Part 4

SMART GROWTH IN THE COMMUNITY

11

The University of North Carolina at Chapel Hill's Master Plan and Development Plan: Blueprints and Partners in Smart Growth

Richard Thorsten

Campus settings present challenges to integrating smart growth principles that are similar to those of the cities and towns in which they reside. Both places generally include a diverse mix of land uses, housing options, transportation and pedestrian networks, and built and less-built environments. University and municipal administrators are concerned both with fostering growth amid budget constraints, existing land uses and interest groups, and with the historic and natural character of the larger area. Frequently the demands of town-and-gown leaders overlap and sometimes conflict, requiring innovative techniques to harmonize smart growth designs between the academic and municipal environments.

In 2001 the University of North Carolina at Chapel Hill approved a new campus master plan, which culminated a four-year endeavor. The university also worked extensively that year with the town of Chapel Hill to pass a new development plan that allows capital projects contained in the master plan to move forward more quickly, in exchange for adhering to higher environmental and neighborhood standards. This chapter overviews the campus master and development plans, with a special focus on smart growth principles, processes, and outcomes. Sources of information include these two planning documents as well as interviews conducted by the author in May and June 2003.

The Carolina Community and the Challenges of Growth

The University of North Carolina was commissioned in 1789 as the first state university in the new United States of America. A board of trustees selected a

rural village setting, Chapel Hill, for the school's location. The original map of the campus, from 1795, features three large buildings on top of a hill, which formed a three-sided space facing north to the town. This notion of a mall reflected the board's intention to build a "University of the People," a campus open to the outside world. In *Campus*, his history of campus planning, Paul Turner notes that the design may have resulted from the merger of a large village green (as Nassau Hall at Princeton showcased) with an axial design (found at the College of William and Mary) (Turner 1984). The selection of a rural location and the notion of the open mall later became popular at several other state institutions, including the University of Virginia.

The UNC campus grew from this spot (known today as McCorkle Place) westward along the north rim of the hill, although the first campus master plan (1920) envisioned a more orderly eastward and later southward expansion, sloping down the hill. The university and the town continued their parallel growth—the university served as the town's largest employer and owned its water, electric, and telephone systems. After World War II, European-influenced architects created new campus buildings that maintained a more separate relationship from their surroundings.

The university experienced high enrollment and funding increases as a result of postwar expansion. It developed specializations in public health and medicine, fueling campus growth farther south (Carolina Master Plan 2001). Cumulative floor area increased from 3.97 million square feet in 1962 to over 11.87 million square feet in 1997. Approximately 25,000 students now attend the university. The state has the eleventh largest population in the country; its growth ranked in the top ten between 1990 and 2000 (U.S. Census 2000). The university expects to enroll and accommodate an additional 8,400 new students and employees over the next ten years. According to planners at UNC, by the late 1980s the master plan no longer informed decisions on where to build, so in 1997 the university embarked on a master planning process. The original 1920 plan achieved build-out in 1962, and incremental updates to it could not keep pace with university growth. While momentum for expanding enrollment and research continued to escalate, Chapel Hill maintained a fixed cap on university build-out at 14 million square feet. The university needed to work with the town on adjusting that cap, while accounting for the town's genuine concerns about impacts.

The scholarly mission of the university also motivated the master planning process. Former chancellor Michael Hooker completed an Intellectual Climate Study in 1997, the same year that the administration set the master planning process in motion. The Chancellor's Task Force sought to identify ways in which UNC could become a leader among public universities by fostering the intellectual environment. In those meetings faculty members

expressed their desire for building designs and locations that would encourage greater exchange between students and faculty. Moreover, the task force urged UNC to reconnect the north and south ends of the campus. It suggested that campus planners examine the Ram's Head and Bell Tower parking lots as future loci of student and staff activity.

Other issues required more immediate attention from the stakeholders. The university owns a 1,000–acre parcel of land northwest of campus known as the Horace Williams Tract, or Carolina North. In 1996 Chancellor Hooker visited the University of Michigan and North Carolina State University, two schools that leapfrogged to other tracts of land to grow, to decide whether UNC would pursue this growth strategy or infill and grow on the main campus (it ultimately chose the latter). Facing pressure from the town, Chancellor Hooker also pronounced that the university would provide a "bed for every new undergraduate head": every new student would have space to live on campus. This challenge required the university to construct new residence halls to accommodate projected enrollment increases. During the plan's adoption, UNC and the towns of Chapel Hill and adjacent Carrboro also engaged in discussions for a new regional transit system that included a fixed guideway from campus. The sloping topography of the university and its current built form makes planning for this guideway extremely challenging, particularly if some form of a rail system were introduced.

Development of the Carolina Master Plan

In 1997 university officials became interested in developing a new campus master plan, and Ayers Saint Gross (ASG) was hired to guide the planning process. The firm, which had worked previously on crafting plans for the University of Virginia and Emory University, among other institutions, was selected for its experience and its substantive, inclusionary approach to master planning. Toward the end of the spring semester 1998, the university convened its first formal meetings on the plan. A tiered system was developed, consisting of an administration team (that included deans and vice chancellors), a design and operations team (involving university members and the general public), and a steering committee that made final decisions. The architects and staff established four geographic groups to handle specific precinct needs. Group I studied potential locations of new science buildings, additions to medical and health facilities, and the Bell Tower parking lot in the central and western portions of the campus. Group II centered on the historic northern area of campus and focused on historic preservation and the creation of an Arts Commons. Group III examined additions to the Schools of Public Health and Dentistry, parking concerns,

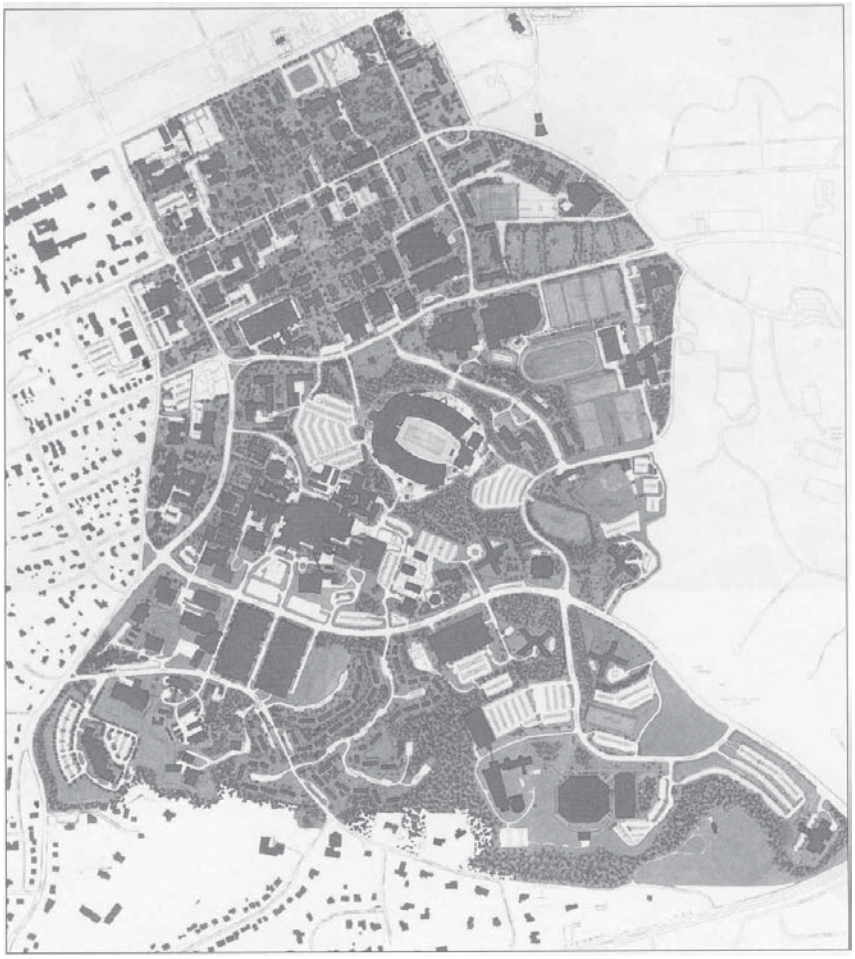
and open space and pedestrian connections in the southern and eastern sections of campus. Finally, Group IV considered undergraduate housing, athletics' needs, and parking and landscaping on the southern and eastern ends of campus. Ad hoc advisory committees also organized along specific issues, including transportation, bicycling, pedestrian mobility, and neighborhood impacts.

The committees collected information from a variety of sources. The university hired George Alexiou from the firm Martin, Alexiou and Bryson to serve as a special transportation consultant. He and his staff generated traffic projections based on enrollment growth and likely residential patterns. They also simulated parking assumptions and mapped areas where the university could establish park-and-ride lots. UNC's Facilities Department provided much of the information on utilities, building specifications, and needs. Later in the process, the environmental consultants Andropogon Associates and Cahill Associates provided environmental and storm-water management expertise. Both the university and the town faced more stringent regulations (Phase II) from the federal National Pollutant Discharge Elimination System (NPDES) program. The school had already dealt with serious flooding conditions on campus as a result of building over streambeds that trickled down the hill. Andropogon relied on and generated several data sources, such as campus walks, soil surveys, global information system (GIS) analysis of forested areas, mapping of original streambeds, and historic and aerial photographs.

The development of each component of the plan was highly iterative, and there was an even balance of university and community stakeholders on the committees. Later drafts of the plan reflected additional levels of detail and changes in design as a result of more than twenty public forums that gathered community input. David Godschalk, of the City and Regional Planning Department at UNC and chair of the building and grounds and the design and operations committees, notes, "Visual communication was imperative to these plans. People needed to see how the landscape would change." ASG conducted minicharettes, where participants in different committees would come up with ideas and the architects would sketch how these might appear in the landscape. The charettes gave the participants a chance to learn how various concerns related to one another, and helped committee members to better understand relationships between parking and traffic, housing and parking, and the environment and build-out.

After three years of meetings and revisions, the board of trustees approved the Campus Master Plan in March 2001; the final report was published in March 2002. The master plan incorporated several smart growth principles and objectives.

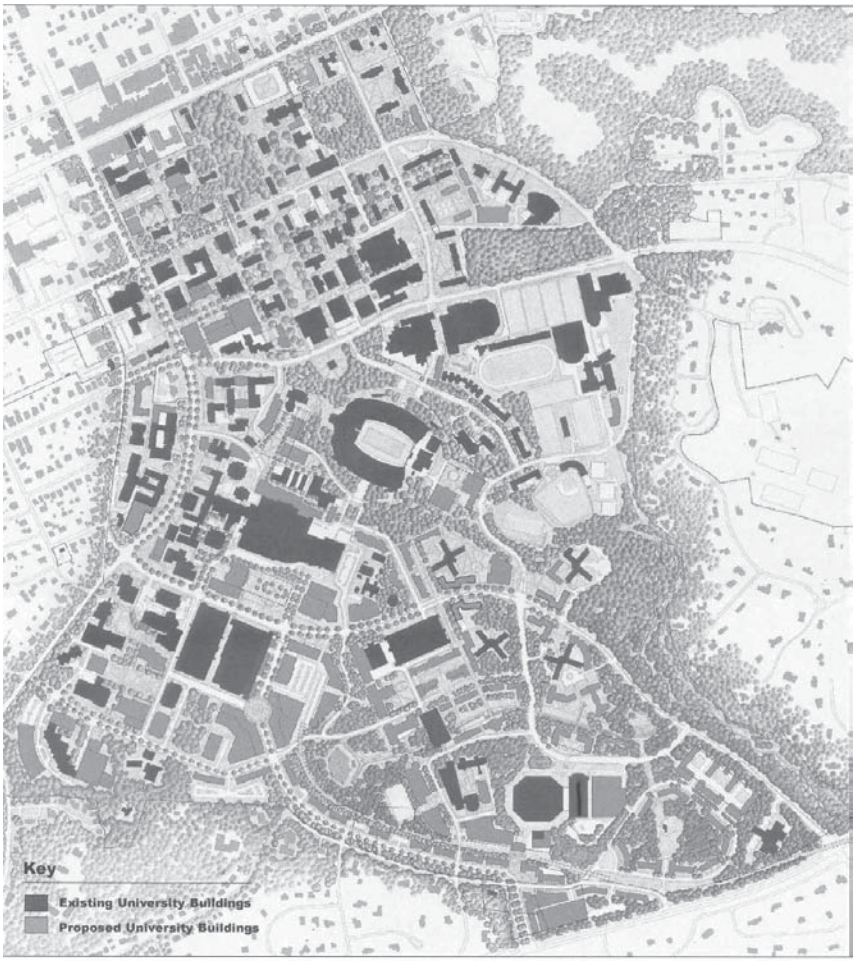
Figure 11.1 **University of North Carolina at Chapel Hill, existing campus**



Promote Campus Infill

The committees and staff looked at several options for growth on the main campus and for the Carolina North property. The stakeholders decided to focus new building and growth on the existing campus, adding 5.9 million square feet over the subsequent ten-year period. Figure 11.1 represents the existing campus, while Figure 11.2 demonstrates the proposed campus layout under the master plan. The infill strategy carefully adds an Arts Com-

Figure 11.2 **University of North Carolina at Chapel Hill, proposed campus plan**



mons in the northwest corner of campus and a new Science Complex at the southwestern rim of the historic North Campus. The central and southern sections of campus undergo a greater transformation. The plan places new buildings on several existing parking lots and a few areas of unutilized paved open space. New parking decks will accommodate existing and planned vehicular traffic, while other areas will be reclaimed as open space.

The increases in campus density will help facilitate more interaction on

campus, as called for in the Intellectual Climate study. The South Campus (where the majority of students live) will more closely resemble North Campus in its mixed-use character of buildings. The infill strategy also provides increased opportunities for multimodal forms of transportation.

Increase and Diversify On-Campus Housing

The master plan reflects the chancellor's policy that every undergraduate student will have a place to sleep on campus. The plan invigorates student life by locating new undergraduate and student family housing near existing residence halls, creating new quads and courtyards in the southeastern section of campus. Unlike the existing X-shaped, high-rise dormitories, the new undergraduate housing facilities will rise no more than four stories, which will complement the scale of the majority of buildings on campus. The buildings feature freshmen suites and upperclassmen apartments; a few will also site retail establishments on their ground floors. Student family housing will relocate into a one- and two-story courtyard area, separated from undergraduate housing and from their current location as a thoroughfare to hospital traffic. So far, the university has made good on these initial commitments. Four new dormitories opened in fall 2002 that include a mix of living options and high-speed Internet connections.

Provide a Range of Transportation Alternatives

Stakeholders quickly realized that enrollment and staff increases would overwhelm existing surface parking areas. At the same time, they had decided to remove approximately 5,500 surface spaces for new buildings and greenway restoration areas. Full build-out would require 11,500 new spaces, given commuting trends. In response, the master plan provides sites for approximately 8,500 new spaces, mostly within new parking decks. To accommodate future travel and parking needs, the stakeholders worked with consultants to limit single-occupancy vehicular travel to campus. Using GIS and travel demand models, they decided to place greater emphasis on public transit as a means of accounting for the net reduction in growth of surface parking. Committees identified four park-and-ride lots where employees and students could commute, as well as bike routes within the campus and improvements for potential cyclists, including showers, lockers, signage, and safety.

Consultants also sited a fixed guideway for a future regional transit system. The preferred alignment crosses the south edge of campus, taking advantage of a natural grade and paralleling a new road that entered into the master plan. It does not conflict with existing or planned campus development, although it does cross three properties not owned by the university. The plan incorporates

several future high-capacity transit options, including a worst case scenario—heavy rail—which can only traverse certain slopes and requires wide sweeping turns. Shuttles would be available to take students to other parts of campus if the regional transit system becomes a reality.

Promote Walkability on Campus

While North Campus features a rich texture of pedestrian paths, the existing South Campus suffers from disjointed planning that confuses pedestrians hoping to reach North Campus or other South Campus buildings. The master plan reestablishes legible walking paths that reconnect the north and south ends of campus. It envisions a circulation system of paths that allows students who live in the medium-rise dormitories to have easy access to Kenan Stadium, the Schools of Medicine and Public Health, and the north end of campus. Features will include legible signage, lighted pathways, and new pedestrian bridges; their design will also enhance pedestrian activity. For example, the Ram's Head parking lot, near Kenan Stadium at the southern, lower end of campus, will be replaced by a small parking deck that will include a marked pedestrian bridge to campus on top of the structure. This provides commuters with easy access and reduces the grade uphill that pedestrians must travel to North Campus.

Mix Land Uses on Campus

Although campus settings offer students the chance to learn, live, consume, and play in a single environment, the northern and southern portions of campus differ in their diversity of uses. North Campus includes residential, academic, and public uses within the area, while South Campus spreads many of these functions across the landscape. The new plan calls for South Campus to integrate more of its roles. Two examples of this are (1) the Bell Tower surface parking lot, which will be converted to a major parking deck and a set of academic and support buildings that will serve UNC hospital employees and students alike; and (2) the Ram's Head area of South campus. In both areas, large parking decks will replace the surface lots. The top portion of the Ram's Head deck will feature a dining area, bookstore, recreational building, and a green roof to handle storm-water flow.

Foster Distinctive University Settings

While the plan harmonizes the traditional and newer areas of campus and creates new focal points for students, faculty, and staff, it also strengthens

many of the unique attributes of the school. Representatives of older precincts sought to export many of the natural features and architectural scale of the old quadrangles to other areas. They also laid the groundwork for identifying new historical places on campus and listing the renovation needs of some of the older buildings. A set of design guidelines outlined preferred (and not preferred) building types that reflect Carolina's heritage and set more specific standards for new buildings on the priority list.

The plan essentially creates three academic villages: the historic North Campus area; the new Health Affairs Village to the southwest; and the new Housing and Student Life Village to the southeast. Most of the North Campus area remains intact. The Health Affairs Village centers new science and medicine buildings that surround the existing hospital and annex in the form of a quadrangle. A grid system unifies local roads, while open spaces are connected along its edges. The Housing and Student Life Village creates a more integrated community where most students live, and will feature diverse housing types, connected open spaces and plazas, and retail spaces (including a grocery store) that will allow students to interact more comfortably at this end of campus.

Preserve and Restore Natural Open Space

New buildings in the South Campus area will have distinct edges that will create open-space connectors between North and South Campuses. New roads will contain tree-lined sidewalks and landscaping. Along the southern and eastern edges of campus, the university will tear down older facilities and restore drainage channels, floodplains, and reforested areas. The university also intends to uncover and reclaim two buried streams on campus. These stream corridors will become part of the new pedestrian network on campus.

Protect Environmentally Sensitive Areas and Ecological Functions

The master plan includes an environmental component that evaluates the quantity and quality of land and water resources, protects and restores environmentally sensitive areas, and mitigates water-resource impacts of new construction. The plan focuses new construction away from the sloping, forested southeastern boundaries of campus. New construction also avoids disturbing the aesthetic and historic beauty of the North Campus.

One of the most dramatic pieces of the master plan aims to change how the university handles storm-water retention. Campus officials anticipate that

their infill strategy will mitigate storm-water increases, and possibly even result in net losses. The plan calls for maximizing on-site infiltration to recharge groundwater and absorb floodwaters, capture and reuse rainwater, and ultimately result in no net gains in storm-water runoff. Techniques will include bioretention areas, "rain gardens," natural swales, and the reduction of lawn fertilizers.

Encourage Citizen and Stakeholder Participation

UNC conducted many public forums to present the new plan and gain input in its development. Students in particular adopted a unique and important role in shaping its characteristics. They initially formed their own committee and submitted their ideas to early stakeholder groups. Later, a few student leaders joined the committees, and a student task force also developed their own master plan. According to past student body vice president Emily Williamson, the final master plan addressed many student concerns, including more strategically placed parking, better transit and pedestrian connections, and a more mixed-use South Campus. In her opinion, students felt that the one weakness of the plan was its inattention to more recreational facilities.

The UNC Development Ordinance and Master Plan Implementation

The Development Ordinance

Before passage of the master plan, the town of Chapel Hill had developed standards that applied to the university. Floor-area requirements and storm-water guidelines and mitigation techniques were among those previously mentioned. The town periodically reviewed land use decisions on individual buildings, yet had not worked with the school to develop a land use plan that would guide future development. University officials wanted to implement their master plan, and this required a more integrated approach to working with town leaders.

UNC began to bump against the town's regulations for maximum floor area coverage just as it prepared to construct new facilities that would exceed that floor area. Raising the cap on the floor area would have solved the problem, yet it would have alarmed town residents concerned with the impacts of rapid growth. Moreover, the university wanted to avoid costly delays in new construction resulting from the prior permit process, where every permit received scrutiny and deliberation from planning staff, the town council, and

the general public. University and town officials finally reached an agreement on town review of projects in the master plan. The UNC development plan requires the university to analyze and mitigate traffic, lighting, noise, and storm-water impacts for all new projects identified in the campus master plan before it applies for building permits. After examining this unified impact report and suggesting modifications, eventually the town council approved the development plan.

The town has created a special zoning district (Office/Industrial #4 or OI-4) for the university that outlines an alternative permitting process for individual university building permits. Projects that are included in the development plan receive expedited review and approval of the town manager, who certifies that each building permit meets the plan's objectives. The town council is not involved in the permit process, which is now restricted to fifteen working days. The town manager has approved all six applications within this time frame since passage of the development ordinance in October 2001.

Public consideration of the development plan was very robust. The university held several open presentations on their plan, and officials met with UNC staff to suggest revisions to it, such as a transition perimeter that protected adjacent neighborhoods from lighting and noise impacts. Council members held several meetings and requested information that the university furnished. Town councilors shared major concerns about the transportation plans (specifically cost commitments from the university for improved transit) and storm-water guidelines (e.g., the explicit technical verification of managing storm-water flows). Negotiations with the town proved beneficial on both counts. The university agreed to pay 40 percent of the cost of operating an expanded and fare-free transit service in conjunction with the towns of Chapel Hill and Carrboro. The university increased its contribution, and students voted to increase student fees toward this fund as well. Both university and town officials also hired professional consultants and designed new groundbreaking standards for performance and monitoring of storm water, according to several interviewees.

Town officials and nearby residents are concerned with UNC's plans for locating buildings and widening roads along the south edge of campus, known as Mason's Farm Road. Original plans called for neighborhood intrusions on both sides of the street, where several single-family homes are now located. Public hearings ultimately produced a decision to leave the south side of the street alone, while eventually intruding (either through purchase or eminent domain) on the properties of four houses on the north side. As of this writing, the university is constructing more than 300 units of student family housing along the road.

The UNC development plan and new zoning ordinance demonstrated several smart growth principles in action. These include:

- *Compact building design.* The new zoning district allows the university to increase its floor area ratio within the region. School officials can now construct infill development plans on the existing campus.
- *Housing on campus.* The zoning ordinance also allowed the university to construct four new dormitories, which opened in 2002. Others are planned for the future.
- *Transportation choices.* The fare-free, expanded bus system has increased ridership both from park-and-ride areas and along existing bus routes. Early results indicate 40 percent increases in the first year.
- *Strengthen existing communities.* The university must account and mitigate for environmental, noise, lighting, and other impacts on adjacent areas before introducing building applications. Neighborhood residents have a better idea of what conditions new projects must adhere to and may take those concerns to town planning officials.
- *Improve environmental protection.* Chapel Hill's storm-water management policy of no net increase is a rare and ambitious standard to achieve. However, the town and the university have established this as a major benchmark and have committed resources to make it happen.
- *Make development decisions predictable*, *fair*, *and cost-effective.* The development plan gives the university a predictable set of requirements that master plan projects must abide by to gain approval. Acceptance of the development plan occurred in a fair, open, and public process, while project approval requires timely town staff decisions. The compromise also ensures that, in most cases, the university and the town will not face costly legal battles and delays over project approval.

Despite these laudable goals, some challenges remain for town-gown relations. Chapel Hill contains a proactive neighborhood activist community that may well fight for tougher university dealings. For example, some residents of a neighborhood that borders the eastern edge of campus are currently attempting to block the construction of a utility chiller plant that was originally listed in the development plan. Some transportation issues also remain unsolved. Although both the master and development plans attempt to mitigate traffic, growth will continue to accelerate overall trips. UNC and Chapel Hill have yet to reach agreement on traffic flow along a few major intersections along the western edge of campus. The university will also encounter resistance if it attempts to move forward on constructing a six-lane road along Mason Farm Road or an additional heavy-rail transit guideway.

Neither university nor regional transit plans call for significant changes in the next few years, but the issue remains outstanding. The other major issue is the fate of Carolina North. The town council has seen three separate plans for that property in the last eight years. In 1995 the town worked with the university and an outside firm on guidelines for the property's development that called for a mixed-use village center, with housing and services for students and faculty, tied to the transit system. Yet deliberations continue on Carolina North's future.

The Campus Master Plan

Over the last two years the university has implemented elements of the master plan. UNC won passage in 2000 of a $3.1 billion state capital bond for higher education spending. Approximately $550 million of that bond is committed to the Chapel Hill campus to construct several new buildings and renovate many more. Planning and construction has also begun on School of Public Health additions, the student union, and a science complex. The Sonya Haynes Stone Black Cultural Center recently was completed. The university as well has invested its own resources toward plan implementation, and many new positions were created as a result of the planning process.

The university hired Cindy Shea in April 2001 as its first Sustainability Coordinator. Key responsibilities of the position include working with designers to make new buildings more energy and water efficient, promoting recycling and storm-water detention in existing facilities, and reviewing university curricula and purchasing policies to suggest more sustainable practices. In 2002 UNC hired Debby Freed, former manager of the Commuter Alternatives Program at Virginia Tech, to launch the Transportation Demand Management (TDM) program. The university had already taken some piecemeal TDM steps, such as offering emergency rides and carpooling and vanpooling permits. Freed's office now provides more comprehensive information on alternative forms of transportation to and from campus and on campus, coordinates park-and-ride permits, and just started a discount program, where local merchants agree to provide discounts for frequent nonauto commuters. She hopes to apply and continue some of the good work that Virginia Tech and other schools such as Stanford University and the University of California at Davis began. Historic preservation also received renewed attention after adoption of the master plan. The university maintains more than fifteen buildings and landmarks on the National Historic Register. Paul Kapp was hired by the UNC to serve as the Historic Preservation Manager. His office has begun to survey all the historic buildings on campus to identify specific needs. The university just completed a $6 million renovation of

Murphy Hall, and an additional $10 million has been committed for upcoming projects. The university also has hired a landscape architect and an engineer to focus on storm-water management.

Challenges remain on the horizon for the university as it implements the master plan. The UNC system, like many state institutions, faces budget cutbacks and the prospects of raising tuition. Fiscal cuts hit new offices especially hard. The Sustainability office lost 50 percent of its budget only two months after Shea arrived. And the TDM program operates on a limited budget, though Freed hopes that a state TDM grant will allow the program to expand.

Conclusion

The campus is an important laboratory for smart growth planning, particularly for larger and medium-sized institutions, where university decisions shape the towns and city neighborhoods in which they reside. Their campuses are microcosms of activities in the domain of planning—unique environments where employment, housing, design, transportation and mobility, and environmental protection needs and objectives intertwine and interact with the larger urban and social fabric.

Most of the UNC community and the consultants they worked with did not originally set out to create a smart growth master plan. They recognized that physical, academic, financial, and regional short-term needs and longer-term challenges had outstripped the ability of current plans to guide development and meet the university's mission. The 2002 master plan credibly responds to most of those issues, yet it also reflects smart growth principles and practices in action.

Infill strategies can represent responses to growth in the face of land use constraints. They may also reflect a strategy that stresses the redevelopment of existing areas. Both scenarios apply to the Carolina Master Plan, which, along with the UNC Development Plan allows the university to expand within the confines of its existing boundaries. The master plan also reshapes the university via an infill strategy that creates two new axes of campus life (academic villages) in addition to the traditional North Campus. This vision directs development toward existing areas and redesigns the southeast and southwest portions of campus as distinctive places where members of the university community will want to visit and interact. This strategy also promotes such interaction in distinct places by fostering another goal of smart growth: more walkable communities. Students and staff members who live and work in the southern ends of campus will be able to move across campus more easily using trails. The plan lowers the gradients that pedestrians must travel to reach the central and northern portions of campus and defines pathways to reach multiple destinations. These elements reduce the need for short

automobile trips on campus and allow students living in South Campus housing units to feel more connected to the rest of the school.

Increases in on-campus housing contained in the plan also promote a more integrated campus and relieve pressure for off-campus housing (and the conflicts that erupt between students and neighborhood residents). Unlike more modernist planning efforts, though, the plan promotes a range of housing options to meet the needs of different student groups. The scale of new undergraduate dormitories has been reduced to harmonize with other areas of campus and create less daunting student settings. Apartments and suites have been added for upperclassmen and the population of foreign students on campus, and married student housing remains apart from both undergraduate clusters and the constant traffic of UNC Hospital.

The master plan represents a fundamental shift toward the integrated treatment of parking, transportation, and mobility. Although many walk, bike, or ride the bus to campus, incremental additions to surface parking have allowed others to drive and park during normal weekday hours. UNC recognized that this parking strategy has led to single-occupancy traffic gridlock during peak hours, while limiting facility expansion and detracting from campus beauty. The master plan does accommodate for some parking increases in structured, paid lots, yet also envisions less single-occupancy travel to campus. A multipronged strategy for travel demand has emerged—one that creates new park-and-ride lots off campus, offers expanded and fare-free bus service to and around campus, and actively promotes and incentivizes walking and cycling alternatives.

In the same manner, storm-water measures and open-space protection have received more systematic treatment. Storm-water management has moved from an incremental, building-based approach to one that sets high standards for university-wide compliance and offers new techniques for proposed buildings like bioswales and green roofs. Plans call for replacing lost open space due to expansion through reclaiming unused surface parking lots and providing greater buffers around the tree-lined streambeds at the eastern edge of campus. The storm-water management goals were reached in conjunction with the town of Chapel Hill as part of the UNC Development Plan.

The plan also reflects another equally valuable smart growth achievement—a cost-effective, predictable, and fair system of making town development decisions regarding master plan permits. UNC will not face costly, delayed consideration of master plan projects due to town indecision or political haggling. In return, town officials and community members have opportunities to review all project impacts and mitigation strategies even before UNC submits a permit application. While the school and town residents still have their problems, this compromise represents a new level of smart growth collaboration.

Can other universities and communities learn from and apply UNC's experience? Campus settings vary considerably, and the university's age and historical split of activities may be somewhat incomparable. Not all university communities harbor strong antigrowth sentiments, and, to be fair, some universities do not stress public service to the same degree as UNC. Nevertheless, some lessons are transferable to other institutions and localities. Passage of major proposals such as the master and development plans require early and frequent interaction of stakeholders. The university sought broad participation in crafting the master plan across the spectrum of UNC stakeholders. Both the master and development plans received considerable public scrutiny and revisions as a result of community input.

Although universities are large landowners, they frequently require a different regulatory environment than private developers. Expansion plans and local decisions take shape over a span of years; it is important to consider how best to meet those challenges before unproductive arguments surface that criticize the important societal roles that both neighborhoods and colleges play. Even in cases where universities are exempt from local zoning decisions, local governments and colleges frequently must reach agreement on planning decisions, such as transportation infrastructure and operations. Universities place high value on innovation. The development of smart growth plans and practices provide a competitive venue among schools for creative, constructive expression. This requires effective, visionary leadership from university administrators. Perhaps this challenge from former Mayor Rosemary Waldorf of Chapel Hill best sums up the importance of their role:

> Universities are revered institutions. They are lighthouses during dark and confusing times, dedicated to the improvement of civilization. We should expect that they should provide examples of good development, and deal with their towns with understanding and generosity. They must set higher standards as they attempt to grow and educate a growing populace.

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12

A King's Ransom: Chattanooga's University Invests in Partnerships for Smart Growth in the Historic Martin Luther King District

Meredith Perry and John Schaerer

In 1886 the University of Chattanooga was founded by the city of Chattanooga and the Methodist Episcopal Church, through the kind of symbiotic partnership that has shaped the institution. In 1969 the University of Chattanooga merged with the University of Tennessee to form the University of Tennessee at Chattanooga (UTC). Built on a cornerstone of partnerships and assembled from the best aspects of higher education's public and private traditions, UTC emerged as a regional public institution. Even as UTC joined the statewide system, major social changes were under way that would influence the relationship between UTC and its central city neighbor, the Martin Luther King (MLK) District.

The MLK District has a rich cultural tradition dating back to the end of the Civil War, when the community served as the regional hub of African American commerce and the epicenter of fashionable African American society. Throughout the early twentieth century, southerners knew the district as The Big Nine (the main corridor, Ninth Street, was renamed Martin Luther King Boulevard). During this period the neighborhood's commercial district hosted a variety of establishments owned and operated by African American residents. However, the legacy of the MLK District goes beyond commercial prosperity. Once known as the Jewel of the South, the district was critical to the development of American blues music. World-renowned blues artist Bessie Smith grew up there and got her start in the speakeasies and after-hours establishments that catered to the glitterati of early twentieth-century African American society.

Ironically, desegregation hastened the end of the MLK District's prosperity, as more affluent African Americans migrated to the suburbs, eroding the

Figure 12.1 **Prior to redevelopment efforts, the block between the UTC campus (along the top of the photo) and the MLK community (along the bottom of the photo) served as a buffer separating the entities rather than as a gateway.**

tax base and clientele for businesses in the community. At this time, relations between the MLK District and UTC were strained. The tense relationship persisted throughout the 1970s and 1980s, when misguided land use policies and a variety of socioeconomic challenges continued to take their toll on the MLK District (see Figure 12.1).

During the late 1990s a new administration at UTC and a groundswell of support among local community organizations created the synergy to initiate major redevelopment activities within the MLK District. Among the challenges that UTC and the MLK District faced together were to design and implement campus expansion efforts, neighborhood revitalization, and commercial renewal that would be mutually beneficial.

This case study describes the successful initial phases of ongoing urban redevelopment within Chattanooga's MLK District. The first phase of the redevelopment included two initiatives designed to address district needs for residential and commercial growth and university needs for campus expan-

sion. MLK residents, UTC representatives, and other public and private partners launched efforts with two interrelated goals: (1) increase population density in the MLK community, and (2) fund and construct a neighborhood-based school.

Background on the Problem

In the early 1990s the MLK community seemed caught in the grip of an irreversible decline. Two lanes each way of traffic sped through the community every day to get to the central business district and then back to suburban bedroom communities. The few manufacturing industries left in the area were in their death throes, and residents faced severe socioeconomic challenges. Meanwhile, the university's enrollment was increasing dramatically. While this was a proud accomplishment for the institution, it also presented a dilemma for a "landlocked" urban campus that desperately needed to expand. By the end of the 1990s there was simply not enough space to house and educate the student body. At the same time, leaders in the MLK District were seeking ways to increase business for merchants, to recruit new residents into the community, and to identify positive uses for vacant and abandoned properties. Residents and other stakeholders noted that a major obstacle in the community was the fact that neighborhood students were bussed to various low-performing schools. Bussing made it difficult for MLK parents to be involved with their children's educations and made the community unattractive to families with children.

Both of these problems appeared insurmountable because the UTC-MLK partnership lacked the funding and capital investments needed to support the new construction that the initiatives required. In addition, for the university to expand, it would have to acquire fifty-three properties in the MLK community and relocate ten households and the New Monumental Baptist Church. Given the historic tensions between residents and the university, the prospect of securing citizen support for the process seemed unlikely. Fortunately, the open channels of communication among UTC administrators, MLK leaders, and other stakeholders that had emerged during the 1990s helped all groups work together to develop interrelated plans that would meet each partner's needs.

Program Activity, Planning, and Collaboration

Literature, Research, and Data

Over a ten-year period approximately $5 million were spent on research, analyses, reports, and plans—with little or no positive benefits to the district

itself. UTC administrators decided that, while they would take all existing research into account, the core of MLK-UTC partnership planning efforts would be face-to-face interactions with community residents.

The university sponsored more than one hundred planning engagements from 1997 to 2000, including charettes, community planning meetings, and visioning sessions to identify needs, brainstorm solutions, and reach consensus on strategies and action items. In addition, MLK residents, UTC, and community leaders visited the University of Pennsylvania's Center for Community Partnerships to gain insights into successful university-community partnerships.

Goals for the Parties Involved

In 1998 the UTC chancellor convened a forty-member Communications Task Force consisting of university faculty, staff, and students as well as community members, business owners, and other stakeholders. A subset of the Communications Task Force, the Client Committee was established to conceptualize and analyze community design options and oversee redevelopment efforts. The Client Committee's fifteen members included residents, UTC personnel, ministers, and elected officials. Both groups worked together to design plans for potential land use that would mutually benefit the MLK community and the UTC campus.

Even though much had been done to establish a strong partnership between the university and community stakeholders, a certain level of distrust lingered. Within this context, the initial goals of residents were to limit negative UTC exposure in the district and to block any development that they felt would hurt their community. As the relationship among the stakeholders grew, partners quickly came to see that they had little to fear from one another and much to gain from working together. The group adopted the following guiding principles: (1) the campus should be a microcosm of the city, with a wide variety of activities, uses, and people; and (2) the special identity of the city should be matched by the special identity of its university.

Program Activity Implementation

As in many smart growth initiatives, planning and implementation are difficult to approach as discrete activities. In the MLK redevelopment, identification and clarification of needs and planning were critical first steps, but the implementation process uncovered unidentified challenges as well as unnoticed opportunities that informed additional planning and implementation. In this case, strong planning and relationship building were critical, but constant monitor-

Figure 12.2 **Representatives of the university, the MLK community, and other partners break ground for campus expansion**

ing and adjustments of implementation were also necessary to achieve a flexible process. A brief overview of the implementation process reveals the ways in which planning and implementation spurred further development activities.

Overview of Implementation

In fall 2000 ground was broken for the first phase of UTC construction, which would eventually house one thousand students within the MLK community (see Figure 12.2). While dormers would significantly increase the neighborhood's population, students do not provide the same community benefits that come from stable homeowners. To support the goal of attracting homeowners, UTC partnered with the Lyndhurst Foundation (a local philanthropy) to offer home ownership incentives in the district. A package ($15,000 over five years) was developed to attract young families in particular, who would help increase the residential capacity of the community. Unfortunately, the community at that time offered few amenities (e.g., quality schools and child-care facilities) to draw homeowners. But fortunately, the precedent for UTC-MLK partnership activities had been set through successful consensus building on campus expansion and housing issues, and the partnership began work on a more ambitious agenda: securing community-based schools to serve district children and families.

Dr. Mary Tanner, dean of UTC's College of Education and Applied Pro-

fessional Studies and a member of the local school district's Task Force for Buildings, learned that the school district had preliminary plans to construct one inner-city school but had not yet been able to identify a suitable site. The dean approached the chancellor with this information, and the university put forth a proposal: to build the proposed school on the UTC campus in a location adjoining the MLK community. The idea was taken to Client Committee members, some of whom were wary about the university's involvement in K-12 education (some voiced concerns that the students would be "experimented on"). Through consensus building and an open planning process, the initial misgivings and concerns were alleviated, and the decision was made to include a magnet elementary school in the proposed campus expansion plans.

Residential Infill

Smart growth researchers have long recognized the importance of residential infill to promote urban redevelopment and combat sprawl (Marquand 2001). Infill that fosters a mixed-income residential community is key to community health and has positive impacts on economic development, community advocacy, education, and crime and safety (U.S. HUD, Recent Research Results, 2000).

While the housing initiative was a great start, additional residential infill was necessary to promote the economic growth that was needed in the MLK community (see Figure 12.3). UTC also was desperate to deal with the rapidly growing residential student population. To address both partners' needs, the Task Force and Client Committee worked together to design UTC Place, a 1,500–unit student housing development located along the neighborhood's main thoroughfare. Throughout this process the Client Committee worked hard to ensure that residents had a strong voice in the design process and that new construction aligned with their needs and expectations.

The first phase of UTC student housing (undergraduate dormitories) has been completed, and nearly 1,000 students have moved into the community as a result. The second phase, which provides an additional 560 beds, was completed in the fall of 2004, and reached full occupancy by the end of October 2004. From both phases of housing, students will bring an estimated $6 million residual income annually into the MLK District. As a result of the incentives to promote home ownership, several new homeowners have already chosen to invest in the MLK community. It is estimated that an additional 100 homeowners will move into the district within the next two years.

Figure 12.3 **Before and after: dilapidated housing that contributed to blight (left) is replaced with student dormitories (right). Housing rehabilitation projects and new residential developments are under way to foster mixed-income residential infill.**

Elementary Schools

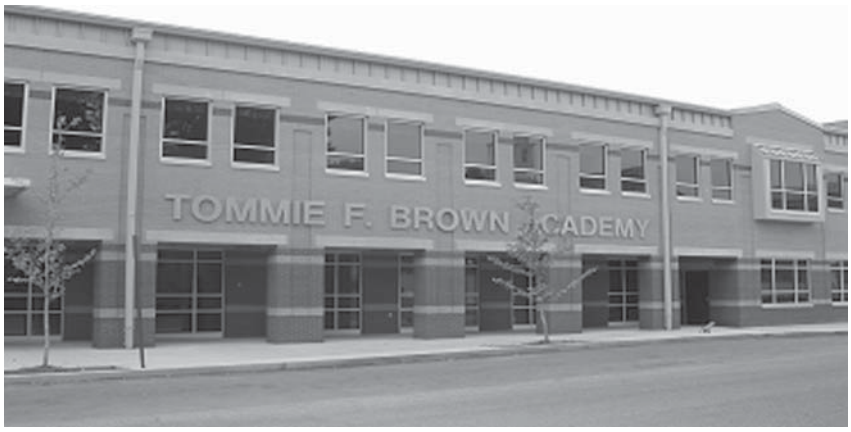
The UTC-MLK partnership engaged numerous participants to fund and construct two downtown magnet elementary schools. (One larger school was originally projected, but with UTC's involvement, two smaller schools were constructed.) H.H. Battle Academy of Teaching and Learning and Tommie F. Brown Academy of Classical Studies are fully equipped with early childhood learning centers so that they are able to serve students up to grade 5, creating a stable cohort of pupils and parents with an interest in community well-being (see Figure 12.4).

Establishing strong community schools within neighborhoods is a prime strategy for achieving community redevelopment (Passmore 2002, 2). All too often public schools act as a wick, drawing residents and other resources out of urban centers and creating sprawl (Steward 1999, 370). By locating new schools in the MLK District, the partners anticipate that the wicking effect will hold true—that the schools will draw residents and resources into the district. The schools have already been heralded by the Local Government Commission as models for smart growth partnerships (Local Government Commission 2002, 12–13).

Faculty, Staff, and Student Engagement

The UTC-MLK partnership has captured the imaginations and harnessed the intellectual and human resources of faculty, staff, and students who have made tremendous contributions to the success of partnership efforts. In 1999

Figure 12.4 **The Tommie F. Brown Academy is one of two new magnet schools that engage faculty and students to serve MLK families. Each school has the capacity to serve 450 students and attract residents from all over the city to visit the district daily.**



UTC secured federal funding from the Department of Housing and Urban Development to implement a Community Outreach Partnership Center (COPC) in the MLK District. The COPC has served as the hub for faculty engagement in MLK. Skeptical at first, faculty and staff have embraced Chancellor Bill Stacy's metropolitan focus and have been involved in numerous initiatives including the development of an MLK Commercial Land Use Plan, grassroots organizing and advocacy training for residents, a variety of youth empowerment programs, computer training classes, and health initiatives. Perhaps no campus unit has so completely internalized UTC's metropolitan mission as the College of Education and Applied Professional Studies, which staffs the new magnet elementary schools with its faculty and students. Faculty offer college courses and supervise practicum experiences on-site. This arrangement has created a remarkable learning exchange; school teachers are serving as adjunct faculty and lecturers and UTC faculty are offering unique learning experiences for elementary students. For example, the head of UTC's Teacher Preparation Academy is teaching an elementary-level class in Latin, making Brown Academy the only elementary school in the county to offer foreign language instruction.

Challenges That Arose During Implementation

The four main challenges that have been faced are issues associated with property acquisition, resident mistrust about UTC's motives and intentions,

funding and revenue to support revitalization, and infrastructural issues within the community that had to be addressed.

Property Acquisition

The historic tensions between UTC and MLK made property acquisition, always a sensitive topic, a particularly delicate issue. To secure the land necessary to construct campus housing and other facilities without eminent domain action, UTC had to relocate approximately ten households and, more challenging, an entire church congregation. Initially, residents and churches were wary or even hostile about UTC's intentions; however, the households were relocated, and all of the residents involved were satisfied with the outcome. To ensure a positive experience, for the one homeowner to be relocated (the other households were renters), the university purchased a new house on an adjoining street within the neighborhood and swapped the new—and more valuable property—for the homeowner's previous residence.

Relocation on a larger scale involved moving the New Monumental Baptist Church. This was a major undertaking and entailed a substantial amount of trust building to be successful. At the initial meeting, the church felt that UTC had already determined to move them out of the neighborhood. During the course of the meeting, the chancellor reassured church leadership that the purpose of the meeting was for the group to develop a plan in collaboration. The two groups frankly laid out their needs, interests, and concerns: UTC desperately needed the New Monumental property for campus expansion; New Monumental needed to shore up its dwindling membership and better serve a congregation that had moved into the suburbs.

After several months of negotiations, Dr. Margaret Kelley, then vice chancellor for University Advancement, learned that a church in Brainerd (a suburban community where a large portion of New Monumental's congregation lived) was looking for a new facility. UTC's special assistant to the chancellor negotiated a $2.5 million deal where the University of Chattanooga (UC) Foundation bought the Brainerd Church and traded it to New Monumental in exchange for their MLK property. Property acquisition was difficult and time consuming—it took nine months to resolve the New Monumental move; however, by maintaining communication and demonstrating a good faith plan to help the community meet its needs, UTC eventually overcame the community's initial skepticism and gained the confidence of residents and other stakeholders.

Resident Mistrust/Suspicion of Motives

In addition to resident mistrust associated with property acquisition, there was at first a great deal of suspicion among residents and other MLK stakeholders

about UTC's motives in the community. MLK business owners had fears that UTC would try to buy or force them out of the community. To alleviate this fear, UTC made a strong commitment to promote and support minority- and resident-owned businesses at planning sessions and community meetings.

The development of Brown Academy in the proposed expansion area also sparked signs of community mistrust among MLK residents. Because it was designed as a magnet school, residents feared that neighborhood children would be excluded and that the school would simply serve as a K-12 extension of the traditional "ivory tower." Inaccurate quotes published in local newspapers and rampant rumors exacerbated this perception. After deliberations, the schools established a system to guarantee that adequate space would be reserved for neighborhood children.

Funding

Without state or local government support, funding was a major challenge, but innovative partnerships and creative financing structures enabled the arrangements necessary to secure funding for partnership activities.

Campus Expansion

To finance the student housing and campus expansion efforts, the university embarked on a highly innovative public-private partnership. The only property suitable for campus expansion was owned by the UC Foundation, a nonprofit philanthropic institution that supports university efforts. Unfortunately, the state of Tennessee would not allocate funds to purchase this property. Chancellor Bill Stacy then suggested that the UC Foundation issue a request for proposals (RFP) to the private sector to build and finance housing for UTC expansion. The UC Foundation and UTC developed the RFP and selected a private-sector developer, Place Collegiate Properties, to manage the initial $18 million project.

To insulate the UC Foundation's endowment from liability and to facilitate the design, land lease, financing, and construction of UTC housing, a separate 501(c)(3) organization, Campus Development Foundation, Inc., was established by the UC Foundation under the leadership of past president Joe Decosimo and property committee chairman John Anderson. All property assembled for expansion was transferred to this new foundation, in exchange for two promissory notes totaling $3 million plus interest, a debt that will be paid from excess cash flow generated by the student housing.

Residential Infill and Home Ownership Incentives

To promote a stable homeowner base in the community, several community organizations have formed a partnership, MLK Tomorrow, to develop housing

stock and to promote residential infill through a variety of incentive packages and confidence-building activities. New construction and renovations to the housing stock have been financed through traditional means; however, these housing investments are bringing tremendous resources into the community. Equally heartening are the many packages that partners have developed to encourage residential infill. The Lyndhurst Foundation and UTC partnered to form one of the earliest home ownership incentives: Lyndhurst contributed $100,000, which UTC matched with institutional funds to provide approximately twelve $15,000 homeownership packages for UTC faculty or staff.

Downtown Magnet Schools and Children's Center

Funding to construct the campus elementary school was a challenge for the partners. Initially projected to cost $8 million, the school actually cost just under $10.5 million—the difference was covered using the first phase of housing as collateral. An anonymous donor pledged $5 million, and the UC Foundation contributed the remaining $3 million through innovative financing strategies that capitalized in part on profits from the first phase of development. Battle Academy, the second downtown elementary school (located on the boundary of the MLK District) was financed through traditional bonds issued by the county to be retired via tax revenue.

Once the debt service has been met, the UC Foundation plans to utilize the $5 million pledged by the anonymous donor to endow a fund to support the UTC College of Education and Applied Professional Studies' efforts to enhance urban education. Although only one of the schools is located on the UTC campus, UTC and the Hamilton County Department of Education have developed a binding memorandum of understanding stating that the university will be involved in both schools' curriculum development, enrollment, and other aspects of school governance.

In addition, the university also secured funding to expand the services offered through UTC's Children's Center to include infant care and enlarged the Children's Center facilities to two sites housed within the two new elementary schools. UTC and the Community Foundation of Greater Chattanooga provided funds for this expansion.

Lack of Infrastructure

Typical of many older, urban communities, deficiencies within the MLK District's infrastructure consistently came to the fore as serious obstacles. The majority of structures and utilities in the MLK community were put in place in the early twentieth century; therefore, they needed major improvements to

handle increased residential and business capacity and to meet the high expectations of current and potential residents and business owners. Major infrastructural issues included terrible problems with the district's sewer/storm-water run-off system, neighborhood traffic patterns, and street layout.

Sewer/Storm-water Run-Off

The existing sewage system combined storm-water run-off and sewage removal. It had deteriorated over the years, causing problems for neighborhood businesses, which had to contend with sewage backup and associated foul odors. University personnel approached the mayor about the problem; he employed a neutral third party to evaluate and assess the condition. The assessment confirmed the problem, and a $1.3 million sewage/storm-water system reconstruction was completed in September 2003.

Traffic Patterns

UTC has also been involved in efforts to revert to two-way the one-way streets that hinder pedestrian traffic and easy access to neighborhood businesses, residential areas, and churches. The university joined with the MLK Neighborhood Association and the MLK Task Force and requested that the mayor and the city council commission a study of converting the two one-way thoroughfares through the community (McCallie Avenue and Martin Luther King Boulevard) to two-way streets with on-street parking in order to promote commercial redevelopment and increase walkability for residents and visitors alike (Figure 12.5).

After much debate and particularly vocal criticism from suburbanites who had grown accustomed to driving to work at high speeds through the district, the city began converting the streets to two-way thoroughfares; this process was completed in late 2003, and residents and business owners anecdotally describe improved traffic and commerce patterns. The city has invested $1.2 million in the two-way conversion, which is estimated to bring tremendous economic development opportunities within the MLK District.

Streetscaping

In addition to the two-way conversion, UTC has also worked diligently with residents and other partners to enhance the streetscape of the MLK community. Only a short time ago the district, though centrally located within the city, was virtually isolated from the larger community, circumscribed by busy one-way streets and unsafe secondary streets lined by abandoned buildings and overgrown vacant lots, streets with few sidewalks and poor lighting.

Figure 12.5 **UTC and the MLK community worked to convert to two-way the one-way streets that hindered pedestrian traffic and easy access to neighborhood businesses, residential areas, and churches**

All campus construction has been accompanied by streetscape enhancements including sidewalks on both sides of the roads, which are lined with landscaping buffers. Intersections have been renovated with cobbled bricks to emphasize pedestrian thoroughfares, and streetlights line the sidewalks. These changes are already beginning to have an impact on the community, and the benefits of the pedestrian-friendly changes will increase as construction and conversion projects are completed. Walkability is a key tenet of the smart growth movement, and the partners view these pedestrian-friendly changes as a cornerstone of revitalization efforts, because they will increase accessibility, foster a stronger sense of community, boost commercial viability, and enhance the health of residents (Figure 12.6).

Nature of the Collaboration

What Was Learned

The partnership efforts between UTC and the MLK community have revealed a number of important lessons for university-community partnerships. The

Figure 12.6 **Before (left) and after (right) images of East 8th Street document the streetscape enhancements that have characterized revitalization efforts**

wealth of experience and knowledge that all of the stakeholders have gained is far too vast to enumerate here, but there are two key lessons that this process revealed.

Planning Must Be a Joint Enterprise

Many of the institution's initial concepts for campus expansion were not in line with the expectations of community residents and business owners. For example, original plans called for "fraternity row" to be moved into the MLK community, a step that was opposed by some community churches and residents. Because of their concerns, the campus decided to leave the fraternities in their current locations. In addition, the university had originally hoped to develop a community-wide sports and recreation facility that would include an Olympic-size track and soccer field. However, residents opposed this plan because of concerns about parking, traffic congestion, noise and light pollution, and community access. Working through the partnership structure, UTC and the MLK District collaborated to achieve individual and mutual goals while ensuring that no partner was exploited.

Efforts Must Be Cohesive, Comprehensive, and Sustained

No single redevelopment activity can be addressed in isolation from other issues. While it is critical to prioritize redevelopment activities and follow a shared set of milestones, the process also has to take into account the fact that the proper metaphor for a community is not a set of building blocks, but an organism where all of the elements (housing, education, business, crime, public space, health, etc.) are inextricably intertwined.

The Importance of Partnership

When Chancellor Stacy first approached the MLK community about redevelopment, he promised that the university would not come into the community unless it was invited. That statement set the tone for the UTC-MLK partnership efforts that followed. Whereas many partnerships are founded not on a carrot-and-stick model, where the organization with the most power utilizes rewards and penalties to achieve its goals, but on mutual trust. Dr. Stacy set out from the beginning to decentralize the power dynamic in the joint venture so that the community became the center of gravity within the collaborative framework.

The success of the partnership process itself has paved the way for collaborative opportunities and redevelopment activities that were beyond the best expectations of campus and community leaders. A quote from Arthur Moran, community member and MLK District advocate, best describes the overwhelming success of the UTC-MLK partnership efforts: "It used to feel like there were two or three people fighting a whole army; now it's like an army fighting two or three" (COPC Community Forum, June 5, 2003).

Conclusion

During the past five years the way that the MLK District is perceived by the larger Chattanooga community has changed dramatically. To borrow a metaphor from Wilson and Kelling's article "Broken Windows" (1982), the MLK District has changed from a community characterized by broken windows, indicating disarray, lack of normalcy, and criminal behavior, to a neighborhood that exemplifies the concept of mended windows, where residents are engaged in civic action and make investments in their community. This perception shifted due to changes in the physical environment championed by UTC and implemented by UTC-MLK partnership efforts, changes that created a tipping point within the MLK community.

Perspectives within the partnership have changed as well. When planning efforts first began in 1998, both partners had many of the assumptions and biases that so often stymie university-community joint venture. An anecdote from the early days of UTC-MLK planning efforts provides a potent metaphor for the shift in perspectives that has occurred. Driven by fears of crime and safety for UTC students and of community concerns about students' behavior, there were several suggestions early on that the university construct a wall to demarcate the campus from the community. Robert Frost, in his wonderful poem "Mending Wall," wrote, "Before I built a wall I'd ask to know what I was walling in or walling out" (Frost 1987, 33). The wall, in this

case, never materialized, but the fact that it was suggested shows how drastically the perspectives on the campus-community relationship have changed.

Ongoing initiatives will further expand notions of community to include both the campus and the MLK neighborhood. Through the downtown schools that engage university faculty and students in community education, the federally funded Weed and Seed program, which promotes community policing and promotes joint efforts by Chattanooga and UTC police officers, the Community Outreach Partnership Center, which lends the weight of UTC's intellectual resources to community development efforts, and countless ongoing interactions between community residents and UTC faculty, staff, and students, the traditional boundaries that separated the UTC campus from the MLK community have been erased.

Possible Program Replication and New Opportunities

UTC and the Martin Luther King District have addressed the same kinds of challenges that institutions and communities face throughout the country. Nearly all mid- to large-size cities face issues associated with housing and quality urban education, issues that are widely recognized as key components of smart growth. By addressing these community needs, the UTC-MLK partnership has made significant progress toward smart redevelopment.

Perhaps the most important component to the success of program activities is the philosophy at the core of UTC-MLK efforts: people and partnerships are more important than projects and funding. UTC's concept of metropolitan engagement is not simply a potpourri of projects, but an ongoing relationship with the community and its residents. It is a critical point that the partnership predated any project or fund-raising activities, empowering all partners to meet on common ground as equals.

There were tremendous challenges associated with these initiatives that caused UTC and its partners to develop innovative solutions and to expand and strengthen partnerships to ensure success. Facing and overcoming these challenges has emboldened the partnership to pursue solutions to other difficult problems facing the community: traffic flow and neighborhood walkability, business development and support, streetscaping, green space and park development, and major construction and infrastructural initiatives are currently under way.

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13

Universities as Participants in Planning Enabling Statute Reform

Brian W. Ohm

This chapter examines the role of the university in helping to reform state policy to support smart growth. Specifically, it is a case study about the collaborative process that led to the passage of Wisconsin's comprehensive planning and smart growth law in October 1999. It did not begin as a "smart growth project." Indeed, the term *smart growth* was relatively unheard of at the time. Rather, the project began as an effort to promote good local planning by updating the state's planning enabling laws. It is the result of a convergence of the University of Wisconsin's strong outreach tradition known as the Wisconsin Idea and the increasing visibility of land use as a public policy issue in the state. Because of the overlap between promoting good planning and the then emerging principles of smart growth, the project evolved into smart growth.

Smart growth is a reaction to the spatial pattern of development in the United States since World War II. While some attention is paid to federal and state governmental policies and private development practices that encouraged this form of development, smart growth places an increased emphasis on the role of local plans and regulations in shaping urban form. Since updating plans and regulations is not always a high priority for local governments, many existing local plans and regulations reflect the model of urbanization used in the 1950s and 1960s—the very model smart growth attempts to change. In addition, public acceptance of integrating new concepts such as smart growth into plans and regulations is frequently a slow process. As a result, local plans and regulations often present barriers to the implementation of smart growth principles.

States have an important role in smart growth as an enabler of land use planning and regulation by local governments. Enabling statutes influence

the type and quality of local plans and regulations. Wisconsin's comprehensive planning and smart growth law begins to create an enabling law framework that can support smart growth and encourages local governments to update their plans and regulations. With the increased public awareness of smart growth principles in general, communities have an unprecedented opportunity to incorporate them into their plans and regulations.

The Wisconsin Idea Context

Most colleges and universities have a variety of outreach programs and activities extending their resources beyond campus grounds. At the University of Wisconsin–Madison, however, outreach is strongly influenced by the legends and aspirations of the century-old Wisconsin Idea, the guiding principle that, as a state-supported institution, university resources should benefit the people of Wisconsin and beyond (Elliott 2003). The University of Wisconsin is a pioneer in the field of outreach and has served as a model for other programs across the nation.

The university's outreach efforts originated in the 1880s when the school began to offer short courses in agriculture for Wisconsin's farmers. The university offered these classes as a political move in response to the legislature's threat of separating the College of Agriculture from the university. During the nineteenth century state-supported universities were often denounced as aristocratic. The University of Wisconsin struggled to meet the expectation that state universities should disseminate knowledge to the community at large. A legislative committee critical of the early university declared, "The farmers, mechanics, miners, merchants, and teachers of Wisconsin . . . have a right to ask that the bequest of government shall aid them in securing to themselves and their prosperity, such educational advantages as shall fit them for their pursuits of life" (Carstensen 1981, 9).

The Wisconsin Idea was named from a book published in 1912 documenting the contributions of faculty who assisted the state legislature with the formulation of state policies during the Progressive Era in Wisconsin government (McCarthy 1912). A hallmark of the Progressive Party, under the leadership of the governor and later the U.S. senator Robert M. LaFollette, was the theory that it is the state's duty to promote the common interest of all rather than the special interest of particular groups. The Progressives were influenced by the Jeffersonian ideals that humans ought to improve themselves and their society and that representative government could be maintained only if the whole population became literate and willing to be guided by knowledge (Carstensen 1981, 8). These ideals are also a theme of the current interest in smart growth (Scully 1999).

LaFollette embarked on a series of significant reforms, working with the support of the university's president Charles R. Van Hise, a friend and former classmate at the university. Van Hise promoted the use of faculty as technical experts for the state to help solve social and political problems. The reforms became models for other states, and included creation of the direct primary, workers compensation, regulation and taxation of railroads, the legislative reference library, and the University of Wisconsin Extension (UWE).

Events during this era helped establish the proud tradition of the Wisconsin Idea. Over the years the program has continued to influence the work of the university. During the 1930s national innovations such as unemployment compensation and Social Security were credited to the Wisconsin Idea. More recently the Wisconsin Idea has supported a wide range of activities involving faculty and students, including partnerships with the biotechnology industry and K-12 education. (University of Wisconsin–Madison 2002). Students are involved through a variety of means, including service learning courses and undergraduate fellowships that link students to community organizations and real-world issues. Many of these opportunities for civic engagement by students are coordinated by the Morgridge Center for Public Service.[1] State and local government leaders, businesses, and citizens are accustomed to turning to the university for assistance.

The budget for the University of Wisconsin System supports the Wisconsin Idea, primarily through its funding for the UWE. The University of Wisconsin System oversees the state's public higher education network, comprised of thirteen four-year campuses (including the University of Wisconsin–Madison), thirteen two-year colleges, and the UWE. Student enrollment in the university system exceeds 160,000; current state support is a little more than $1 billion, or about 27 percent of the university system's biennial budget. At several of the University of Wisconsin campuses individuals hold joint appointments as faculty of a campus department and as a specialist in certain academic areas with the UWE. The joint appointments allow faculty the time to lend their expertise to address issues specific to the needs of Wisconsin, ranging from working with at-risk youth, agricultural production, economic development, and natural resource preservation to leadership development. The Wisconsin Idea, therefore, provides a strong rationale for these and other faculty to get involved in real-world issues facing the state, such as land use.

The Land Use Issue

As in many states, land use emerged as a significant public policy issue in Wisconsin during the 1990s. The amorphous nature of the forces shaping land use was apparent in the various organizations that began to explore the

topic. Several state agencies issued reports on land use (Wisconsin Department of Transportation 1993; Wisconsin Department of Natural Resources 1995), as did local governments (Preserve Dane Task Force 1994). Environmental groups produced reports on land use in Wisconsin (Hulsey 1996), and agricultural interest groups reported on the loss of farmland in the state (American Farmland Trust 1994). The mayor of Milwaukee, John Norquist, became an advocate of new urbanism, promoting the strong sense of place embodied in the urban fabric of the city while criticizing the placelessness of many of Milwaukee's suburbs. Such other issues as affordable housing and historic preservation also became more prominent.

In fall 1994 Republican governor Tommy Thompson issued an executive order creating a land use council comprised of state agency officials and a task force of various interest groups and local government officials to assist the council (State of Wisconsin, Office of the Governor 1994). The executive order charged the council with recommending consistent land use policy objectives for state agencies and ways to coordinate state agency efforts to achieve those objectives. The executive order would later serve as a model for the American Planning Association's Growing Smart research project (Meck 2002, I-22–I-25).

In 1996 the council issued its report *Planning Wisconsin* (State of Wisconsin, State Interagency Land Use Council 1996), which, rather than focusing on state agencies, included many recommendations related to local government such as making substantial changes to local planning authorities. The report's recommendations are consistent with the observation that states are more willing to direct local government to undertake growth management than to advocate and support such planning by their own agencies (Porter 1992, 176). Following the council's report, the Wisconsin legislature initiated a study of it. Local government interests expressed concern about the report's recommended changes to local land use authority. After wading into the issue, the legislative study concluded that there was "virtually no consensus" on land use in Wisconsin (State of Wisconsin, Joint Legislative Council 1998, 5).

Wisconsin's local government structure is often at the heart of the lack of consensus over the land use issue. Wisconsin has more than 1,900 local units of government—395 villages, 1,265 towns, 190 cities, and 72 counties. Every square inch of the state falls within the jurisdiction of a county. Within counties, all land also falls within the jurisdiction of a city, village, or town. Cities and villages are "incorporated" areas that cover approximately 5 percent of the land area of the state and house approximately 70 percent of the state's population. Towns (often called townships in other states) encompass the "unincorporated" areas—the remaining parts of the county outside the borders of cities and villages. The other 95 percent of the state's land area

and 30 percent of the state's population fall within a town. Cities and villages have broader authority than towns. They generally have independent authority for land use planning and the power to annex land from towns and use tools such as tax increment financing. Towns do not have these authorities. Towns and counties generally have overlapping land use regulatory authorities dating from the days when towns were unpopulated and had limited financial resources. Today, while towns are still mostly rural, there are some very urban towns. The largest town has a population of 23,614 people; the smallest city has a population of 611. The tension created by differing visions for the urban/rural nature of towns, the broader authority of cities and villages, and the overlapping regulatory authorities of towns and counties creates a complex challenge for land use planning.

Like similar reports before it on land use, *Planning Wisconsin* did not result in any substantial change to the local planning framework in the state. However, the legislature did act on one recommendation from the report, by creating the Wisconsin Land Council, with a small staff, within the state's Department of Administration, though it placed a sunset date on the council of 2003, now extended to 2005. The council is meant to be an advisory body to the governor on computerized land information and other land use issues. It consists of state agency officials, local government officials, and private-sector interests.

In addition to the various studies on land use conducted in the 1990s, an increasing number of land use disputes were making their way through the Wisconsin courts. One, *Lake City Corp v. City of Mequon,* decided by the Wisconsin Supreme Court in early 1997 (207 Wis.2d 156, 58 N.W.2d 100 [1997]), involved a challenge to the denial of a proposed subdivision by the city plan commission based on an inconsistency with the city's master plan. The subdivision, however, was consistent with the city's zoning ordinance. The Wisconsin high court upheld the plan commission's denial of the proposed subdivision. The ruling affirmed the authority of an appointed plan commission to deny a proposed subdivision based on a master plan adopted by the plan commission, as provided under Wisconsin's land use enabling statutes, without (1) a public hearing on the plan, and (2) approval of the master plan by the governing body. The decision also elevated the commission's master plan over the conflicting zoning ordinances adopted by the elected local governing body.

The Lake City case is a classic example of the courts deciding land use cases on a narrow reading of the statutory requirements, thereby avoiding any appraisal of the value judgments expressed in the local action (Mandelker 1971, 58). The proposed subdivision called for a mixture of uses and a higher density that could have provided a range of housing types and more affordable housing. In a regional context, the case raises issues related to the diffi-

culty of building affordable housing in suburban communities and the growing socioeconomic disparities between central cities and their surrounding suburbs. Milwaukee is one of the most economically and socially segregated metropolitan areas in the United States (Jargowsky 1997, 50–51). Mequon is one of Milwaukee's wealthiest suburbs.

The outcome of the Lake City case led the Wisconsin Builders Association and Wisconsin Realtors Association (WRA) to initially push for legislation to eliminate the statutory authority to reject a subdivision based on a master plan. The proposed legislation met with strong resistance from local government organizations and environmental groups. The Builders and Realtors then focused on the planning process and proposed an amendment to the bill clarifying that it would only apply to master plans not adopted by the governing body. Nonetheless, local government and environmental interests prevented the bill from advancing. Frustrated by the land use issue, the Realtors turned to the university.

Program Activity Planning and Collaboration

Given the persistence of the land use issue but the lack of consensus on what to do about it, the WRA approached the author during the summer of 1998 because of his research on the need to update Wisconsin's antiquated planning and zoning enabling statutes for local governments (Ohm and Schmidke 1998; Ohm 1995, 1996, 1997). The research was undertaken while serving as a state specialist in land use law for the UWE and was meant to help inform the discussions of the various organizations examining the land use issue at the time. Members of WRA had read some of the research and found that updating the state's planning and zoning enabling laws made sense for problems their members were experiencing in the state.

The need to update Wisconsin's planning laws was first raised almost forty years ago in a study that found local planning enabling laws antiquated and lagging behind other states' (Beuscher and Delogu 1966). Like many states, Wisconsin's local planning and zoning enabling laws still closely follow the 1920s-era model promulgated by the U.S. Department of Commerce: Standard State Zoning Enabling Act and Standard City Planning Enabling Act. Early observers of local zoning and planning practices under state laws based on these model acts began to identify problems with the model acts and local practices shortly after World War II. For example, the acts added to the confusion over the relationship between planning's general policy-making framework and the detailed legal instrument of zoning (Haar 1955; Kent 1964; Scott 1969, 350). Additional problems with the model acts included their failure to define the elements of a comprehensive plan; the allowance of the plan to be

adopted in parts, separate from the complete plan; and the plan's adoption by the independent plan commission, not the elected governing body (Black 1968, 353–54). Other problems were related to the effects of local zoning practices, primarily socioeconomic exclusionary zoning practices that adversely impacted the affordability of housing (Williams 1955; Sager 1969). Wisconsin law was not immune from these criticisms. They were some of the same complaints the WRA had with Wisconsin law in the 1990s.

More recent criticisms of the model acts and local zoning practices focus on their impact on the physical form of suburban areas (Epstein 1997; Duany and Talen 2002). Indeed, the original purposes of these acts are contrary to smart growth principles. The Standard State Zoning Enabling Act, for example, was meant to promote local zoning that would stop the mixture of land uses such as the "[i]nvasion of apartment houses by stores on their ground floors" (Bassett 1936, 25). Following similar state enabling laws, local governments adopted zoning ordinances that divided cities into districts, separating different uses of land. Today these zoning ordinances often inhibit smart growth principles such as promoting mixed-use development (Talen and Knaap 2003). These problems were a concern for 1000 Friends of Wisconsin (1000 Friends). Established in 1996 as a land use advocacy organization modeled after 1000 Friends of Oregon, 1000 Friends of Wisconsin was a critical organization to the program, along with the Realtors.

The WRA suggested meeting with 1000 Friends to see if they would be willing to cooperate on a land use program. 1000 Friends previously had gone head-to-head with the Realtors on different pieces of legislation. The WRA had been successful in defeating legislative proposals of 1000 Friends, and 1000 Friends had been successful in defeating the land use legislative initiatives of the Realtors. The Realtors had important political influence on the Republican administration and the Republican-controlled assembly; 1000 Friends was influential with the Democratic-controlled senate. The land use issue was important to both organizations, and both wanted to make some progress on the issue.

A meeting between the WRA and 1000 Friends was facilitated, and all parties agreed to try a consensus-building process involving key land use stakeholders. Stakeholder participation is a principle of smart growth and is also an important part of planning practice (Susskind and Cruikshank 1987). The author served as a neutral facilitator for the program, and the WRA and 1000 Friends agreed to be the main supporters. In contrast to the unsuccessful formal state processes that had studied the land use issue, it was agreed that this would be a very informal grassroots process. The following organizations were identified to be involved: the Wisconsin League of Municipalities, the Wisconsin Towns Association, the Wisconsin Counties Association,

the Wisconsin Alliance of Cities, the Wisconsin Builders Association, the Wisconsin Chapter of the American Planning Association, the Wisconsin Council of Regional Planning Organizations, and the State Department of Administration. The consensus process operated with the ground rule that any agreement would not modify the governance structure for land use decision making. All of the identified stakeholders agreed to participate.

The WRA was also successful in getting a commitment by the secretary of the state's Department of Administration, Mark Bugher, that if the group could agree on a planning proposal, it would be placed in the state budget bill, the main legislative initiative of the governor. Secretary Bugher, who served on the plan commission for a suburban Madison community, had a strong interest in land use issues. The initial goal for the program was to try to collectively update and simplify Wisconsin's local land use planning enabling laws. An appropriate place to begin was with the definition of a comprehensive plan.

Program Activity Implementation

Beginning at the end of summer 1998, the consensus group met for three hours every other week for almost six months to develop a comprehensive plan definition and discuss related land use planning issues. While the initial meeting was held on the university campus, subsequent meetings were conducted in Madison at the offices of the Wisconsin Builders Association. Each stakeholder sent one or two representatives. The participants' time was the major resource commitment made by the organizations. Other than incidental expenses, no financial contribution was needed from any of the participants or the university. The facilitator's time was paid as part of his responsibilities with the UWE.

During this period the American Planning Association (APA) began to publish draft chapters of its research project *Growing Smart*. The realtors and builders found the chapter related to local planning to be credible because it included recommendations for approaches that addressed their concerns, such as the adoption of comprehensive plans by the governing body, a process accepted as good planning theory (Meck 1998). The background research summarized in the APA materials proved invaluable to the process and the participants. It provided a short course in the history of planning enabling legislation, academic literature on such legislation, and a selection of alternative approaches, recognizing that legislation will need to vary from state to state. On several occasions the model legislation offered a starting point for discussion. In the end, however, the comprehensive plan definition was crafted word by word by the participants based on their experiences unique to Wisconsin.

The participants ultimately agreed on a definition that would apply uniformly to villages, towns, cities, counties, and the regional planning commissions. It included nine elements: issues and opportunities; housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; intergovernmental cooperation; land use; and implementation. The elements incorporated such smart growth principles as creating housing opportunities and choices for a range of household types, family sizes, and incomes; preserving open space, farmland, and critical environmental areas; and providing a variety of transportation choices. The elements also reflected fundamental views on comprehensive planning such as those articulated by T.J. Kent in his 1964 book *The Urban General Plan.* Kent wrote that the comprehensive plan must address the essential physical elements of the community and their "relationships with all significant factors, physical and nonphysical, local and regional, that affect the physical growth and development of the community" (1964, 98–99).

Since Wisconsin's planning enabling laws never defined a comprehensive plan, agreement to the comprehensive plan definition addressed that problem with Wisconsin law. After developing the definition, the group then set about addressing other problems with Wisconsin's planning laws. To correct the piecemeal nature of the plan's adoption, the group agreed that the comprehensive plan should be implemented in its entirety, and that the governing body, not just the plan commission, should adopt the plan. Finally, the group agreed that zoning and other plan implementation tools should be consistent with the plan, and that state funding for local planning should be made available. Because of the timing of the state budget bill, the group did not have sufficient time to work out the specific language. As a result, only the comprehensive plan definition and $2 million for local comprehensive planning grants were included by Governor Thompson in the state budget bill (1999 Wis. Senate Bill 45, 1999 Wis. Assembly Bill 133).

Senator Brian Burke, a Democratic legislator representing part of the city of Milwaukee, who supported the comprehensive planning language, wanted to build upon this language in the budget bill to create a smart growth proposal. 1000 Friends took the lead in working with the members of the consensus group to expand the planning package. Senator Burke then successfully offered an amendment to the bill that added many of the process requirements the group had discussed: adoption of the comprehensive plan in its entirety and by the governing body; and making a comprehensive plan a prerequisite to implementing actions by requiring consistency between implementing actions and the plan. In addition the amendment included the following provisions: $3.5 million for local planning grants; local comprehensive planning goals (see Table 13.1) to prioritize funding for the state planning grants; encouraging

Table 13.1

Wisconsin's fourteen local comprehensive planning goals

a. Promoting the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
b. Encouraging neighborhood designs that support a range of transportation choices.
c. Protecting natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
d. Protecting economically productive areas, including farmland and forests.
e. Encouraging land uses, densities, and regulations that promote efficient development patterns and relatively low municipal, state governmental, and utility costs.
f. Preserving cultural, historic, and archaeological sites.
g. Encouraging coordination and cooperation among nearby units of government.
h. Building of community identity by revitalizing main streets and enforcing design standards.
i. Providing an adequate supply of affordable housing for individuals of all income levels throughout each community.
j. Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
k. Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional, and local levels.
l. Balancing individual property rights with community interests and goals.
m. Planning and development of land uses that create or preserve varied and unique urban and rural communities.
n. Providing an integrated, efficient, and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependent and disabled citizens.

Source: Adapted from Wisconsin Statutes Section 16.965(4)(b).

state agencies to use the local comprehensive planning goals to take a more balanced approach in some of their programs and to integrate other state planning requirements into local comprehensive planning requirements; citizen participation requirements; new plan adoption procedures; a smart growth dividend aid program as an incentive for local governments to adopt comprehensive plans that provide for more dense development and affordable housing; and, finally, a provision requiring cities and villages with populations of at least 12,500 to adopt a traditional neighborhood development ordinance.

The WRA and 1000 Friends took the lead in lobbying for the comprehensive planning and smart growth provisions in the budget bill. Other members of the consensus process played a lesser role in lobbying for the planning provisions. Not all the stakeholders agreed to the provisions added by Senator Burke, but they held the position that they would not oppose the legislation. The comprehensive planning and smart growth provisions in the state

budget bill passed the legislature, and the bill was signed into law by the governor in October 1999 (1999 Wis. Act 9).

The Nature of Collaboration

Without the collaborative efforts of everyone involved in the consensus process, it is doubtful the planning legislation would have passed. Presenting the legislature with the proposed language produced and supported by such a diverse set of stakeholders was critical. The stakeholders involved in the project have a long history of disagreement over land use issues. With this proposal they were in agreement for perhaps the first time. The goodwill among the participants established during the consensus process also led some of the participants to accept Senator Burke's amendments. Opposition by even one of the organizations might have been enough to defeat the proposal. University involvement helped facilitate the group, provide credible research, and explore various alternatives. The stakeholders supported the law because it was tailored to their interests. For example, through the housing element, the Realtors and builders would get local governments to address housing issues, something that many communities had not planned for in the past. Local government interests supported planning at the local level as an alternative to their fear of losing local control and having the state somehow dictate a plan for them.

Since the passage of the law, the continued support of all the organizations has been critical to educating their membership and citizens around the state about the legislation and in assisting in local planning efforts. Because of the collaborative process by which the legislation was put together, many stakeholders have a greater ownership of the legislation, which strengthens their support. The continued involvement by the stakeholders has also been important to attend to proposals to weaken the planning legislation. The WRA in particular has had to work hard to convince certain Republican legislators not to repeal the law. The work of the Realtors in Wisconsin resulted in their pushing the National Association of Realtors to establish a smart growth task force to provide research and positions on smart growth activities nationally and in the states.

Outcomes

Comprehensive Planning

Wisconsin now has an updated planning enabling law that reflects a collaborative, integrated, and continuing planning process (Wis. Stat. § 66.1001). The law attempts to balance competing interests on a complex

set of issues that encourages comprehensive planning that follows a consensus-building model with meaningful involvement by citizens and interest groups (Innes 1996). The law also provides an unprecedented opportunity for local governments to update their plans and ordinances, adopt smart growth innovations, and remove barriers to smart growth. The new law attempts to move beyond many of the older growth management programs that were "unbalanced and incomplete" because of their limited focus on the environment (Bollens 1993, 215). These programs often ignored other important issues, such as affordable housing (Mandelker 1989, 204; Kushner 1994, 74–75).

The law requires that local land use actions be consistent with the local comprehensive plan beginning on January 1, 2010. As a result, hundreds of local governments across the state are in the process of preparing comprehensive plans. This raises several significant challenges for the state. One is the number of plans that need to be prepared, given the many local governments in Wisconsin. Not all local governments will need to have a comprehensive plan, because there are parts of the state where local governments do not take any action affecting land use and, hence, do not need a comprehensive plan upon which to base those actions. General zoning, for example, is not mandatory in the state, and parts of the state remain unzoned. Nonetheless, with more than 1,900 local governments, Wisconsin could end up with more local comprehensive plans than any other state. Prior to the passage of the law, only 29 percent of Wisconsin local governments had a land use plan and many were outdated (Ohm and Schmidke 1998). And, of those, few had a plan approaching the multidimensional comprehensive plan contemplated by the new law. For most local governments, however, the comprehensive planning process is their first attempt at planning.

A related challenge is the need to build a planning culture among many local governments that have never planned; for them, zoning is planning. This has created tremendous educational demands and challenges in helping citizens and local officials understand comprehensive planning and smart growth. The law has heightened the need for local assistance. Several state agencies, the UWE, and some of the stakeholders' groups have cooperatively published educational guides, fact sheets, and other materials to assist local governments in their planning efforts.[2] The University of Wisconsin–Madison's Land Information and Computer Graphics Facility developed a Web site, Community Planning Resource, to assist local planning efforts.[3] The Web site includes online educational modules; Web-based geographic information system (GIS) tools; models for assessing land use impacts, including scenario building; population allocation and growth projection tools; and examples of the relevant digital data needed to prepare the comprehen-

sive plan elements and links to online data repositories and procedures for customized local area data development.

Another challenge is that in some parts of the state, the concept of comprehensive planning has brought out the antigovernment fringe faction. Citing smart growth rhetoric collected from around the country, that faction mistakenly applies the smart growth label as a one-size-fits-all conspiracy aimed at taking away private property rights. These individuals blame the comprehensive planning and smart growth law for a range of unrelated state activities that affect the use of land. The ungrounded fears that they raise in citizens in the more rural parts of the state have helped undermine some local planning efforts there.

Challenges arise even within the planning community. The Southeastern Wisconsin Regional Planning Commission was the only organization that asked the governor to veto the law because it did not fit with its model of planning. Some of the stakeholders promoting the law had difficulty understanding why planners would oppose a law supportive of their practice. Nevertheless, the response from some reflects the diversity in the field of planning and the lack of consensus over some fundamental issues, many of which are not new. For example, there is no consensus that states should mandate planning (Mandelker 1978; Susskind 1978), nor is there agreement about what constitutes a "good" plan (Baer 1997). Planners also do not have a uniform understanding of what it means for zoning to be consistent with a comprehensive plan (DiMento 1980). Finally, there is no consensus among planners whether sprawl itself is a problem (Miller 1999). With planners unable to agree on these issues, it is impossible to expect local officials and citizens to agree.

Despite these challenges, as of May 2004, 645 local governments had received $11.5 million in comprehensive planning grant funds; many are still in the planning process. Other local governments are preparing comprehensive plans using alternative sources of funding from state and local entities. Ninety-five local governments funded through the grant program have adopted their comprehensive plans, and an additional 44 local governments have completed their comprehensive plans using other funds (local and state). Because of the preference for intergovernmental cooperation in the law, a majority of the plans funded through the comprehensive planning grant program are multijurisdictional planning efforts. This level of intergovernmental cooperation is unprecedented in the state. It allows for a bottom-up approach to addressing some regional issues. As communities update their plans and ordinances, many are incorporating smart growth principles into their plans (City of Green Bay 2003; Village of Maple Bluff 2003; Town of Freedom 2003; City and Town of Brillion 2003).

Traditional Neighborhood Development Ordinances

In addition to the comprehensive planning activities, the law requires that cities and villages with populations of at least 12,500 adopt traditional neighborhood development ordinances (Wis. Stat. § 66.1027). This requirement furthered the university's involvement in the project. To provide guidance to cities and villages in meeting this mandate, the legislation requires that local ordinances be "similar" to a model traditional neighborhood development ordinance that the University of Wisconsin Extension prepared. The university's involvement was now in direct response to a legislative mandate; Wisconsin does not have a state planning office, which would ordinarily be responsible for preparing the model ordinance.

Traditional neighborhood developments have the potential to embody many of the principles of smart growth: (1) mix land uses; (2) take advantage of compact building design; (3) create housing opportunities and choices; (4) create walkable communities; (5) foster distinctive, attractive communities with a strong sense of place; (6) preserve open space, farmland, natural beauty, and critical environmental areas; (7) strengthen and direct development toward existing communities; (8) provide a variety of transportation choices; (9) make development decisions predictable, fair, and cost-effective; and (10) encourage community and stakeholder collaboration in development decisions. They are an integral part of the new urbanism movement (Congress for the New Urbanism n.d.).

The traditional neighborhood development ordinance mandate affects approximately sixty cities and villages in the state. The mandate is the outcome of efforts to "legalize" traditional neighborhood developments. The idea to mandate these development ordinances originated from 1000 Friends. As justification for the mandate, 1000 Friends cited the difficulties related to the approval process for a traditional neighborhood development called Middleton Hills designed by Duany Plater-Zyberk & Company, located in Middleton, Wisconsin, a suburb of Madison. Middleton Hills was proposed in 1993 as a planned development district, as provided in the city's ordinances. The city, however, wanted to apply many of its conventional standards, such as street widths and minimum lot sizes, to the project. After considerable delay and heated debates in the local papers, the project was approved. However, the project made people aware of the challenges presented by local ordinances to "new" models of development. These are the same challenges that innovative developments face elsewhere in the country (Talen and Knaap 2003). The Wisconsin law is intended to remove the disincentive to traditional neighborhood development existing in many local ordinances. The traditional development ordinance is meant to pro-

vide an option for developers seeking an alternative approach to conventional development.

The legislature provided the UWE with $20,000 to finance the preparation of two ordinances—the model traditional neighborhood development ordinance and an ordinance for a conservation subdivision. Unlike with the traditional ordinance, the legislature did not mandate that local governments adopt the conservation subdivision ordinance. It was meant purely as a local assistance tool. The UWE administration asked the author to prepare the two ordinances, along with Professor James LaGro, a landscape architect with the department, and two student research assistants. Because of the mandate, this discussion focuses primarily on the traditional neighborhood development ordinance.

Drafts of the ordinance were based on Wisconsin development practices and emerging national approaches to traditional neighborhood development ordinances (see Table 13.2). The drafts were reviewed by all the stakeholders involved in the original legislative work group and by other interested parties, including staff from several state agencies. Changes were made to the ordinance to reflect the comments received. As required by the law, the model ordinance was presented to the legislature at the end of 2000 for referral to the appropriate standing committee of each house. If the ordinance was approved, the committee would not schedule a meeting on the model ordinance. The senate did not schedule any meetings, thereby giving approval to the ordinance. However, the Assembly Committee on Natural Resources scheduled a hearing for late February 2001, at which both the sample conservation subdivision ordinance and the model traditional neighborhood development ordinance were the subject. No one testified in opposition to the model traditional ordinance and the associated mandate. However, the conservation subdivision ordinance, with no associated mandate, became a concern for several metropolitan Milwaukee area builders. The assembly committee withheld approval of the traditional ordinance until after some of the builders' concerns were considered. A few minor modifications were also made to the traditional neighborhood development ordinance.

The assembly committee finally approved the traditional ordinance on July 25, 2001 (Ohm, LaGro, and Strawser 2001). With the approval, the mandate for cities and villages to adopt the ordinances became effective. The delay in approval by the assembly made it very difficult for most cities and villages to meet the January 1, 2002, statutory deadline for adopting the ordinance; there is no penalty, however, for failing to meet the deadline.

Most cities and villages that fall under the mandate have now adopted traditional neighborhood development ordinances. The legislation provides express enabling authority for such developments, thereby removing questions about permitting mixed-use developments, given the requirement for

Table 13.2

Elements of a traditional neighborhood development ordinance

a. *Mixed use.* Traditional neighborhood developments must be comprised of different areas, such as a residential area, neighborhood or employment center area, and open space areas. Mixture of housing types (such as single-family and multifamily) and sizes to accommodate households of all ages, sizes, and incomes. Consistent with the variety of uses, lots sizes and densities within the residential and commercial areas of the traditional neighborhood development may also vary.
b. *Compact development.* Some of the fundamental building blocks of the neighborhood—street widths, block lengths, and lot sizes—are smaller than allowed under conventional zoning.
c. *Pedestrian orientation.* Walking distances are a fundamental design component for the neighborhood. Focal points, such as the neighborhood center, are within a five-minute walking distance (or one-quarter mile) of the majority of residents. Narrow streets and other "traffic calming" techniques help slow traffic down to promote pedestrian safety. Required amenities, such as street trees, are also meant to encourage walking.
d. *Street and parking standards.* Standards for narrower streets and different parking requirements than found in conventional ordinances. Need for an interconnected network of street system within the neighborhood and with streets in areas adjacent to the neighborhood. Shorter blocks arranged in a traditional grid or modified grid pattern that creates multiple routes and more direct ones for motorists. Required independent network of sidewalks and bikeways to complement the street network.
e. *Emphasis on design.* Building height limitations and requirements for front porches on residences.

Source: Ohm, Brian W., James A. LaGro Jr., and Chuck Strawser. 2001. *A model ordinance for a traditional neighborhood development*. Madison: University of Wisconsin Extension.

uniformity within zoning districts in Wisconsin's zoning enabling laws. The requirement has helped to educate local officials, planners, and citizens about traditional neighborhood developments and caused them to reexamine local standards for development. At least one city went beyond the requirements of the law and mandates traditional neighborhood developments for certain parts of the city (City of River Falls 2002). Nevertheless, many people remain skeptical of the traditional neighborhood development concept.

Smart Growth Dividend Aid Program

The smart growth dividend aid program outlined in the law remains unfunded, and the specific components of how it would function have not been developed. Given the structural budget deficit facing the state, it is unlikely Wisconsin will be able to develop funding to support the program in the near future. It is an unfulfilled promise of the legislation.

The budget problems affecting the state have also distracted participants from focusing on the seemingly more mundane issues of land use enabling law reform. The comprehensive planning and smart growth law only updated the state's planning enabling legislation. Some of the state's other land use enabling laws are also in need of updating. The various zoning laws, for example, have been pieced together over the decades and are in need of an overhaul. In addition to having to deal with other such issues as the budget, the enormous amount of energy spent by some of the stakeholders on working with legislators and constituent groups educating about the comprehensive planning and smart growth law has limited their ability to concentrate on further reform efforts.

Conclusion

It is still too early to fully evaluate the effectiveness of Wisconsin's comprehensive planning and smart growth law. Nevertheless, the law has created important opportunities for research on a range of issues, from the role of citizen participation to the state's role in promoting smart growth, from comprehensive planning's part in promoting smart growth to traditional neighborhood developments. There are no perfect models for promoting smart growth. Some communities will do better than others. But it is important to learn from these efforts and appreciate the progress that has been made, given the challenges in the state.

In retrospect, it is difficult to identify what could have been done differently. Maybe additional organizations should have been part of the consensus-building process, but if the group were too large it would be unmanageable. Also, it is not clear how the addition of others would have affected the dynamics of the group. The wording of the legislation is awkward in places, but particular phrases were important for certain stakeholders. There are many unresolved issues, and there is no consensus on how to deal with them. They will need to wait for another opportunity. Finally, the university and the extension could have provided greater financial and administrative support, but that did not necessarily detract from the process.

This case study highlights the importance of building a strong coalition of diverse stakeholders to support reform. Despite differing personalities and opinions of the stakeholders, they were able to work with one another and avoid personality clashes. The participants respected the views of others. The project also benefited from timing. It started when interest in land use was high. Stakeholder groups such as the WRA and 1000 Friends were ready to do something about land use. There was interest in the issue from at least one official in the executive branch, Secretary Bugher, and a strong

advocate in the legislature, Senator Burke. The state budget was healthy, so the state was willing to help fund comprehensive planning. Much has changed today. The state is in a fiscal crisis and many of the original advocates are gone. It is not clear that the exact program could be replicated in Wisconsin. Nonetheless, at a general level Wisconsin's experience is transferable. Universities can play a central role in working with stakeholders at the state level to address the complex series of fiscal, social, and environmental issues attributed to the spatial patterns of development commonly called *sprawl*. However, to assume that role, universities must have the capacity to assess the unique issues and opportunities that exist in their state. There is no one way to promote smart growth. Universities must have the credibility as a neutral party and be aware of the mechanics of everyday land use issues and problems to help frame the issue in a coherent manner. The key to success is determining the mixture of variables that will make the project work, given its dynamic context.

Notes

1. Additional information about the Morgridge Center is available at http://www.morgridge.wisc.edu/servicelearning.html.

2. Example resources include: *Housing Wisconsin: A guide to preparing the housing element of a local comprehensive plan* (2000), http://www.wisc.edu/urpl/people/ohm/projects/housingf/index.html; *Transportation planning resource guide: A guide to preparing the transportation element of a local comprehensive plan* (2001), http://www.dot.wisconsin.gov/localgov/docs/planningguide.pdf; *Planning for natural resources: A guide to including natural resources in local comprehensive planning* (2002), http://www.dnr.state.wi.us/org/es/science/landuse/smart_growth/urbplan_bk.pdf; *Planning for agriculture in Wisconsin: A guide for communities* (2002), http://www.doa.state.wi.us/dir/documents/ag_guide.pdf; *A guide to smart growth and cultural resources planning* (2003), http://www.doa.state.wi.us/dir/documents/cultural_guide.pdf; and *Intergovernmental cooperation: A guide to preparing the intergovernmental cooperation element of a local comprehensive plan* (2002), http://www.doa.state.wi.us/dir/documents/wi_intergovernmental_guide.pdf.

3. University of Wisconsin–Madison, Land Information and Computer Graphics Facility, *Community planning resource*, available at http://www.lic.wisc.edu.

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