Ethical Implications of Urban Growth Boundaries: Is Curbing Urban Sprawl Wrong?

Derek Tam-Scott
Stanford University

With today's ubiquitous dialogue about environmental issues, we are in the midst of what is arguably one of the most significant and enormous socio-cultural movements that has ever happened. Terms like "climate change," "green," and "sustainability" have become household words across America. Almost every corporation has a policy about "Corporate Social Responsibility," their effort to give back to the community and the planet, and show that they are bearing in mind the "triple bottom line" (or equally catchy, the three P's: profit, people, and planet), and not just ruthlessly pursuing financial success. In this atmosphere, land use and development have become contentious issues. For decades, urban planners and architects have questioned the suburban American model of development, but with the new momentum in the public domain regarding environmental issues (fueled in large part by concern about climate change), the public is now concerned about how responsibly America grows as well.

Part I: The Origin of and Response to Urban Sprawl

One of the most salient points about suburban development is that it did not occur by accident. We owe its existence to a number of federal policies implemented in the face of early industrial manufacturing conditions, as well as the economic climate that followed the Second World War. Described by Urban Planner Michael Freedman as "the greatest social engineering experiment of all time" (personal communication, February 14, 2008), suburbia was novel, fresh, exciting, and unlike anything we had ever seen before. It was, in short, the future. Wielding their newfound economic might and boosted morale that resulted from winning World War II, Americans hungered for consumption during these years. With industrial capacity crippled by the Depression and then consumed by war, Americans needed a lot of new things, and the baby boom meant that new houses were at the top of the list.

Consequently, the Federal Housing Administration and the Veteran's Administration both implemented aggressive home loan programs that actually made mortgages cheaper than renting, leading to the construction

of over eleven million new homes. With the interstate highway program, the U.S. invested millions in building a 41,000 mile highway network (and comparatively little in mass transit systems), and zoning conventions inculcated single-use "pods" instead of traditional mixed-use neighborhoods that defined most of Western civilization until that point (Duany, Plater-Zyberk & Speck, 2000).

While a great many families could consequently afford their own homes with yards and their own cars, the policies in place ensured that it was necessary to drive almost everywhere, from workplaces to shops to schools. The pedestrian became marginalized, because the resulting style of development was not sufficiently dense to support a public transit system, while the low density of building and large parking lots necessitated by the emphasis on the automobile ensured that land was (and continues to be) consumed at an alarming rate. Critics have also pointed out that suburban development tends to promote cultural homogeneity and little sense of community.

With this concern about inefficiency of land use in mind, many municipalities have considered implementing urban growth boundaries (UGBs)—lines beyond which no development can occur—in order to curb sprawl. These have been implemented across the country, including Oregon, Washington, Tennessee, Minnesota, Colorado, Virginia, Kentucky, and California, as well as in Canada, Great Britain, and Australia. UGBs have proven to be especially popular in the San Francisco Bay Area, where no fewer than 25 different cities and two counties have enacted limits (providing what are in some cases two layers of protection).

Part II: Arguments in Favor of Urban Growth Boundaries

The arguments in favor of urban growth boundaries fall into two primary categories: those rooted in land preservation and those rooted in land use reform. Both are subject to moral judgment because they affect the environment in ways that exert a "press" on human behavior, which in turn affects the ability to realize basic human needs. However, because land preservation affects predominantly natural environments and land use reform affects predominantly human-made environments, these two categories of arguments are subject to different frameworks and moral considerations.

The land preservation arguments operate under the presupposition that rural land is worth protecting, a reasonable assumption regardless of the approach one takes towards assessing the relationship between man and nature. Using even the crudest anthropocentrism, rural lands are of great instrumental value, especially in California. Given the direct and indisputable connection to the well-being of society in terms of threatening basic human needs, these instrumental evaluations of undeveloped land are extremely relevant from an ethical standpoint. In many cases, urban sprawl threatens (or has consumed) prime agricultural land, inflicting what is effectively a "double whammy" by simultaneously

increasing population and permanently decreasing the ability to feed that population. Undeveloped land also has significant instrumental value in terms of protecting water supply. Development brings not only the potential to pollute the drinking water supply through runoff, but the possibility that it becomes altogether depleted because of paving. When large areas of land are paved over (by wide streets and parking lots, for example), water can no longer penetrate the soil and enter the water table, which when combined with the fact that the people on the land draw water out of the water table for human use, presents an obviously unsustainable situation. Therefore, there are obvious instrumental values of undeveloped land that contribute directly to fulfilling the most basic human needs of food and water.

There are countless other shorter-term instrumental values of undeveloped land associated with resources, as well as more abstract human values that fall under the notion of "refined" anthropocentrism. Refined anthropocentrism generally takes a longer-term approach toward natural resources and their benefits to humans, and importantly, it provides for the benefits associated with amenity environments. While more difficult to defend, this type of anthropocentrism derives its validity in the context of rural land preservation from its ability to dramatically enhance the fulfillment of higher-level basic human needs.

Even more difficult to defend from an ethical point of view is the purely biocentric or ecocentric approach, which posits that undeveloped land should remain so because of the intrinsic value of the biological features and ecosystems present on such land. While these features and systems are difficult to defend in themselves, it is possible to argue that such undeveloped land has anthropocentric value in either the refined sense or in a yet unforeseen instrumental sense.

Given these three approaches to justifying the preservation of undeveloped land, those who invoke these arguments, particularly the refined anthropocentric or biocentric/ecocentric ones, must demonstrate that they truly outweigh the arguments in favor proceeding with development. Since UGBs limit the liberty of developers to pursue their livelihoods and of people to choose where they live, it is necessary to show that the grounds for limiting their liberty are sufficient. Ultimately, however, the livelihood rights of developers are less weighty than the society-wide benefits of preserving land because of the difference in scope, while the society-wide right to choose where one lives subordinates to the irrefutable basic human needs for safe food and water supplies.

The second category of arguments in favor of UGBs is more controversial and theoretical, and therefore more difficult to analyze. While the land preservation effects of UGBs are both proven and easy to understand, the immense complexity of land use issues makes it difficult to observe and infer the effects of UGBs. The fundamental presupposition made by those in favor of the UGB on land use reform grounds is that it will engender a wholesale reformation of the built environment. Many

UGB advocates also subscribe to a school of thought known as New Urbanism, a somewhat utopian but appealing vision that is being implemented piecemeal in communities across the nation.

The core principles of New Urbanism are a reduction in dependence on the automobile through higher-density, mixed-use redevelopment of existing urban areas in a model that mirrors cities of the past. These communities are linked by effective public transport systems (typically trains, creating "transit oriented developments" or TODs). They integrate work, home, and leisure more effectively, thus reducing automobile use, congestion, and air pollution. People get to know their neighbors and local business owners, in favorable contrast to the "cultural desertification" of traditional suburban development.

While New Urbanist developments have been successfully constructed, the role of the UGB in these types of developments is unclear. The arguments of those claiming that UGBs will lead directly to the above advantages do not stand up to the facts. Even experts in the fields acknowledge that growth management suffers from inadequate evaluation methodologies (Carlson & Dierwechter, 2007). University of Washington professors Tom Carlson and Yonn Dierwechter used the metric of building permit density to assess the effects of the UGB in Pierce County, Washington, and were able to conclude only that permit density increased inside the UGB during the 10 years since the implementation of the UGB. They went on to concede that "it is not possible at this time to make general inferences or broad conclusions about state-mandated growth management programs" (Carlson & Dierwechter, 2007, p. 218), because not enough tools exist to measure the effects of UGBs. Whether or not the new construction conformed to the ideals of or provided the benefits associated with New Urbanism was unclear, but probably unlikely since New Urbanist developments usually require concerted efforts on the parts of legislators and urban planning consultants.

Thus, while UGBs do present some distinct advantages over unbridled growth, they are by no means a "magic bullet" to single-handedly combat sprawl in constructing the reformed urban environments of the future. The land preservation arguments that are firmly rooted in ensuring basic human needs are ethically valid and persuasive, while the land use reform arguments, like many utopian ideals, are inadequate as they are currently formulated. The implementation of UGBs requires further refinement, study, and perhaps additional policy changes to effectively improve the structure of future development.

Part III: Arguments Against Urban Growth Boundaries

The arguments against urban growth boundaries are centered around consumer desires. Most critically at stake is the consumer's liberty to choose where and how to live, and at what cost. Opponents of UGBs have adopted a market-oriented mantra known as the *Lone Mountain Compact*, which states: "The most fundamental principle is that absent a material

threat to other individuals or the community, people should be allowed to live and work where and how they like" (Lone Mountain Coalition, 2000, Principles for Livable Cities, para. 1). Certainly this compact bears the marks of John Stuart Mill's fundamental presumption in favor of liberty, which also sees limiting liberty as justified only to prevent harm—either public or private. This is an effective and valid argument but it must be applied correctly: with proper regard for what liberties are and are not being curtailed.

The arguments against UGBs rely on several presuppositions, including that UGBs would cause a decrease in the consumer's ability to choose where and how to live. Although UGBs would mean that people would no longer able to live in single-use developments just anywhere, this assertion is misleading for a number of reasons. First, UGBs would not result in the wholesale destruction of preexisting conventional suburban housing developments, which are the predominant mode of development. Second, UGBs do not altogether prohibit development outside of boundaries, but rather specify that a much lower density of development must occur (for which the threshold is below that of a conventional suburban housing development) outside of UGBs. Therefore, those who felt that having more space was of very high importance could certainly live outside of UGBs.

The presupposition that UGBs would limit consumer choice is also false because the current suburban model of development is inculcated in policy, so that in reality, people now face consumer choice limits in where and how to live. Because of the early postwar zoning regulations, it is now illegal in most places to build anything but single-use developments. The original rationale behind these zoning regulations was to protect residents from ill health effects of workplaces such as factories. At the time, the American economy consisted primarily of manufacturing, with workplaces that were much noisier, more environmentally invasive, and more dangerous than now. However, the establishment of the Occupational Safety and Health Administration in 1970 and the Environmental Protection Agency, as well as the conversion of the economy to primarily service-based industries has resulted in dramatically decreased inconvenience and health threats of living close to the workplace. In reality, it is those wishing to live a more urban lifestyle who face limited consumer choice because of the difficulty of constructing anything other than single-use developments. Thus, these zoning regulations are anachronistic, and there is a need for a paradigm shift, regardless of whether or not UGBs exist.

Detractors of UGBs also fear that they interfere with the consumers' liberty to drive their automobiles. As a symbolic and culturally loaded icon that represents freedom, among other values, the automobile is something to which Americans are inextricably attached. Any effort to separate Americans from their cars thus takes on almost unpatriotic overtones, providing another argument for opponents of UGBs. However,

this argument presupposes that UGBs would require people living within them to give up their cars. UGBs would not mandate that everyone sell their cars, and in fact, they would increase the liberty of individuals who would like the option to be less reliant on their automobiles. Many, if not most, would appreciate the opportunity spend less time in their cars given the choice, but with the current practices, there simply is no choice. Americans do not *want* to spend hours in their cars commuting, they simply have to because of the physical structure of the built environment.

Those who oppose UGBs also fear that they would increase housing costs, a worthy but unfounded concern. The housing market is extraordinarily complex, and the effects of increasing density are extremely uncertain. For example, the city of Portland, Oregon has had a UGB in place since the 1970s and has enjoyed a resurgence of its downtown Pearl District with mixed-use New Urbanist style development. The effects on property values in the city are unclear. Values have increased, but so too have values of houses across the nation. Some argue that the price increases in Portland have been excessive, far outstripping the national average, while others claim that the UGB was placed so loosely that it has had negligible effect on property values (Brueckner, 2000).

Given the basic posture of UGB opponents that individuals should be free to live how and where they like, many of the arguments against UGBs seem hypocritical because UGBs will, in many cases, facilitate more choices for consumers. Detractors make many presuppositions that are not carefully considered, and there is a tendency to polarize the issue to make it easier to argue against. However, categorizing issues into either-or dichotomies—that is, either cars or no cars, either cramped urban apartments or spacious suburban homes—does not ultimately withstand critical analysis, because it is an oversimplification that does not take all relevant facts into account.

Part IV: Personal Conclusions

The argument over UGBs is a clash between the liberty of people to choose where and how to live and the preservation of the environment and conservation of resources. Like all large-scale environmental issues, the enormous scope of this one makes it difficult to compare unlike consequences and factors, but using critical analytical tools, it is possible to frame the various arguments in a reasonably objective and consistent manner. It was easier for me to discuss ethical issues on the “for” side than on the “against” side, suggesting that the “for” side is more closely tied to core human and stakeholder interests. The petty vilification of UGBs as employed by opponents was overly simple and ultimately ineffective because of the faulty presuppositions and lack of factual bases.

On both sides however, it was clear that the actual effects of UGBs are not adequately understood, especially with respect to human land use and the built environment. For example, both sides make unsubstantiated

and conflicting statements that their preferred course of action will result in more affordable housing, suggesting that neither side actually knows what effects UGBs have on property values. Ultimately, a UGB is a tool that, while easy to implement and fairly widely accepted, employs a certain amount of arbitrariness with respect to where it is physically placed. With such an unclear understanding of the effects on development within a UGB, UGBs clearly do not represent a complete or perfect solution to sprawl.

The land use issues remain unresolved, largely because of the inflexibility of zoning regulations. The current model unnecessarily displaces valuable farmland and habitats. Therefore, increasing the density of future development is imperative to achieving anything close to sustainability. Reforming zoning conventions would make it easier to build more culturally rich and environmentally friendly developments on previously developed areas that have fallen into disuse (known as infill or brownfield development, as opposed to greenfield development on previously undeveloped land). UGBs can be a part of this solution, but are not the sole answer. Many of the arguments for UGBs suffer factual ambiguities or unjustified presuppositions, but the unambiguous fact is that we are using up land rapidly and once it is built, it cannot be converted back.

The indisputable effect of urban growth boundaries is that they preserve undeveloped land, which in turn is directly tied to basic human needs. In an ethical context, basic human needs are irrefutable, and all interests must subordinate to those. Therefore, despite the invocation of the fundamental presumption in favor of liberty (or in this case, the situation-appropriate *Lone Mountain Compact*) by detractors, the basic human needs of food and clean water as outlined by the proponents ultimately prove to be more compelling.

References

Brueckner, J. K. (2000). Urban sprawl: Diagnosis and remedies. *International Regional Science Review, 23*, 160-171.

Carlson, T. & Dierwechter, Y. (2007). Effects of urban growth boundaries on residential development in Pierce County, Washington. *The Professional Geographer, 59*, 209-220.

Duany, A., Plater-Zyberk, E., & Speck, J. (2001). *Suburban nation: The rise of sprawl and the decline of the American dream*. New York: Farrar Straus Giroux.

Lone Mountain Coalition (2000, December). *The Lone Mountain Compact: Principles for preserving freedom and livability in America's cities and suburbs*. Retrieved from http://www.perc.org/perc.php?id=402