also pointed out that new conservation initiatives are likely to be launched in the context of continuing economic growth and personal affluence.

For perspective, note that real U.S. gross domestic product (GDP) grew more than five-fold between 1950 and 2000, and many economists expect to see comparable growth in coming decades. To protect open space and biodiversity in the midst of such great affluence, conservationists will need to leverage the nation’s economic power. According to Chip Collins of The Forestland Group, “North America’s economic growth has helped fuel the loss of biodiversity. At the same time, North America has led the world in the development and implementation of conservation strategies in large measure because of the extraordinary growth and vigor of its economy. One of the great challenges will be to manage this seeming dichotomy by effectively harnessing the private sector and redirecting its immense capital power base toward

constructive conservation initiatives. The private sector, in stride with its nonprofit, public and academic counterparts, must be a full and constructive partner.”

As in the past, new and increasingly powerful technologies are likely to continue to proliferate. While offering considerable social and economic benefits, the new technologies may also be closely associated with large-scale environmental disturbances. In the past half-century, for example, the spread of interstate highways has effectively stimulated the American economy but has also been associated with pervasive environmental disruptions such as urban and rural landscape fragmentation, the creation of unhealthy air quality conditions, and the generation of significant volumes of gases associated with global climate change. Similarly, more recently introduced networked technologies, such as the Internet and advanced wireless communications

networks, appear to be enabling continued net migration of Americans to formerly remote and highly environmentally sensitive locations across the continent. Technology-related change is not limited to the U.S., of course. Larry Morris of the Quebec-Labrador Foundation explains that new communications and transportation networks are influencing where and how people live worldwide, from Atlantic Canada to the Middle East.

Biodiversity scientists E.O. Wilson of Harvard and Leonard Krishtalka of the University of Kansas point out that while emerging technologies may be associated with environmental disruptions in coming decades, the same technologies are also proving critical to advancing our understanding of the diversity of life on earth. Krishtalka explains that “researchers are now learning how to harness the vast store of authoritative biodiversity information in natural history museums worldwide (about three billion specimens of animals and plants) and integrate it with other earth systems data for predictive modeling of environmental phenomena.” Such a predictive model was recently built by researchers in Kansas, California and Mexico to examine the fate of a wide variety of Mexican species under a range of global warming scenarios. The outcome of this and similar studies should be particularly useful to organizations striving to prioritize land and habitat protection opportunities in ecosystems throughout the western hemisphere that may be facing significant disruption in future.

In sum, despite remarkable progress, conservationists are in no position or mood to rest. John Berry of the National Fish and Wildlife Foundation advises, “if our standard is that of the ancient Greeks, that is, to leave our nation ‘not only not less, but richer and more bountiful than it was transmitted to us,’ than we have not yet earned the laurel crown.”

**A New Generation of Conservation Innovators**

Inspired by the precedents set by creative American conservationists in the nineteenth and twentieth centuries, twenty-

first century conservation practitioners are highly motivated to identify and implement new initiatives commensurate with the complex challenges of our day. C21 participants expressed interest in a wide variety of areas ripe for game-changing innovation, including the following.

#### *Winning Hearts and Minds*

Bill Weeks of The Nature Conservancy emphasizes that “the grandest challenge is to complete the task of getting the overwhelming majority of the public to care and act and vote like they care.” Rand Wentworth of the Land Trust Alliance agrees that conservationists should use the “tremendous power” of mass marketing to help create a national mandate for land conservation. Clare Swanger of the Taos Land Trust adds that the insight of mass marketers, but also of people living on the land, should be employed in such an effort. The outstanding question facing these conservationists is how to leverage modern marketing tools in a truly historic fashion. The aim would be to put together an effort comparable to the highly effective antismoking campaign of the last several decades, so as to build sustained momentum for the long-term protection and stewardship of “land for life.”

#### *Building the Green Matrix*

Addressing the multiple problems of open space consumption, loss of working landscapes, habitat fragmentation and biodiversity decline is a job that no single sector can tackle alone. Larry Selzer, president of the Conservation Fund and a proponent of smart conservation that balances economic returns with environmental principles, explains that effective action will require the cooperative efforts of landowners, policy makers and a wide diversity of individuals working across sectors. Furthermore, as Charles H.W. Foster of Harvard’s Kennedy School of Government points out, effective conservation efforts are at least as likely to take place at local and regional levels as at federal and international ones. Just how effective “green matrix” landscapes and organizational structures can be effectively assembled and main-

tained over the long term remains an area for thorough exploration and experimentation. Among other C21 participants, Peter Stein of the Lyme Timber Company, Jay Espy of the Maine Coast Heritage Trust, and Ian Bowles of the Kennedy School and the Moore Foundation are actively advancing the evolving art of assembling protected landscapes where economic and conservation goals can be pursued simultaneously.

#### *Following Through with Stewardship*

Achieving long-term conservation goals, of course, requires that once protection is gained for a given area a well-crafted stewardship plan, and in some cases an environmental restoration plan, must be conceived, agreed to by the relevant parties and then implemented. Getting this done has proved to be neither simple nor easy. Financing and organizing such stewardship efforts is too often overlooked during intense, short-fused campaigns to protect given parcels of land. Bringing a new level of attention and expertise to land and habitat stewardship and restoration efforts will be an ongoing challenge to the conservation community, particularly as its portfolio of protected lands grows in coming decades.

Fortunately, conservationists can point to some forward-looking stewardship efforts now underway. Ralph Grossi, president of the American Farmland Trust, notes that the 2002 Farm Bill will provide significant levels of funding for USDA-sponsored stewardship efforts on agricultural lands. Similarly, Jaime Pinkham, a member of the Nez Perce Tribe in Idaho, offers eloquent testimony about how tribes can work with local, federal and other authorities to restore keystone species to entire ecosystems, as was accomplished with the gray wolf in the Northern Rockies. Still, there is room for a great deal of progress and innovation in this area.

#### *Synthesizing Conservation Science*

Conservation scientists E.O. Wilson, Leonard Krishtalka and Douglas Causey all underscore the argument that very significant progress can be made in the

coming century to build large-scale syntheses in conservation biology and ecology. Wilson is particularly emphatic about the need to catalog all living species, a global work-in-progress that is only about 10-percent complete. The All Species Foundation that Wilson helped to form proposes to “complete the censusing of all the plants, animals and micro-organisms in the world in 25 years.” “Is this a pipe dream?,” asks Wilson, rhetorically. “No way,” he answers. “It is megascience backed by the same sort of technology drivers as the Human Genome Project. The important thing is to see the exploration of the biosphere as a crucial task.”

Gaining a comprehensive understanding of the biosphere and the ability to predict ecosystem outcomes under a variety of possible futures is indeed a grand challenge for conservation scientists. Kathy Fallon Lambert of the Hubbard Brook Research Foundation adds, “a complementary challenge is to find clear and concise ways to explain significant field and laboratory research findings to the general public and to key decision makers so that they can carry out policy debates with the best available scientific information.”

From our vantage point at the commencement of this century we cannot accurately predict just what future generations, 50 or 100 years from now, will judge to be our generation’s most significant conservation innovations, comparable to earlier creations of the world’s first statewide land trust or national park. We do know, however, that we face significant and complex conservation challenges, and our ideas for powerful innovation will only yield results if we act on them with great personal and organizational energy and intensity. There is no argument that the best time to begin such efforts is now. 

*JAMES N. LEVITT is director of the Internet and Conservation Project, Taubman Center for State and Local Government, Kennedy School of Government, Harvard University. Contact: [james\\_levitt@harvard.edu](mailto:james_levitt@harvard.edu).*

# Downtown Living: A Deeper Look

In a report titled *A Rise in Downtown Living*, the Brookings Institution and the Fannie Mae Foundation (1998) highlighted an emerging land use movement in 24 U.S. cities. The release of the 2000 U.S. Census data verified the progress in those cities in another brief, *Downtown Rebound* (Sohmer and Lang 2001). While these publications alerted the nation to a possible trend, they did have some limitations, which inspired Eugenie Birch's follow-up study, *A Rise in Downtown Living: A Deeper Look*, funded by Lincoln Institute, the University of Pennsylvania and the Fannie Mae Foundation.

This study, initiated in summer 1999, employs census data analysis, survey research, personal interviews and field visits to the sample cities. Birch draws on a larger and more representative sample of 45 cities, including 37 percent of the nation's 100 most populous cities selected for balanced regional distribution, and of these 100 percent of the top 10 and 62 percent of the top 50. The sample includes 19 percent of the 243 cities having a population of 100,000 or more. Birch defined each city's downtown by census tracts to create a baseline for mapping and collected data on nine population and housing factors for the downtowns and their cities and Metropolitan Statistical Areas (MSAs) over three decades. Birch administered two mail surveys, in 1999 and 2001, of city officials and business improvement district leaders to identify their respective roles in encouraging downtown housing, and she is currently making site visits to all 45 cities to verify the census data and survey results.

In this article, Birch summarizes seven key findings of her research, which were also presented at a Lincoln Institute lecture in March 2002 and reported in the *APA Journal* (Birch 2002).

## EUGENIE LADNER BIRCH

Although most people think they understand what downtown is, there is no single socioeconomic meaning or geographical definition for the term. While U.S. downtowns share several common characteristics (a central business district at the core, access to substantial transportation networks, a supply of high-density buildings, expensive land), they differ dramatically in their age, size, functions, contents and character. Furthermore, downtowns are in a state of flux as their boundaries and contents are changing. Tracking downtown boundaries over time reveals that in almost all the cities in the sample, the downtowns of today are remarkably different in size (measured in the number of census tracts included) than they were 20 years ago. Downtowns that are incorporating residences are also attracting more community-serving facilities, such as supermarkets or cineplexes that used to be in neighborhoods. Maps of several downtowns, created as part of this study, illustrate the size variations.

## Residential Populations by the Numbers

The rates of increase in downtown residential populations vary enormously among

cities. While downtown growth rates are impressive, numerical counts for MSAs still overshadow those of downtowns.

Measuring the growth against basic benchmarks (1970 population levels for the defined downtowns and comparative growth rates with city and MSA) reveals just how fragile this movement is. For example, only 38 percent of the sample cities had more downtown residents in 2000 than in 1970. Only one-third had a downtown population growth rate between 1970 and 2000 that was greater than that of their cities. For the same period, 42 percent of the sample showed a negative downtown growth rate even when their cities had positive numbers. Finally, only seven cities (Chicago, Cleveland, Los Angeles, New York, Norfolk, San Francisco and Seattle) had downtown growth rates that exceeded those of their MSAs in the entire 30-year period.

Looking at the data decade-by-decade tells a different story. Not surprisingly, downtown population declined most severely in the 1970s, when 89 percent of the sample showed losses that ranged from 2.4 percent (Des Moines) to 60 percent

FIGURE 1 Downtown Boston 1970 & 2000

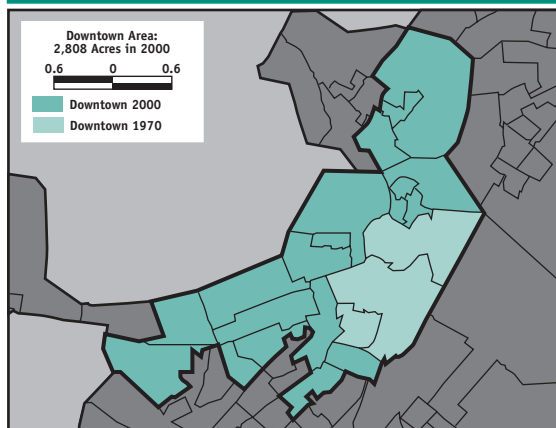
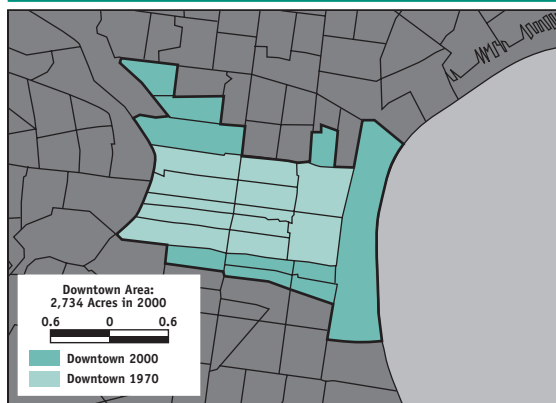


FIGURE 2 Downtown Philadelphia 1970 & 2000



(Orlando). In contrast, by the 1990s more than three-quarters (78 percent) of the sample posted increases. However, only four cities (Los Angeles, New York, San Diego and Seattle) had gains in all three decades. Comparing city and MSA data shows similar nuances.

Downtowns also vary in the amount and level of residential development. In 2000 for example, 24 percent of the sample cities had 20,000 or more downtown residents, while 20 percent had fewer than 5,000, and a great deal of diversity exists within the categories. Denver's downtowners number just over 4,200, but most observers perceive the city's record in attracting residents as a stand-out success, while Cincinnati, with about 3,200 downtown residents, is struggling to maintain a critical mass. At the other end of the scale, Chicago's 73,000 and Philadelphia's 78,000 downtowners are integrated into their larger metropolises.

Differences in the proportion of a city's population that lives downtown are also striking. For example, Boston and Philadelphia have roughly equal downtown populations, but Boston's comprises 14 percent of the total while Philadelphia's is only 5 percent. Finally, a simple numerical listing of the sample downtowns is misleading. Downtown population growth has occurred at varying rates with some cities experiencing the phenomenon for a longer time than others. This may account for the greater success of some cities. Also, given the varying geographical size of the different downtowns, density measures as well as demographic analysis should be added to any assessment in order to gauge the potential impact (economic, political, social) of new residents.

### Approaches to Creating Downtown Housing

Over the past decade, policy makers and investors have relied on six types of approaches to create downtown housing, and they often blend more than one of these:

- fostering adaptive reuse of office buildings, warehouses,

factories and stores;

- building on "found" land such as a reclaimed waterfronts or remediated brownfields sites;
- redeveloping public housing through HOPE VI;
- constructing residentially driven, high-density, mixed-use projects;
- targeting niche markets such as senior or student housing; and
- using historic preservation to forge a special identity.

To accomplish these ends, cities have engaged in creative financing, leveraging public funds, tax credits, gap financing pools and other tools at their disposal. Philadelphia, Boston and Lower Manhattan present examples of the office conversion trend, while Atlanta, Minneapolis, Cincinnati and Cleveland have employed warehouse store adaptive reuse. Charlotte represents a combination of HOPE VI, new construction and historic preservation. The found-land approach is seen in Milwaukee with its riverfront redevelopment (including brownfields remediation), Cincinnati with its expressway diversion/riverfront development, Des Moines with its construction of a new downtown neighborhood, and New York at Battery Park City. Chicago is the king of mixed-use new construction. Columbus (Georgia), Lexington and Chattanooga have fostered historic districting as a means to protect older, downtown residential neighborhoods.

### Deep Roots of Success

Today's growth in downtown living is the fruit of more than five decades of sustained attention to downtown revitalization. It has come about because cities have steadily improved their environments through downtown planning and additions of new elements to reinvent their old central business districts. In so doing, they have transformed their downtowns into new, hip places, thus making them competitive and attractive for housing. Although specific municipal policies such as favorable tax treatment, zoning amendments and infrastructure investments have, without doubt, flamed the private market activities in downtown housing, public investment in large-scale projects dating from the mid-1950s to the present have helped create a sympathetic climate for this investment. Preliminary evidence shows a strong relationship between investor choices and the presence of new downtown amenities. For example, developers in Los Angeles, Denver, Baltimore, Detroit and Memphis cite the presence of stadiums or sports arenas as important factors in their location decisions.

### Demographic Characteristics of Downtowners

Downtowners are more affluent, more highly educated and more white than the city dwellers overall, but more diverse than those in the MSA. Singles, empty-nesters, gays, and childless or small households are more highly represented in downtowns than in MSAs. Families with children are present but not dominant. Other submarkets are students and the elderly. In some cities where the housing market is tight, notably Boston, New York, Chicago and San Francisco, low- and moderate-income groups are reporting difficulty in finding space for affordable housing. In other cities like Charlotte that have an excess of downtown land, much of it devoted to parking lots, the issue is not space but cost. In these contexts, questions arise

TABLE 1 Downtown Populations and Growth Rates for Selected U.S. Cities, 1990–2000

City	Population 1990	Population 2000	Growth Rate 1990-2000 (%)
Boston	77,253	80,903	4.72
Charlotte	6,370	6,327	-0.68
Chicago	56,048	72,843	29.97
Cincinnati	3,838	3,189	-16.91
Denver	2,794	4,230	51.40
Los Angeles	34,655	36,630	5.70
Minneapolis	36,334	30,299	-16.61
Philadelphia	74,686	78,349	4.90
Phoenix	6,517	5,925	-9.08
St. Louis	9,109	7,511	-17.54
Washington, DC	26,597	27,667	4.02

Source: Birch (2002)



as to what resources should be devoted to high-rent downtown units.

### Private Development Efforts

Promoting downtown housing has emerged as a central strategy of private downtown groups, mainly business improvement district (BIDs), working in league with municipal government, often city planning and/or economic development departments. In 59 percent of the sample, BIDS or other privately sponsored organizations have engaged in pro-housing campaigns. As membership organizations their internal needs drive the agenda, so the amount and nature of their efforts vary widely.

### Contribution to Citywide Growth

Downtown growth has contributed to the numeric changes in citywide populations in many cities. While the percentage contribution to overall municipal growth is often quite small, in 53 percent of the sample cities the downtown numerical contribution is a significant portion of the total, and in another 22 percent of the sample cities the downtown portion has offset losses in other parts of the city. In other words, without the downtown population growth, 60 percent of the sample would be worse off. In Boston, for example, downtowners constituted 25 percent of the increased number of people living in the city, while in Pittsburgh the additional downtowners reduced the city's population loss by only one percentage point.

### Conclusions

Reviewing these seven findings reveals a few themes. Downtowns are ever-changing places. Their functions, their boundaries and their very characters have been evolving in the postwar period. They are like complicated jigsaw puzzles with players (urban leaders) fitting the pieces together slowly. Just as assemblers first frame a puzzle and then fill in the center, city leaders have provided infrastructure outlines—streets or street improvements, schools, redeveloped river edges, improved open space—and now are adding other parts. Downtown living is one of these. In many places it has fit very well, especially



in the past ten years. In a few cases, new downtown residents contribute significantly to the numerical growth of their city's population. Just as certainly, many downtowns have not really kept up with their MSAs, and a majority of cities have yet to recover their 1970 populations. Nonetheless, having formerly vacant and/or abandoned buildings occupied (and eventually paying taxes) and having more (and more diverse) people on the streets night and day, weekday and weekend, are positive factors for urban life.

Making sense of this housing phenomenon requires not only placing it in the context of contemporary metropolitan development but also making it part of an evaluation of past urban redevelopment programs. Downtown living is not a silver bullet for curing urban ills but one element of an ongoing planning and investment effort for a part of the city.

Public/private partnerships have been essential in achieving changes in downtown living. The existence of productive interplay between focused interest groups, especially the growing number of business improvement district leaders, and public planning and economic development units has resulted in bold, imaginative, creative and thoughtful approaches to creating housing opportunities.

The findings and themes in this research give rise to other questions related to individual downtowns, including an

evaluation of the costs and benefits of attracting different types of downtowners and an assessment of the reasons why some places have been more successful than others in gaining the populations. This information that would be useful, for example, for policy makers in cities having less developed downtowns who first must decide whether a downtown living approach is appropriate for their cities and, second, must determine whether supportive incentives or complementary activities are needed. Other questions revolve around how to spread downtown progress to nearby neighborhoods without provoking displacement or unwanted gentrification and how to resolve the inevitable political disputes that will arise with the newcomers.

All in all, the rise in downtown living is as complex and layered as any urban issue. While widely reported in the popular press, it deserves a balanced, scholarly appraisal. This study raises important planning and development issues that still need attention: for example, information on the critical mass of residents required to make a difference in downtown life, the relationship between downtown housing units and employment, and the number of households needed to support community-serving functions. All of these issues lead to questions of balancing appropriate density for new development and quantity for adaptive reuse with other downtown functions like office, parking, retail and entertainment. No one really knows the proper composition of a balanced downtown. **L**

**EUGENIE LADNER BIRCH** is professor and chair of the Department of City and Regional Planning at the University of Pennsylvania. Contact: [elbirch@pobox.upenn.edu](mailto:elbirch@pobox.upenn.edu)

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# Property Taxation Challenges in Post-Apartheid South Africa

The Lincoln Institute has supported the authors' work on property taxation in South Africa for several years, and in February 2002 the Institute published *Property Taxes in South Africa: Challenges in the Post-Apartheid Era*. Edited by Bell and Bowman, the book presents major portions of their own work, together with chapters by several of their colleagues in the U.S. and in South Africa. This article provides an overview of seminars on property tax issues conducted by Bell and Bowman in South Africa in March 2002.

BY MICHAEL E. BELL  
and JOHN H. BOWMAN

The end of apartheid in South Africa nearly a decade ago presented new opportunities and challenges to every aspect of national life, including fiscal issues. The government faced the task of extending the property tax to previously untaxed areas and adapting it to provide services through a set of radically restructured local governments. The final reorganization of local government took effect in December 2000, and the new governments now must develop comprehensive property tax (rates) policies.

Several key pieces of apartheid-era legislation had established the spatial basis for racial separation:

- ***Natives Land Act of 1913:*** Adopted soon after formation of the Union of South Africa in 1910, this law outlawed black ownership or leasing of land outside reserves established for blacks.

- ***Population Registration Act of 1950:*** Often termed the cornerstone of apartheid, this statute established categories to which people would be assigned: white; black or bantu; colored, for people of mixed race; and later, Indian. This classification scheme made enforced racial separation possible.

- ***Group Areas Act of 1950:*** This law instituted strict racial separation in urban areas, providing zones that members of only one racial group could occupy and limiting the presence of blacks in restricted areas to short time periods. A pass system required nonwhites to carry identifying papers or permits.

These policies greatly complicated

efforts to amalgamate former white and black local authorities (WLAs and BLAs), with important implications for property taxation. Specifically, for local governments, the legacy of apartheid includes:

- skewed settlement patterns with the geographic and social segregation of residential areas;
- extreme concentrations of wealth and property tax base, since commercial and industrial activity was located almost exclusively in the former WLAs;
- large areas and numbers of people in BLAs, which had inferior infrastructure and a backlog of demand for public services under amalgamation; and
- nonviable municipal institutions—small rural townships, known as R293 towns, close to the borders of former bantustans (black homelands or traditional authority areas) that have large populations, limited financial resources and only a minimal level of services.

## Post-Apartheid Local Government Structure

The dismantling of apartheid began in the mid-1980s and was essentially complete by the early 1990s. At the end of 1993, the Local Government Transition Act (LGTA) was signed by then-President de Klerk and, symbolically, by Nelson Mandela, leader of the African National Congress (ANC). The LGTA provided for short-, medium- and long-term transformation of local governments to create nonracial self-government. It created two-tier local governments in metropolitan areas, with powers and responsibilities shared between a geographically larger unit and two or more smaller units within the same area. The Municipal Structures



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Act of 1998, providing for single-tier metropolitan government, was implemented after the local elections of December 2000 as part of a general and final redemarcation of local governments that reduced the number of authorities from approximately 845 to less than 300.

Amalgamation of municipalities brought new areas into the property tax base, including former BLAs, bantustans and their associated rural R293 towns, but the residents of these newly incorporated areas had never before paid property taxes. Thus, it was necessary to develop the information and administrative infrastructure needed to value properties, determine tax liabilities, distribute tax bills to those responsible, and collect the taxes due, all in an equitable manner. Moreover, the new tax system had to overcome the psychology of payment boycotts, sometimes characterized as a “culture of nonpayment,” an important resistance technique used against the apartheid government.

Combining formerly taxed areas with different valuation rates or systems into a single municipality produces inconsistencies within the property tax roll of the amalgamated area, multiplying inequities among property owners with different effective tax rates. Both those new to the tax and those who historically have paid property taxes often question whether their tax shares are equitable and how the resulting revenue is being spent. In some instances, tax boycotts have occurred in former WLAs.

### National Property Tax Policy

Although property taxation remains a local tax in South Africa, the 1996 Constitution authorizes central government regulation of property taxation. A national Property Rates Bill, scheduled for adoption in 2002, will replace current provincial property tax laws. Each locality now must adopt an explicit and comprehensive property rates policy.

Our seminars took place in this context of national legislation, municipal consolidation and municipal property rates policies. We collaborated with local institutions of higher education: Port Elizabeth Technikon in Nelson Mandela Metropolitan Municipality and the University of North West in Mafikeng Local Municipality. Seminar participants included current and former elected city councilors, newly enfranchised and long-time non-elected officials, and students and faculty of the educational institutions.

Nelson Mandela Municipality is one of South Africa's six metropolitan municipal governments, the only local government within its geographic area. Its population and business center is the former city of Port Elizabeth. Principal property tax concerns raised at the seminar included: (1) unifying the tax rolls of the various jurisdictions making up the metropolitan area, since their valuation dates range over a number of years; (2) bringing former black local authority (BLA) areas into the property tax base; (3) deciding on the appropriate way to deal with rural (agricultural) land, previously not taxed but now part of the municipal area; and (4)

accomplishing these things in a manner that is sensitive to the special circumstances of those with very low incomes.

Mafikeng, the capital of the North West Province, lies within the Mmbatho District Municipality in the former Bophuthatswana homeland near the Botswana border. Some property tax concerns raised at the Mafikeng seminar were the same as in Nelson Mandela Municipality. In addition, Mafikeng is wrestling with incorporating tribal (traditional authority) areas and the black urban agglomerations (R293 towns) of the former bantustan. Tribal areas present two special problems: property ownership is communal, not private; and the traditional authority structure remains in place, even though these areas now are included within municipal borders, creating a dual authority structure that further complicates amalgamation.

### Key Property Taxation Themes

#### Policy Framework

New national legislation requires each local government to produce a property rates policy to address such issues as whether to include all real properties in the tax base; whether to apply uniform or differential rates to the many categories of property included in the tax base; and what form of property relief should be given, and to whom. If the property tax is

to be a viable local revenue source, local rates policies must be guided by the following principles:

- **Legitimacy.** Taxpayers must accept the tax as a legitimate, appropriate levy. This means administrative outcomes must be in accord with accepted legal requirements.
- **Openness.** The tax must be transparent, so taxpayers can understand its workings. Further, a simple, low-cost means must be available to resolve taxpayers' complaints.
- **Technical Proficiency.** The tax must be administered in a professional manner. This requires appropriate administrative structure, tools, and personnel.
- **Fairness.** The tax must be administered in a manner that treats taxpayers uniformly and fairly with regard to asset value, but with provisions for relief that take into consideration broader notions of ability to pay, such as current income.

These fundamental characteristics of a property tax system provide a framework for restructuring property taxes in South Africa, with tradeoffs made through an open and transparent political process at the local level.

#### Monitoring

The property tax base is fair market value. Because most properties do not sell in a market transaction each year, however,

TABLE 1 Level and Uniformity of Residential Property Assessment in South Africa, Selected Localities, Mid-1990s

Jurisdiction (n)	Assessment/Sales Ratio		
	Median	CD (a)	PRD (b)
Johannesburg (75)	125.0	47.0	1.256
Cape Town (15)	8.0	46.7	1.333
Witbank (150)	75.0	25.7	1.068
King William's Town (32)	51.5	15.4	1.003
Bisho (12)	88.9	16.7	1.005
Oyster Bay (32)	91.0	24.6	1.047
Seafield (41)	86.0	55.3	1.306
Seaview (23)	80.0	24.9	1.132

(a) CD = coefficient of dispersion, the average absolute deviation of individual-parcel ratios from the median ratio, expressed as a percentage of the median ratio.

(b) PRD = price-related differential, the ratio of the mean ratio to the aggregate ratio.

Source: Adapted from Bell and Bowman (2002, 84)

estimating market value is the task of trained assessment professionals. Differences in location, depreciation and other characteristics make valuation partly an art, not strictly a scientific or technical endeavor. Uniformity relative to market value may not always result, even though it is required and the assessors follow the procedures intended to achieve that result. Thus, a system for monitoring valuation outcomes is needed, which may include three dimensions of assessment quality:

- The overall closeness of the fit between assessed value on the tax roll and actual sales price for properties that have sold. A measure of central tendency of such ratios for a sample of properties indicates the average assessment level relative to market value; the median ratio generally is preferred.

- The extent to which assessment ratios for individual properties are scattered or clustered around the median ratio. A standard measure of assessment uniformity is the coefficient of dispersion (CD), which is interpreted as a measure of horizontal equity. A CD greater than zero indicates that different properties may bear different effective property tax rates even if they have the same market value and are subject to the same nominal tax rate.

- Vertical equity, evaluated by the price-related differential (PRD). If the  $PRD = 1$ , there is no systematic bias in favor of either high- or low-value properties, while a PRD above 1 reveals a regressive bias favoring high-value properties.

Formal assessment/sales ratio studies have not been done in South Africa, but we calculated simple ratios for several cities. The results in Table 1 indicate that assessment uniformity generally needs to be improved, since coefficients of dispersion across the case study cities are typically high and the price-related differentials are generally substantially above one.

### Targeting Tax Relief

Although property taxation is a tax on value, it is paid out of current income, and thus may place an unacceptable burden on property owners with low incomes. Property tax relief is any reduction in tax

**TABLE 2 Residential Tax Relief Alternatives: Comparison of Uniform Percentage Rebate with a Credit Equal to the Tax on a Specified Amount of Value, Hypothetical Data by Property Value (Amounts in rands, South Africa's currency unit)**

Property Value	Gross Tax at 0.9% Rate	25% Rebate		Credit on Value = R20,000	
		Net Tax	Relief	Net Tax	Relief
15,000	135	101	34	0	135
25,000	225	169	56	45	180
50,000	450	338	112	270	180
150,000	1,350	1,012	338	1,170	180
500,000	4,500	3,375	1,125	4,320	180
2,000,000	18,000	13,500	4,500	17,820	180

Note: In the rebate example, amounts have been rounded to the nearest whole rand, rounding down/up if .5 follows an even/odd number. The credit is the amount of tax on R20,000 ( $R20,000 \times 0.9$  percent = R180), equivalent to exempting R20,000. In 2002, US\$1 equals approximately R11.5.  
Source: Adapted from Bell and Bowman (2002, 154)

liability. Indirect relief results from changes that take pressure off the property tax: reduced expenditures or increased revenue from alternative sources. Alternatively, direct relief comes from a change in the calculation of property tax liability.

Direct relief was the focus of our studies and the seminar discussions. In South Africa direct residential property tax relief typically is a uniform percentage credit, termed a rebate, which generally is 20 percent or 25 percent of gross property tax liability. The rebate approach has two limitations. First, most of the tax relief goes to those with the most expensive properties. Second, low-income property owners are still required to pay most of their property tax liability, which still could be burdensome relative to income.

While an income-based circuit breaker is our preferred approach for targeting tax relief to those in need, it would be extremely difficult to administer in South Africa because income information is not readily available, in part because of the extensive informal economy. An alternative way to target property tax relief to those most in need is to exempt a fixed amount of the base from taxation.

Table 2 illustrates the effects of moving from a 25 percent rebate to a R20,000 exemption (US\$1,740). Under the partial exemption alternative, the lowest valued properties, including those hardest to value at this time, are removed from

paying taxes, and net taxes are reduced on all properties up to about R100,000 (US\$8,700). The aggregate cost of property tax relief under this approach is substantially reduced because each property receives the same exemption. Durban and Johannesburg now are experimenting with the partial exemption approach to property tax relief.

### Dealing with Previously Untaxed Areas

As a result of the local government restructuring in December 2000, South Africa now has local governments throughout country. Three types of areas previously outside the property tax now are to be brought into the tax: former BLAs and R293 townships, agricultural areas and tribal areas. In the former BLAs and R293 townships property is being transferred to private ownership and these areas must be surveyed by the national Surveyor General to establish individual property boundaries and identifications necessary to administer the property tax. Different localities are at different stages in this process.

Property taxes were levied on rural agricultural lands in the past, but these lands have not been in the property tax base since the late 1980s. Bringing them into the tax base now poses two problems. The first is developing the property record information necessary for tax administration. The second is the question of how taxes on such properties should relate to

taxes levied in the urban portions of a municipality, as farmers often provide themselves and their workers with services typically associated with local government. One possibility is use-value assessment of agricultural land, an approach endorsed by a national commission that reviewed the taxation of rural lands. Alternatively, differential rates for different categories of property are allowed under current provincial property tax laws and the draft national Property Rates Bill. If there is to be differentiation in effective tax rates, imposing a lower rate on market value assessments provides greater transparency and understanding of the tax and should be part of the local government rates policy.

Bringing tribal areas into the tax base presents another set of issues. First, given communal land tenure systems existing in these traditional authority areas, how does one establish ownership, a necessary condition for the application of property tax based on the principle of private property? Second, because there is no land market per se, how are estimates of market value to be made? Finally, given the two competing governance structures that now exist in tribal areas, how does one make the payment of a property tax acceptable to residents who did not previously pay the tax? These issues are clearly the most

intractable ones that must be addressed in the newest round of local government reform in South Africa.

### Conclusion

The property tax has been an important part of local finance in South Africa for centuries and is likely to play an increasingly important role in the future, as newly amalgamated local governments wrestle with addressing the legacies of apartheid and the requirements of new national property tax legislation. There is no single right answer to many of the perplexing questions surrounding the design and implementation of a local property tax, but it will continue to evolve to meet changing circumstances and needs. **L**

**MICHAEL E. BELL** is president of MEB Associates, Inc., in McHenry, Maryland.

**JOHN H. BOWMAN** is professor of economics at Virginia Commonwealth University in Richmond. Contact: [mebassociates@starband.net](mailto:mebassociates@starband.net) or [bowman@vcu.org](mailto:bowman@vcu.org).

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## Brown Receives NAHB Honor

**L**incoln Institute President Jim Brown was inducted into the National Association of Home Builders (NAHB) National Hall of Fame on June 8. In the ceremony in Washington, DC, Brown was described as “an internationally acclaimed academic with a heart for housing” and someone who “believes that each individual’s access to land and an affordable home is the key to the quality of life...a belief that inspired him to fight fiercely for policies that would put home ownership within the reach of more Americans.” The official program also noted that “as President and CEO of the Lincoln Institute of Land Policy, Brown continues as a preeminent spokesperson on land and tax issues that will increase housing opportunities for future generations.”

## David C. Lincoln Fellowship Applications Due by September 17

**T**he Lincoln Institute of Land Policy invites applications for David C. Lincoln Fellowships in Land Value Taxation, a program designed to develop academic and professional interest in land value taxation through support for major research and curriculum development projects. The Fellowship honors David C. Lincoln, chairman of the Lincoln Foundation and founding chairman of the Institute.

Projects may address either the basic theory of land value taxation or its application to domestic or international issues,

with an emphasis on specific investigations, case studies and theoretical work rather than general discussions of land valuation and taxation principles. The research may deal with land value taxation from the perspective of economic analysis, legal theory and practice, political science, administrative feasibility, valuation techniques, or other approaches in order to achieve a better understanding of its possible role as a component of contemporary fiscal systems.

The Institute invites proposals from scholars whose work has not previously addressed these issues. Funding for each

approved project is between \$20,000 and \$40,000 per year, and may be renewed to support projects up to three years in length. As part of the Fellowship program, recipients present a seminar at the Lincoln Institute and attend a symposium with other current Fellows.

The application deadline is September 17, 2002, and Fellowship awards will be announced by November 15, 2002. For more information and application guidelines, see the Lincoln Institute website at [www.lincolninstitute.edu](http://www.lincolninstitute.edu) or send email to [rjfp@lincolninstitute.edu](mailto:rjfp@lincolninstitute.edu).

## FACULTY PROFILE



**Edesio Fernandes** is a Brazilian lawyer and city planner based in London, where he is a part-time lecturer at the Development Planning Unit of University College London. He is also coordinator of IRGLUS (International Research Group on Law and Urban Space), a partner of United Nations/HABITAT. His research and teaching interests include urban and environmental law, planning and policy; local government and city management; and constitutional law and human rights in developing countries. For the last two decades, he has focused on the field of urban land regularization in Latin America and other regions.

Fernandes has lectured and taught in courses at the Lincoln Institute for several years and he coordinates the Institute's Latin American Network on Urban Land Regularization. He helped organize and teach a course on informal land markets and regularization held at Lincoln House in October 2001, and is teaching the course again in November 2002 (see page 19). This conversation with Martim Smolka, senior fellow and director of the Lincoln Institute's Program on Latin America and the Caribbean, explores some of these issues.

### *Martim Smolka*

*How did you become interested in informal land markets and regularization policies?*

### *Edesio Fernandes*

My interest in the problems of informal land markets goes back to the early 1980s, shortly after I graduated from Minas Gerais Federal University Law School in Belo Horizonte, Brazil. I began working at PLAMBEL, the state agency in charge of the metropolitan planning of Belo Horizonte, one of Brazil's few historic planned cities. However, its detailed plans and maps did not reserve areas for the lower-income people who built the city, and as early as 1895, two years before its inauguration, 3,000 people were already living in favelas.

This number grew considerably over decades of intensive urbanization. In 1976, a pioneering zoning scheme was approved, but the favelas were again ignored and treated as unoccupied areas. In 1983, I participated in the interdisciplinary Pro-FAVELA team that drafted a legal formula to incorporate these areas into a revised zoning scheme. It was through this early work as a city planner, and by building academic bridges between legal and urban studies, that I came to explore the nature of the relationship between law, planning and sociospatial exclusion in third world cities.

*MS: Has that legislation had any effect on the status of favelas in Belo Horizonte and Brazil in general?*

*EF:* Until the 1970s, the official policy in Brazil towards favelas was eviction or neglect, with the occasional introduction of limited services for political convenience. The Pro-FAVELA program was a groundbreaking experience that sought to materialize the city's newly recognized democratic commitment to sociopolitical and sociospatial inclusion of the favelas into the urban fabric. The approved formula has become a paradigm for urban land regularization in most Brazilian cities. The notion is that "special zones of social interest" should be created within the city's zoning scheme, permitting planning and zoning regulations to be adapted to the specific requirements of the favela dwellers. Moreover, the formulation of specific land tenure policies should be combined with both inclusive urban planning mechanisms and participatory institutional processes of city management. This allows for the integration of informal settlements into the formal planning apparatus and for the introduction of services and infrastructure to redress long-standing inequalities.

*MS: Are these goals now well integrated into the legal and administrative systems in Brazilian cities?*

*EF:* Urban legislation has evolved in Brazil, but most Brazilian law courses

do not offer specialized modules on urban land use and development control. Legal professionals in Brazil, and throughout Latin America, have long been trained to adopt an obsolete and individualistic approach to legal matters, typical of unreformed classical liberal legalism, and particularly the notion of absolute property rights. As a result, they are still largely unacquainted with recent legal developments, uninformed about the legal implications of socioeconomic dynamics and the challenges posed by rapid urbanization, unaware of the potential of different legal principles supporting urban legislation, especially the notion of the social function of property, and thus they are unprepared to deal with inevitable conflicts over the use and development of urban land.

A groundbreaking legal development, though, took place in Brazil in 2001, with the enactment of Federal Law No. 10.257, entitled City Statute, which aims to regulate the original chapter on urban policy introduced by the 1988 Constitution. The new law provides consistent legal support to those municipalities committed to confronting the grave urban, social and environmental problems that directly affect the 82 percent of Brazilians who live in cities. In conceptual terms, the City Statute broke with the long-standing tradition of civil law and set the basis for a new legal-political paradigm for urban land use and development control. Municipali-

ties must formulate territorial and land use policies, balancing the individual interests of landowners with the social, cultural and environmental interests of other groups, and the city as a whole. They are also required to integrate urban planning, legislation and management so as to democratize the local decision-making process and legitimize a new, socially oriented urban-legal order. The City Statute also recognized legal instruments to enable municipalities to promote land tenure regularization programs and facilitate access to urban land and housing.

**MS:** *Can you elaborate on the connections between regularization, security of land tenure and broader concerns of poverty and social justice?*

**EF:** On one hand, regularization programs focusing on upgrading projects have tended to neglect underlying land tenure issues, for example in the highly acclaimed Favela-Bairro program in Rio de Janeiro. As a result, these programs have frequently produced unintended perverse effects, such as occupation by drug lords, expropriation by force, and even, given the increasingly complex relationship between formal and informal land markets, what has been called “eviction by the market.” On the other hand, regularization programs focusing exclusively on the formal titling of individual plots, such as the large-scale programs inspired by the ideas of Hernando de Soto, have tended to reinforce unacceptable housing and living conditions in unserved areas that are frequently remote and environmentally unsuitable.

In my experience, those programs that have tried to combine the two dimensions, upgrading and legalization, tend to be the most sustainable in urban, social and environmental terms. Comprehensive programs also tend to have a more controlled impact on both formal and informal land markets. Thus, they can be more effective in guaranteeing that the ultimate beneficiaries of the public investment will indeed be the residents in informal settlements, not the land developers and promoters who, by failing to offer affordable, sufficient and

adequate housing options to the poor, have provoked the process of informal development in the first place.

**MS:** *To what extent have these regularization programs really addressed or helped to resolve the problem of poverty alleviation?*

**EF:** Regularization programs are always curative and need to be integrated with preventive urban planning policies, fiscal and legal measures, and management strategies aimed at promoting overall urban change, thus breaking with the cycle that has long produced urban informality. Moreover, they can only have a more significant impact on urban poverty if they are combined with programs aimed at broadening access to urban services and generating jobs and income to alleviate poverty.

There are many assumptions in this discussion that should not be taken for granted, especially given the findings of recent research. An enormous amount of money has been invested in regularization programs over the years, and it is about time that a comprehensive and critical review was promoted. There are many questions still left unanswered regarding the nature of the processes leading to irregular settlements, the means to address the issue and the method of actually implementing policies: How are informal settlements produced? Why is it important to regularize them? When and how should regularization programs be formulated? Who should pay for them, and how? What happens after the program is completed?

**MS:** *What have you learned, as a lawyer, about the legalistic approach to titling?*

**EF:** In particular, one should question critically the widely accepted argument that titling is the fundamental condition for residents in informal settlements to have access to services and credit, and thus to invest in their houses and businesses. On the whole, in consolidated situations where informal land occupation has been supported by sociopolitical mobilization of the residents, access to services and

infrastructure has taken place regardless of their legal status. Research in several countries has already indicated that a set of socioeconomic and political-institutional circumstances may create a perception of security of tenure, thus encouraging people to invest in home improvements, even when the legalization process has not been completed. Research has also shown that jobless poor people have failed to gain access to formal credit even when they have titles, whereas some untitled but employed people do get access to formal credit.

**MS:** *Are you suggesting that the formalization of titles is not that important?*

**EF:** No, what I mean is that it may indeed provide individual security of tenure, but it does not necessarily guarantee access to formal credit and does not produce sustainable settlements. Regularization alone usually fails to achieve what I think should be the ultimate objective of regularization programs—the sociospatial integration of the informal areas and communities.

That said, titling is indeed important from many perspectives, such as to resolve domestic, family and neighborhood conflicts and to legally recognize sociopolitical rights. The challenge is to promote the recognition of individual security of tenure in a way that is compatible with the provision of social housing, thus reverting, or at least minimizing, the process of sociospatial segregation. The only way to do that is through a combination of urban planning mechanisms and city management strategies with innovative land tenure policies, stressing that there is a wide range of legal options other than individual freehold rights.

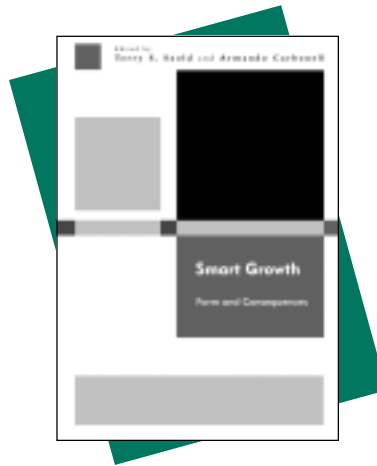
In closing, I would like to emphasize the importance of legal education and discourse. Urban change requires legal reform, which in turn requires an adequate understanding of the nature, problems and shortcomings of the prevailing legal order, as well as the possibilities for change that it entails. Comparative research and teaching activities, such as those already supported by the Lincoln Institute, are crucial to promoting positive urban change. **L**

## Smart Growth: Form and Consequences

The concept of smart growth developed from statewide growth management legislation dating from the 1970s and 1980s. Specific smart growth legislation began with Maryland Governor Parris Glendening's pioneering legislation in 1997, and continues today to extend to other initiatives from New Jersey to the West Coast. A common thread in the different statewide initiatives is the array of incentives and requirements to direct public and private investment away from the creation of new infrastructure and development that spreads out from existing built areas.

A diverse coalition of interest groups has given smart growth both credibility and momentum. Some states' planning initiatives are based on smart growth principles, but, other than its inherent definition of being the opposite of stupid growth, what does it mean? To some, smart growth is simply a euphemism for better choices about future development and land use. To others, smart growth principles are specifically those that embody viable alternatives to prevailing suburban sprawl. These principles when put into practice promote compact, mixed-use, transit-oriented, and environmentally sound development and land use patterns. But if we hold up the term smart growth as the all-purpose umbrella for anti-sprawl policies, is there any room underneath for the many other issues and questions that underlie the choices to be made about our future settlement patterns?

What smart growth is, and how it should direct us in future planning and development, remain cryptic and unclear to many observers, including decision makers in the public arena who must learn a new vocabulary and offer more than rhetoric to citizens hungry for strong policy, planning and design solutions. Whether one sees smart growth as a slogan, a catch phrase, a call to the barricades or perhaps even the battle flag waved by the enemy, it raises questions that we need to answer:



- Have the most important lessons from past development practices been fully absorbed and learned?
- In striving to advance alternatives to low-density, haphazard forms of development, where are viable models to be found?
- Have practical, ethical and distribution considerations been appropriately brought to bear on proposed smart growth interventions?
- Are the components of what we call smart growth constitutionally permissible?
- What consequences may unfold to affect various stakeholders and constituencies?

Editors Terry S. Szold and Armando Carbonell organized a symposium of academics, planning and design practitioners, citizen planners and others to address these questions. The symposium "Smart Growth: Form and Consequences" was cosponsored by the Lincoln Institute and the Department of Urban Studies and Planning at the Massachusetts Institute of Technology (MIT) and was held on March 10, 2000, in Cambridge, Massachusetts.

The chapters in this book are adapted from the presentations at the symposium.

Foreword, *John P. DeVillars*

1. Introduction and Overview:  
And Then There Was Smart Growth  
*Terry S. Szold*

2. What Is Suburbia? Naming the Layers in the Landscape, 1820–2000  
*Dolores Hayden*
  3. How They Lost Their Way in San Jose: The Capital of Silicon Valley as a Case Study of Postwar Sprawl  
*Glenna Matthews*
  4. Electronic Cottages, Wired Neighborhoods and Smart Cities  
*William J. Mitchell*
  5. How Do We Know Smart Growth When We See It?, *Arthur C. Nelson*
  6. Seven Wise (Though Possibly Impractical) Goals for Smart Growth Advocates  
*Alex Krieger*
  7. Smarter Standards and Regulations: Diversifying the Spatial Paradigm of Subdivisions, *Eran Ben-Joseph*
  8. Smart Growth: Legal Assumptions and Market Realities  
*Brian W. Blaesser*
  9. The Constitution Neither Prohibits nor Requires Smart Growth  
*Jerold S. Kayden*
  10. Ethical Principles for Smart Growth: Steps Toward an Ecological Ten Commandments, *Timothy C. Weiskel*
  11. Smart Growth and Urban Revival  
*Harvey Gantt*
- Afterword, *Armando Carbonell*

**TERRY S. SZOLD** is principal of *Community Planning Solutions* and adjunct associate professor in the Department of Urban Studies and Planning at Massachusetts Institute of Technology. **ARMANDO CARBONELL** is senior fellow and cochairman of the Department of Planning and Development at the Lincoln Institute. Contact: [tsszold@mit.edu](mailto:tsszold@mit.edu) or [acarbonell@lincolninst.edu](mailto:acarbonell@lincolninst.edu).

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## European Spatial Planning: Lessons for North America

North Americans, and planners in particular, sometimes see things in Europe that they miss in their own society. Likewise, the European visitor, confronted with lively planning debates and the strong commitment of the American planning profession, quickly learns not to be smug. It is clear that Europe does things differently, and with the integration of the European Union the region's distinct history and character become even more evident. Everything about this process is new and most of it is controversial, including where it should lead.

In the eyes of some planners, the "European model of society," contested though it may be, requires the formulation of a common strategy for the development of European space. The European Spatial Development Perspective (ESDP) was adopted in 1999 after more than ten years of intensive, transnational networking across linguistic and cultural divides. However, Europe's engagement in this type of spatial planning has escaped the attention of most North American and even many European planners.

Andreas Faludi, the editor of this volume, seeks to set the record straight. He organized a conference at the Lincoln Institute in June 2001 for key researchers and actors involved in this process of promoting a new approach to planning. Conference participants presented papers (later revised for publication) and provided ample illustrations that are included in the book as a full-color insert of maps and other information graphics.

But why should North American planners care? First, there is an intrinsic interest in approaches that appear to be thoroughly different from one's own practices. Few U.S. states engage in anything like spatial planning (and, if so, it is under the flag of growth management or smart growth), let alone join forces with each other and/or



the federal government to formulate a joint spatial strategy. To the extent that problems reach across state borders and affect groups of states and perhaps even the U.S. as a whole, perhaps something could be learned from Europe. Better still, the European example could fire the imagination of American planners to formulate approaches that are better suited to their different circumstances.

Second is the fact that the U.S. and the European Union are global competitors. Certainly, the ESDP sees it that way. It addresses the EU's global competitiveness and also seeks to integrate social and environmental concerns with the pursuit of economic goals. There is a conviction in the ESDP document that the drive for competitiveness should be qualified, paying attention to concerns for sustainability and quality of life, both representing elements of the European model of society.

Whether European spatial planning will succeed is open to future decision making. The point of the ESDP is to address the issues in a planning discourse encompassing the whole territory of the EU. This book documents this discourse, casts light on its various aspects, and seeks to provide some lessons for North Americans and others interested in the challenge of spatial planning.

### Section I: European Planning Practices

1. The European Spatial Development Perspective (ESDP): An Overview  
*Andreas Faludi*
2. Influencing the Development of European Spatial Planning  
*Derek Martin and Jacques Robert*
3. Transnational Planning in the Wake of the ESDP: The Northwest Europe Experience, *Philippe Doucet*

### Section II: Theorizing European Spatial Planning

4. Polycentric Development: What Is Behind It?, *Bas Waterbout*
5. Imagining European Identity: Discourses Underlying the ESDP  
*Ole B. Jensen*
6. Visions and Visioning in European Spatial Planning, *Vincent Nadin*
7. How to Reduce the Burden of Coordination in European Spatial Planning  
*Arthur Benz*

### Section III: The Future of European Spatial Planning

8. The European Union and Its Frontiers: Toward New Cooperation Areas for Spatial Planning, *Jean-François Drevet*
9. Spatial Planning in the European Union: A Vision of 2010, *John Zetter*

### Section IV: Conclusion

10. Spatial Planning and European Integration, *Andreas Faludi*

**ANDREAS FALUDI** is professor of spatial policy systems in Europe at the University of Nijmegen in The Netherlands. Contact: [A.Faludi@net.HCC.nl](mailto:A.Faludi@net.HCC.nl)

2002. 216 pages, paper. \$25.00  
ISBN 1-55844-153-0

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## Access to Land by the Urban Poor

The Lincoln Institute's 2002 *Annual Roundtable* is the fifth such publication to address themes that form the heart of the Institute's work. This series of roundtable programs is an opportunity for the Institute to bring together a diverse group of scholars, policy makers and critics to identify and debate timely land use and taxation issues.

This year's roundtable, *Access to Land by the Urban Poor*, was organized by Martim Smolka, director of the Institute's Latin America Program, and was held at Lincoln House on November 5, 2001. Seven scholars and practitioners who are deeply involved in the field of land and housing policy in the third world joined the Institute's senior staff to discuss their perspectives on the causes and characteristics of informal settlements and to explore possible solutions to this critical international issue.

Cities in developing nations vividly epitomize Henry George's concerns about progress engendering poverty because of constraints on the access to land. Latin American cities offer clear evidence that pervasive and persistent informality in land markets is both an effect of and a major contributing factor to urban poverty.

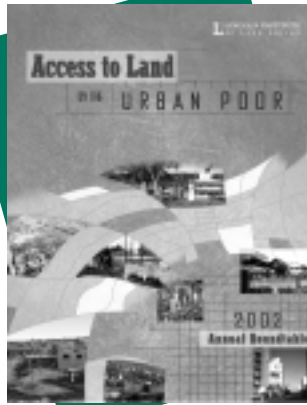
Access to land should be understood as meaning access to serviced land, including not only utilities (water, sewage, telephone, street lights, and so forth) but also access to a good quality environment, schools, transportation, food suppliers and even leisure, at a reasonable cost and distance. In urban areas, to be able to access services, employment and other urban benefits, one must have legitimate access to land and a formal address. Lack of secure tenure prevents one from using the potential value of one's own properties as collateral for borrowing money to make improvements.

In the context of rampant urban poverty, weak public agencies and inaccessible finance institutions, access to land becomes a surrogate for access to housing, and more

than two-thirds of new housing is built outside the formal housing market. Private agents are neither capable nor willing to deal with low-income families because they simply do not constitute a viable housing market. Even the handsome mark-ups associated with servicing raw land for development are not enough to encourage many private developers to build legal subdivisions.

In this report we are concerned primarily with informal land occupations that evolve progressively over time into consolidated irregular settlements that so typical of third world cities. The predominant form of access to (serviced) land by the urban poor is no longer through squatting or invading but through informal market transactions. According to the UNCHS/Habitat State of the World's Cities report, about 70 percent of land parcels in Latin American countries are undocumented and a similar percentage of new housing is self-produced, most of it through informal means.

Experience has shown that this widespread informality cannot be explained by poverty alone, but also as a consequence of the functioning of urban land markets. As a result the urban poor in informal settlements often pay more, in relative and sometimes even in absolute terms, than residents in the formal city for services of much lower quality. Contrary to com-



mon sense, informality is not necessarily a cheaper or an opportunistic way to beat the system. It is simply the only way for many poor and middle-class families who are struggling to access the city.

This publication presents an edited version of the transcribed roundtable discussion of these issues, with additional closing remarks by the participants.

### Roundtable Participants

#### Shlomo Angel

*Housing Policy and Urban Development Advisor, Libra, Inc., New York*

#### Josefina Baldó

*Professor and Researcher, Central University of Venezuela, Caracas*

#### Priscilla Connolly

*Senior Lecturer, Department of Sociology, Autonomous Metropolitan University, Azcapotzalco, México*

#### Maria Mercedes Cuellar

*President, Colombian Institute of Housing and Savings, Bogota*

#### Patrick McAuslan

*Professor of Law, Birkbeck College, University of London, England*

#### Bishwapriya Sanyal

*Professor and Chairman, Department of Urban Studies and Planning, Massachusetts Institute of Technology, Cambridge*

#### M. Vitor Serra

*Urban Development Specialist, The World Bank, Washington, DC*

**2002. 48 pages, paper. \$15.00**  
**ISBN 1-55844-152-2**

### Other Volumes in the Series

#### The Value of Land: 1998 Annual Roundtable

The first Chairman's Roundtable report explores wide-ranging land use and taxation issues. Five short essays supplement edited excerpts from the discussion and highlight current thinking about the social and economic impacts of sprawling urban development, recent experiences with regional governance systems, the controversial issue of metropolitan tax base sharing, and the role of informal land and housing markets in developing countries.

**1998. 36 pages, paper. \$10.00**  
**ISBN 1-55844-132-8**

## OTHER RECENT PUBLICATIONS

### Land Values and Property Taxation: 1999 Annual Roundtable

The Institute's second roundtable focused on the property tax. Seven scholars and specialists in public finance and property tax policy considered the property tax from perspectives of economic theory, political experience and governmental structure. This publication includes each formal paper followed by the author's summary at the roundtable and the ensuing informal discussion.

1999. 64 pages, paper. \$15.00  
ISBN 1-55844-136-0

### Metropolitan Development Patterns: 2000 Annual Roundtable

The third roundtable examined the interaction of public policy and private preferences in shaping metropolitan development patterns. Nine scholars and practitioners in urban economics, planning and public policy prepared papers in advance of the roundtable. Their discussion touched on public interests vs. private interests; individual preferences vs. community preferences; what is cause and what is consequence. Political realities and public policy constraints permeated the conversation.

2000. 88 pages, paper. \$15.00  
ISBN 1-55844-143-3

### The New Spatial Order? Technology and Urban Development: 2001 Annual Roundtable

The main question addressed in the Institute's fourth annual roundtable is, How will the widespread adoption of advanced information and telecommunications technology affect urban development? Seven panelists discussed and debated their views along a spectrum from sprawling deconcentration to localization imperatives that favor more centralization in established cities and metropolitan regions. They also explored the social, economic and environmental consequences of the new economy and the implications for planners and policy makers.

2001. 48 pages, paper. \$15.00  
ISBN 1-55844-146-8

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### Property-Tax Exemption for Charities: Mapping the Battlefield

Revenue-starved municipalities have recently threatened to revoke the property-tax exemption of charities or to demand payments in lieu of taxes (PILOTs). At the same time the public perception of property-owning charities such as hospitals, universities, and cultural institutions as big businesses has grown. In the future, economic forces that currently undermine the traditional income- and sales-tax bases will magnify the importance of property tax as a source of revenue, increasing the controversy over exemptions for charities. This volume brings together authors from a range of disciplines to assess what is known about the property-tax exemption for charities and how public perception differs from reality.

Joan M Youngman, senior fellow and chairman of the Lincoln Institute's Department of Valuation and Taxation, contributed a chapter on "The Politics of the Property Tax Debate." *Property-Tax Exemption for Charities* is edited by Evelyn Brody, professor at Chicago-Kent College of Law, Illinois Institute of Technology in Chicago, and published by the Urban Institute Press, Washington, DC.

2002. 386 pages, paper. \$34.50  
ISBN 0-87766-706-3

To order this book, contact:  
[www.uiypress.org](http://www.uiypress.org)

### Holding Their Ground: Secure Land Tenure for the Urban Poor in Developing Countries

Land is fundamental to any strategy for poverty reduction. It is both a basic resource for ensuring livelihoods and a cornerstone of political and civil enfranchisement. Security of land tenure for the urban poor is fast becoming one of the major problems for developing cities in Africa, Asia and Latin America. Based on extensive research and case studies in India, Brazil and South Africa, this book presents and analyses the main conclusions of a comparative assessment program on land tenure issues at a global level. It looks at how solutions can be found and implemented to respond to the needs of



urban households living in informal settlements, and analyses how urban stakeholders are devising and employing innovative and flexible responses.

The book is edited by Alain Durand-Lasserve, research director at the National Center for Scientific Research in France, and Lauren Roysten, a development planner in Johannesburg. The Lincoln Institute cosponsored a conference in South Africa in 1999 that generated some of the chapters and also supported the editors in the publication process. The book is published by Earthscan Publications Ltd., London, and Sterling, Virginia.

2002. 264 pages, paper. \$29.95  
ISBN 1-85383-891-8

2002. 264 pages, cloth. \$79.95  
ISBN 1-85383-890-X

To order this book, contact:  
[www.earthscan.co.uk](http://www.earthscan.co.uk)

## PROGRAM CALENDAR

### Courses and Conferences

The courses and conferences listed here are offered on an open admission basis and are presented at Lincoln House in Cambridge, Massachusetts, unless otherwise noted. For more information about the agenda, faculty, accommodations, tuition fee and registration procedures, visit the Lincoln Institute website at [www.lincolninstitute.edu](http://www.lincolninstitute.edu) or email to [help@lincolninstitute.edu](mailto:help@lincolninstitute.edu).

#### MONDAY-FRIDAY, SEPTEMBER 16-20

##### Value Capture: Mobilization of Land Value Increments to Promote Urban Development

Martim Smolka and Fernanda Furtado, Lincoln Institute of Land Policy

Value capture mechanisms are experiencing increased popularity in several Latin American countries, yet in other parts of the region the notion meets with suspicion and resistance. This course examines various value capture mechanisms and how they have been and can be applied in different contexts. Examples include linkage and urban operations in Brazil; variations on *Contribución de Valorización* in many countries; and *Participación en Plusvalías* in Colombia. These and other instruments are studied in terms of their effectiveness to finance urban development and to contribute to regulation and management of the land use process.

#### THURSDAY-FRIDAY, SEPTEMBER 26-27

At both Lincoln House and Gainesville, Florida

#### THURSDAY-FRIDAY, NOVEMBER 7-8

Denver, Colorado

##### Mediating Land Use Disputes I

Armando Carbonell, Lincoln Institute of Land Policy, and Lawrence Susskind, Consensus Building Institute, Cambridge, Massachusetts

Land use disputes tend to be among the most contentious issues facing communities throughout the U.S. as local officials struggle to find ways of balancing environmental protection, economic development and private property rights. This two-day course for planners, policy makers, public officials, developers and commu-

nity advocates presents practical experience and insights into negotiating and mediating solutions to conflicts over land use and community development. Through lectures, interactive exercises, gaming and simulations, participants discuss and work with cases involving land development and community growth, designing and adopting land use plans and evaluating development proposals.

#### MONDAY-TUESDAY, SEPTEMBER 30-OCTOBER 1

##### Visualization and Visioning

Michael Kwartler, Environmental Simulation Center, New York City, and Gianni Longo, ACP-Visioning and Planning, New York City

Visioning has become an accepted technique to build broad-based agreement on goals and strategies for the future of a neighborhood, a city or a region. When used in conjunction with visualization techniques, visioning is a powerful tool that allows stakeholders and citizens to make informed decisions on the physical quality of future development. This course defines principles for effective visioning, reviews three case studies and includes a hands-on workshop segment to allow participants to experience visioning and visualization techniques in a realistic situation.

#### THURSDAY-FRIDAY, OCTOBER 24-25

##### Land Use in America

Armando Carbonell, Lincoln Institute of Land Policy, and Harvey M. Jacobs, Department of Urban and Regional Planning, University of Wisconsin-Madison

This course explores the historical and cultural heritage that forms the foundation for understanding the difficulties inherent in land use and environmental planning.

It then reviews a set of policy approaches used by local governments for managing privately owned lands, and assesses why so few creative planning and implementation tools are actually adopted. Incorporating policy, legal and developer perspectives on local land use, the program combines an interactive lecture format with a problem-solving case study approach.

#### TUESDAY, OCTOBER 29

##### The New Model of Tax Administration: Computer-Assisted Mass Appraisal, Geographic Information Systems, and Spatial Analysis

Jerome C. German, Lucas County Auditors Office, Toledo, Ohio, and Michelle Thompson, Lincoln Institute of Land Policy

Large-scale valuation of land throughout a taxing jurisdiction requires techniques different from the intensive single-parcel approach considered in the course on "The Theory and Practice of Land Valuation." This advanced course reviews innovative methods for integrating computerized appraisal and spatial analysis techniques and considers their place in modern assessment practice.

#### FRIDAY, NOVEMBER 1

##### Redesigning the Edgeless City

Armando Carbonell, Lincoln Institute of Land Policy, and Robert Yaro and Robert Lane, Regional Plan Association, New York City

Presented in collaboration with the Regional Plan Association and based on the handbook, *Redesigning the Edgeless City*, this course introduces planning and policy advocates, city and state officials, developers and citizen stakeholders to the principles and techniques outlined in the handbook that can be applied in different metropolitan contexts. Previous courses on this topic have dealt with such cases as the design of a sustainable suburban highway corridor and ways to redesign mature suburban areas into pedestrian-friendly, transit-oriented centers with a strong sense of place.

#### FRIDAY, NOVEMBER 15

##### Web-Based Planning

Armando Carbonell, Lincoln Institute of Land Policy, Gerrit Knaap, Department of Urban Studies and Planning, University of Maryland, College Park, and Lewis D. Hopkins, Department of Urban and Regional Planning, University of Illinois, Urbana-Champaign

Information technology is dramatically changing how local governments plan and manage growth. Today, plans in some places are built with geographic informa-

## PROGRAM CALENDAR

tion systems that are continuously monitored and updated, and accessible via the World Wide Web. This course, intended to advance the state-of-the-art of web-based planning technology, examines existing uses of information technology in planning and, through hands-on workshops, develop a template for web-based systems for making and managing plans for urban development.

### SUNDAY-FRIDAY, NOVEMBER 17-22

#### **Informal Land Markets: Regularization of Land Tenure and Urban Upgrading Programs**

**Martim Smolka, Lincoln Institute of Land Policy, and Edésio Fernandes, International Research Group on Law and Urban Space (IRGLUS), London**

Participants from diverse professional backgrounds examine informality and the land tenure regularization process from different perspectives, through the analysis of Latin American and other international cases presented by the participants. Areas of study include understanding the formal-informal urban land market nexus; legal-political issues associated with the security of tenure; property rights and housing rights; alternative policy instruments; new institutional settings; managerial procedures leading to alternative modes of project implementation, including community participation; and assessing and evaluating programs at the project and city levels.

Among the key innovative topics covered in the course are the dynamic interdependence between formal and informal land markets, the importance of overcoming the dichotomization that blurs the continuum between legality and illegality, and the heterogeneity found within informal settlements. An important policy corollary of this discussion addresses the balance between curative and preventive actions, who pays for regularization programs and how various types of programs are managed.

### MONDAY, NOVEMBER 25

#### **Valuing Land Affected by Conservation Easements**

**Joan Youngman, Lincoln Institute of Land Policy, and Charles Fausold, Cornell Cooperative Extension of Schuylar County, New York**

By restricting the future development of privately owned land, conservation easements offer a means of preserving land that has unique natural features or is environmentally sensitive. This conveyance has important consequences for the value of the property and for its tax assessment. However, the correct valuation of such property is often subject to dispute. That uncertainty impedes donations of conservation easements, fosters unnecessary tax litigation, and requires individual assessors to confront unresolved basic issues of land and tax policy. This introductory course presents practical information, legal principles, appraisal theory and examples, and treatment of conservation easements for state and federal tax purposes.

### FALL/TBA

**Baltimore, Maryland**

#### **Land Market Monitoring**

**Gerrit Knaap, Department of Urban Studies and Planning, University of Maryland, College Park**

This course identifies the elements of a locally based land monitoring system and illustrates its applications. Topics to be covered include components of a land monitoring system, data requirements, and its uses and limitations. In addition, the concept of land supply as an inventory problem is introduced, as well as the relationships between land supply monitoring, urban growth processes and growth management policy. The course is relevant to professionals working in planning, transportation, infrastructure, housing and other locally delivered services.

### Lincoln Lecture Series

The lecture series is presented at Lincoln House in Cambridge, Massachusetts, at 12 noon, and a complimentary lunch is provided. To pre-register, contact [help@lincolninst.edu](mailto:help@lincolninst.edu).

### THURSDAY, OCTOBER 10

#### **Housing Development and Property Values**

**Amy Ellen Schwartz and Ingrid Gould Ellen  
Robert F. Wagner School of Public Service,  
New York University**

### THURSDAY, OCTOBER 31

#### **Public Attitudes towards Taxation and Tax Evasion**

**Steven M. Sheffrin**

**Division of Social Science, College of Letters  
and Science, University of California, Davis**

#### **Audio Conference Training Program for Planning Officials**

This series is cosponsored with the American Planning Association (APA). All programs are one hour and begin at 4 p.m., E.T. For registration information visit [www.planning.org](http://www.planning.org) or call APA at 312-431-9100.

### WEDNESDAY, OCTOBER 2

#### **Paying for Growth**

Explore the tools and techniques that help communities pay for growth. Find out what mix of publicly supported and privately financed efforts are possible, defensible and fair. Speakers discuss impact fees, tax increment financing and other forms of revenue generation from tax-based sharing to exactions.

### WEDNESDAY, NOVEMBER 6

#### **Getting to Density**

A principal tenet of smart growth is to plan for and encourage more compact development, but what does greater density really mean for residential and commercial use? What approaches to regulation and design can be invoked to make higher densities work and be accepted? Panelists discuss various approaches and provide guidance to communities on when, where and how to consider density. **L**

## PROGRAM REPORT

This section of *Land Lines* summarizes selected courses and educational programs recently offered by the Lincoln Institute. They reflect the broad range of land use and tax policy topics the Institute addresses in its open enrollment courses and specialized seminars and conferences. In some cases, the papers and reports prepared in conjunction with or following these programs are published as books or reports and/or posted on the Lincoln Institute website ([www.lincolninst.edu](http://www.lincolninst.edu)) or other websites.

### Planning the Post-Sprawl Era

The problem of urban sprawl and related questions of smart growth have captured the attention of a wide array of actors nationwide, including local government officials, citizen activists, nonprofit and philanthropic organizations, real estate developers, and state and federal policy makers. Popular interest in land use planning has reached a peak not seen in several decades. As we look forward into the new century, it is reasonable to ask how might we plan a post-sprawl era?

Dowell Myers, professor of urban planning at the University of Southern California (USC) School of Policy, Planning and Development, coordinated a one-day conference in November 2001 in Los Angeles to consider the lessons of current research on sprawl and to take up the challenges of planning the future. Support was provided by the Fannie Mae Foundation and the Lincoln Institute.

USC has been a hotbed for research on urban sprawl for many years. In spring 2001, USC published the study *Sprawl Hits the Wall* (with the Brookings Institution), under the leadership of Michael Dear of the Southern California Studies Center and co-authored with Jennifer Wolch and William Fulton. The contrarian, “sprawl is good” views of USC economists Peter Gordon and Harry Richardson are well known, and a number of other USC faculty actively contribute to sprawl research through a rich variety of vantage points, including urban history, demography, housing needs and urban design.

Many of the scholars and practitioners making presentations at the November conference were drawn from outside the USC faculty, including John Landis, Stefanos Polyzoides and Robert Yaro. Because of the broad interest in sprawl and its poten-

tial solutions, the USC Distance Education Network was contracted to broadcast all proceedings by video feed and webcast, both to an adjoining overflow lecture hall and via the Internet.

The latest research and thinking regarding urban sprawl has converged on a new



©Tom Bustamante

understanding best described as post-sprawl. One point of agreement is the difficulty in defining the concept or fact of urban sprawl. As we press for more specific definitions and remedies, we are learning that sprawl exists in the mind of the beholder and is created by multiple attributes of urban form: density, clustering, visual monotony, social functionality, and more. As we progress beyond the vagueness of sprawl, we enter a more pragmatic, post-sprawl era.

A second point of convergence is that sprawl is not tied to density as directly as we thought. Some high-density places look sprawled, and vice versa. The surprising finding reported by many—that the Los Angeles region has higher average population density than the New York City region—highlights this discovery. Yet everyone would still judge Los Angeles as more sprawled than New York City, so average density cannot be the defining element of sprawl. In the post-sprawl era, we recognize the need to build better places, not just ones that are quantitatively denser.

A special challenge for California is that the state is expected to add 15 million

residents between 1990 and 2020, growing from 30 to 45 million people. Florida, at 15 million residents in 2000, is the fourth largest in the nation. Thus, the growth expected in California is equivalent to adding the entire population of Florida over just 30 years. The kind of urban form that will be required to maintain livability is a prime concern when planning the post-sprawl era. How can we make density a positive contributor to the quality of life?

In the post-sprawl era planners must consider lessons for future development that reach beyond sprawl. Our common goal is to enhance future livability. This requires more deliberate consideration about desired urban form than we have afforded in the past. Not in several decades or longer has so much public attention been directed to the work of urban planners. Even if developers, elected officials and many others contribute to urban growth patterns, it is urban planners who are held responsible by the public. Accordingly, it is incumbent on the planning community to generate and publicize workable solutions to enhance future livability of our urban areas.

The proceedings from the conference are published on the Web to allow the widest possible dissemination ([www.usc.edu/sppd/postsprawl](http://www.usc.edu/sppd/postsprawl)). The material is drawn from recordings of the live broadcast, supplemented with PowerPoint files and explanatory material. Each of the 16 presentations has been edited as a stand-alone segment that integrates the visual display and commentary as presented at the event. In addition, the participants at the 15 luncheon roundtables have provided a summary of their discussions. **L**

Contact: **ARMANDO CARBONELL**, cochairman of the Department of Planning and Development, [acarbonell@lincolninst.edu](mailto:acarbonell@lincolninst.edu).



## 2002-2003 Course Catalog

The Lincoln Institute's annual course catalog incorporates department descriptions and listings of courses, conferences, fellowships and other education programs. This illustrated publication offers a comprehensive overview of the Institute's mission, its activities and faculty for the current academic year.

To request a copy of the catalog, please email your complete mailing address to [help@lincolnst.edu](mailto:help@lincolnst.edu) or call 1-800-LAND-USE (1-800-526-3873). Updates and additions to the course offerings are posted on our website ([www.lincolnst.edu](http://www.lincolnst.edu)) for easy reference.

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