

Inside the World of Planning

Tactics used to promote regionalism and sustainable development planning in your community

| Inside the World of Planning Report by Sustainable Freedom Lab | | |
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INSIDE THE WORLD OF PLANNING

Foreword

Community planning is a fundamental part of America's history. In 1682, William Penn envisioned an urban greenbelt surrounding a grid work of Philadelphia streets and created a forerunner of the modern suburb.

One of Congress' first acts authorized the planning of Washington DC. In 1791, George Washington personally selected Pierre L'Enfant to complete the task.

These two great city plans remain in use after 200 years.

Today, over 7 million inhabitants pack Long Island's 120-mile length. With 5400 people per square mile, planning is fundamental to keep services moving.

But, when does planning go too far? No longer just about transportation and public services, today's planners seek to improve the quality of life and reduce poverty through regionalism and sustainable development. The sustainable philosophy is so broadly defined it encompasses work, recreation, the economy, the community's social make-up, use of resources, vehicle miles traveled, personal and public property use and, in some cases, whether or not community members can even have an automobile.

When planners approach local officials armed with community designs and access to federal grant money, they are really marketing a program that is virtually the same plan used in Denver, Portland, San Francisco, Atlanta, Carver, MA, or even Stockholm, Sweden.

When planners speak of adhering to the unique "character" of your community it is truly a case of beauty being skin deep. Your new and functional design may have cosmetic appeal, but beneath the façade most sustainable development plans include restrictions, regulations and easements that potentially infringe on future property rights and values, land use and even the character, lifestyle and social makeup of your neighborhood. All of this is to address an ethereal concept of "sustainability."

Too late citizens discover that planning is not always, "what you see is what you get." The 'unexpectedly' high costs of implementing and maintaining designs leads to increased taxation. Still, there is no clear proof that, on balance the plans actually improve the quality of community members' lives.

If planners were completely forthcoming about the positive and the negative effects of their sustainable designs, far fewer communities would opt to participate in their development schemes. Knowing this in advance, many firms, and even participating federal agencies, use practices that emphasize the benefits of planning, while minimizing the harmful outcomes.

Statistics are frequently cherry-picked to elicit community opinions that are most favorable to planners' proposals, while the cost projections to implement your community's new sustainable development plan are so commonly underestimated, one university professor, Bretn Flyvbjorg, dubs their predictions, "strategic misrepresentation."

In fairness, many organizations are aware of the real-cost versus projected-cost gap. Groups, like the American Planning Association, are taking positive steps to improve the accuracy of long-range cost projections.

This report does not suggest that all planners are dishonest. By its very nature, planning impacts personal property rights, lifestyles, home values and even economic, environmental and social issues. It is the responsibility of community members to stay informed and participate in the planning process to protect their own futures.

Yet, many planners' do use manipulative and opaque techniques to gain community buy-in for their plans.

The purpose of this report is to explain the potential damages to individuals caused by sustainable development, and the misleading tactics many planners use to sell their programs. A better-informed citizenry is better able to spot manipulations when they do occur and better prepared to ask the critical questions necessary to either accept, reject or modify the proposal.



READY TO TAKE THE NEXT STEP?

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Meet your planner

The role of planners

Planners have an agenda. In general, their goal is to reduce poverty and improve the quality of life. They often seek to make the world a better place now and for future generations by applying the knowledge they have gained about transportation and land use systems in the context of economic, social and environmental realities.

Planners frequently work directly for governments, or for private firms who in turn work for governments. Because they spend much of their time engaged with governments and officials, they are better versed than community members to navigate the system that ultimately decides whether or not a sustainable development plan is approved. For this reason, even when dealing with the most ethical firm, it is important for community members to attend planning meetings and develop close working relationships with planners and local officials.

Planners often work in teams that include experts in design, land use planning and in policy planning.

According to the American Planning Association,

"Planners work with elected officials, businesses and residents to create a vision of the future. Then, by studying current conditions and trends, the planner develops suggestions for acquisitions that will allow the city to achieve its vision. Planners collect information about population, the economy, and the environment. This information allows planners to understand whether the city is growing in population or shrinking and whether employers are moving into the city and creating new jobs, or are moving away because of suburbanization or globalization. Planners look at whether the supply of houses is likely to be sufficient to meet the needs of residents over the next 20 years, whether the existing transportation system allows people to get to jobs, shopping, school, and recreational activities without safety problems, unacceptable delays, and increasing pollution. Where problems are identified, planners then strategize ways the city government can work with residents, businesses, and other units of government to solve those problems and achieve their vision for the future."

Three major concerns about planners

As you can see, planners are engaged in a broad range of activities that can be interpreted to cover nearly every aspect of family, work and society. This can include land acquisition and protection, zoning recommendations and even social justice. The potential for planners' designs to infringe on resident's living standards and lifestyles is the first major reason for community members to be concerned.

The second are the loose definitions by which planning firms operate. Sustainable development itself is defined as...

"...development that meets the needs of the present without compromising the ability of future generations to meet their own needs." 2

This can embrace a broad interpretation of climate change impact or CO2 reduction, traffic congestion, human over-population concerns, economic disparities, fossil fuel use, land use and more. Each may have solutions, which can negatively affect property rights and lifestyles. Once a plan is approved, the lack of clear limitations and definitions can easily lead to disenfranchised local citizens and negative consequences in years ahead.

Planners, according to the American Institute of Certified Planners, try to work within a code of ethics that obligates them to "take the public interest seriously in all of their work."

But, like the definition of sustainable development, 'public interest,' and 'seriously' are elastic terms that may well depend on the beliefs of the individual planner.

Finally, planners are often a direct pipeline to federal grant money that can impose severe restrictions on local residents' planning choices.

Most planners actively pursue federal cash grants for local communities to begin the development work the planning firm proposes. On the surface, this is a clear win. The community receives "free" money and gains the benefits of the planning scheme.

But federal grants include contractual requirements in the application. Often applicants must commit to a point qualification system that is 'loaded' in favor of the planning the government desires. This process corrals local communities into accepting specific changes like light rail, bike trails, densification, mixed use buildings and open spaces that infringe on property and lifestyles and often come with a surprise long term price tag not covered by the grant.

Good people, do harmful things

The author has spent hours with many planners discussing the planning profession. The impression drawn is that most planners are dedicated professionals. They do not intentionally set out to mislead community members or to endanger the community's' choices.

But, there was a sense that each planner felt he or she was doing work that transcended the interests of the individual and responded more to global, environmental or even regional concerns.

This makes sense. After all, planners are dealing with the entire community. But this can run counter to individual choices. The problem for community members is the imbalance as plans de-emphasize individual concerns in favor of the collective good.

While these observations are not intended to define all planners, the mindset just described has substantial enough consequences that caution must be taken to verify everything planners say, propose or do. This includes checking the long and short-term outcomes of plans, obtaining a detailed analysis of any proposals, verifying independent studies of the personal and community impacts of proposed development schemes, the source of all data, and learning the details of all referenced surveys or reports. Well-intended planners can cause severe harm to communities.

Meet your federal government

Yes, the government is probably involved in your community plan

Most people do not think of the federal government when they think of local planning. Yet, the U.S. Department of Housing and Urban Development (HUD) through their Community Development Block Grants and regulations like Affirmatively Furthering Fair Housing, manage the planning for millions of Americans in over 1200 U.S. communities and government divisions.

According to the Agency, their "Office of Community Planning and Development" (CPD) seeks to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment, and expand economic opportunities for low and moderate income persons. The primary means towards this end is the development of partnerships among all levels of government and the private sector, including for-profit and non-profit organizations."

While the agency's mission statement sounds generous and beneficial, consider the massive changes HUD could force on your community to accomplish their objectives. When HUD supplies the grant money, they decide the definitions of terms like "decent housing," "suitable living environments," and "economic opportunities".

The agency can easily deem that a community's current zoning laws create 'barriers' to affordable housing and demand zoning and building changes that affect existing home values and lifestyles.

HUD is now reviewing decades old grant applications from communities. If they discover misstatements, they can order costly zoning changes over the objections of local officials and community members.

In 2013, even with the government's sequestration cuts, the CPD spent \$6.4 billion on programs and budgeted \$6.6 billion in 2014, making them one of the largest development organizations in the nation.⁴

CDBG

Community Development Block Grants originated in 1974 as a flexible way to allow communities to use federal grants (a portion of your tax payments) to expand low and moderate income housing, in the way the community felt was best suited to their local needs.⁵ This left communities in control.

Over the years, HUD tightened the restrictions on what communities could do with the CDBG money. In the grant applications, the agency wrote restrictive clauses that refused money to communities that contained 'barriers' to affordable housing. The government decided what constituted a barrier and generally, the courts support the government's definition. This worked well until 2009, when a third party sued Westchester County, NY for having barriers to affordable housing at the time of their grant application. The county lost in court and approached HUD for help. In response, the agency imposed restrictions beyond the court's settlement that, according to the county executive, could cost the county nearly 1 \$ billion.6

Affirmatively Furthering Fair Housing

Under HUD's new 2013 rule, Affirmatively Furthering Fair Housing,⁷ the Agency authorized itself to review all cities, towns and villages in the nation which had received HUD grant money and test for what they deem are instances of segregation or discrimination including barriers to affordable housing.

If the agency identifies a barrier or inequality, they have granted themselves the authority to force communities into compliance. HUD Sec. Shaun Donovan said at the NAACP Convention in July 2013,

"Unfortunately, in too many of our hardest hit communities, no matter how hard a child or her parents work, the life chances of that child, even her lifespan, is determined by the zip code she grows up in. This is simply wrong."8

Though Donovan's intentions may be good, the result of his agency's actions will be the loss of individual property rights and neighborhoods forced into zoning regulations whether they want them or not.

HUD is not the only federal agency that is engaged in heavy-handed local planning activities.

Affirmatively Furthering Fair Housing, in effect, reverses that American Dream, making it harder for the poor to pull themselves from poverty. It operates on the principle that social justice will improve the lives of the poor. HUD and AFFH then attempt to create social justice by transferring the earnings of primarily middle class Americans to the poor in the form of low cost housing.

This is like saying, "wealthy people drive BMW's. Therefore, if the government provides low-cost BMWs to poor Americans, they too will be wealthy or at least better off." In practice, they become more dependent on someone else to make the car payments.

People move out of poverty through the process of working together and saving for their future. While a social safety net is important, the expansive and dictatorial practices of programs like Affirmatively Furthering Fair Housing, invade personal savings, diminish ambition and tear down the very communities that people fought hard to build.

The Partnership for Sustainable Communities

In 2009, HUD, the Department of Transportation and the Environmental Protection Agency jointly formed the Partnership for Sustainable Communities,⁹ "to help communities nationwide improve access to affordable housing, increase transportation options, and lower transportation costs while protecting the environment."

The three agencies realize their goal of creating sustainable communities through their internal practices, regulations and by exercising control over local and regional planning.

Planners and federal agencies frequently work together to partially fund local and regional plans with grant money. In the grant application, communities must agree to advance the Six Livability Principles, or they do not receive the money.

The Six Livability Principles

- **Provide more transportation choices** to decrease household transportation costs, reduce our dependence on oil, improve air quality and promote public health.
- Expand location- and energy-efficient housing choices for people of all ages, incomes, races and ethnicities to increase mobility and lower the combined cost of housing and transportation.

- Improve economic competitiveness of neighborhoods by giving people reliable access to employment centers, educational opportunities, services and other basic needs.
- Target federal funding toward existing communities through transit-oriented and land recycling – to revitalize communities, reduce public works costs, and safeguard rural landscapes.
- **Align federal policies and funding** to remove barriers to collaboration, leverage funding and increase the effectiveness of programs to plan for future growth.
- Enhance the unique characteristics of all communities by investing in healthy, safe and walkable neighborhoods, whether rural, urban or suburban. 10

Similar to the goals of HUD's Office of Community Planning and Development, the Six Livability Principles sound community-friendly. That is, until you realize that advancement of the Principles often requires re-ordering of community master plans, zoning ordinances and even lifestyles to be in compliance with the government's centralized plan.

When the community's planner entices public officials with new grant money, in many cases, when the grant is approved, the community is automatically resigned to adhering to the dictates of the federal government's Six Livability Principles, whether it is justified or not and whether or not it is what community members' desire.



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Grants, grants and more grants!

Money everywhere

Grants help communities launch new planning programs that many towns or regions could not otherwise afford. They are also the chief way the federal government gains control over local planning.

Imagine receiving \$475,000, as Wisconsin did, to build a data center to help regional sustainable development. Or \$1,000,000 like Virginia's New River Valley that received the money to engage citizens in a visioning process. In Tennessee, the citizens of Knoxville got a check for \$4,327,500 to develop programs that will improve the region-wide quality of life.¹¹

Money, money everywhere. At times, the federal government seems like a bottomless spring, pouring money into communities for fuzzy-sounding sustainability objectives. In 2011, Envision Lehigh Valley in Pennsylvania received \$3.4 million from HUD "to have an unprecedented community conversation about our future," according to Holly Edinger who spearheaded the grant application process.¹²

While the conversation may be unprecedented, the obligations attached to the grants they accepted are anything but fuzzy. Federal grants include far-reaching requirements. As we have seen, if recipients fail to honor the stipulations, their penalties can range from re-allocating or returning the money all the way to coercive legal action.

Watch out for the strings

On the surface, it makes sense for federal agencies to place some requirements on grants. After all, it is the government's money. (Well, not exactly their money. We will get to that in a minute.)

HUD, as part of their Sustainable Communities Regional Planning grant program, issued each of the previously mentioned grants.¹³ Under the program, these communities were required to be part of a region to be eligible for the grant. Regional formation can have severe consequences for local rule. Yet, since officials are likely to receive millions of 'free' dollars, for plans people associate with green jobs and prosperity, many communities form or join regions, primarily for the money. Never mind that the number of green jobs are dramatically overestimated¹⁴, and as you will see in the next chapter, forming regions is not always in the best interests of community members.

In addition to forming a region, every one of the recipient entities is responsible to advance the principles of the federal government's Six Livability Principles outlined in the prior chapter. There is nothing 'fuzzy' about the wording of the grant. For example, here is an excerpt from page 58 of HUD's 2011 Sustainable Communities Regional Planning Grant Program, these are the:

"a. Mandatory outcomes from the creation of a regional plan for sustainable development."

The agreement goes on to list 20 "mandatory outcomes" including:

- Creation of a regional transportation plan;
- Alignment with Federal planning;
- Reduced social and economic disparities;
- Reduced automobile usage; (vehicle miles travelled VMT);

- Increased health outcomes through walkable communities;
- Decrease in the rate of conversion of undeveloped land across the region;
- Increased proportion of the local population adequately prepared to participate in the core economic growth sectors of the region...

This single grant agreement dictates portions of every aspect of local community living including the economic structure, driving habits, workplace opportunities, lifestyles, health concerns, the environment and even the region's social make-up.

Grants are not 'free' and 'dreams' are not guaranteed

It is no wonder so many Americans of all political leanings are beginning to resist the restrictions placed on them by the formation of regions¹⁵ and the acceptance of grant money. But, ridding the communities' addictions to the flow of cash is difficult.

Planners genuinely believe some level of control is necessary to build a stronger infrastructure, improved land use, better schools and a healthier living environment. Many of their development schemes offer the promise of more jobs and cleaner air and water. The four-color brochures and dramatic PowerPoint presentations are irresistible to many local politicians and community members who easily fall into the dream.

But grant money is not free and the dream is not a guarantee. Grants come from the taxes people pay. As the taxes rise, there is less discretionary money for people to live as they choose.

Planners are notorious for underestimating the future costs of the public works projects they propose. The numbers are underestimated so frequently that Bent Flyvbjerg, formerly of Aalborg University in Denmark, refers to planners' cost estimates as "strategic misrepresentation." ¹⁶

Meanwhile, who is to say what it takes to improve the quality of community life? Just because planners may believe that playing in a public park/playground offers families and children, socialization and shared experiences, others may dislike waiting on lines to use a swing set. Some people complain about the ride to work and others find it enjoyable.

While many planners and public officials find grants and promises tempting, for community members, *caveat emptor* is the best practice. Because planning has such a powerful and lasting effect on local lives, it is important to keep the entire planning process under local control. This may mean having to say 'no' to that enticing grant money.

Welcome to your new region

Planners promote regions to help communities thrive

Whether communities have their own planning boards, work with professional planning organizations or a combination, eventually it will be suggested your neighborhood form or join a planning region. Today those regions are often created around the principles of the government's Partnership for Sustainable Communities.¹⁷

Planners promote regions as a way to unite communities, share resources and build sustainably to protect future generations.

According to the online magazine, The Atlantic:

"Planning at the regional scale is critical. As our economic, land use and transportation patterns have evolved over the last century, metropolitan areas have become increasingly important. In most parts of the country, the political boundaries established by municipalities long ago are no longer relevant to businesses' or residents' activities, to say nothing of environmental media such as air and water." 18

Regions such as Florida's proposed, Florida Seven50¹⁹, are designed to prepare that state to attract commercial trade from the Caribbean basin and South America. Seven50 merges 7 Florida counties into a single region.

"Plan Bay Area" is a "long range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area²⁰, and Tennessee's. "Thrive 55" has the ambitious goal of creating a three-state mega-region encompassing 16 counties²¹.

According to Clarion, the lead planning group for Tennessee's Thrive 55:

"The Consortium's ultimate goal for the project is to bring the region together under a common vision and prioritized action agenda, supported by decision-making tools, strategic transformative project ideas and metrics that will assist stakeholders at the local and regional level to make more informed decisions that will lead to the long-term economic, social, cultural and environmental well-being of their locality and the region."²²

Beneath the rosy regional rhetoric

In spite of the flowery words and grand ambitions, local residents are increasingly rejecting the planner's arguments.

Three of the original seven counties have already withdrawn from Florida's Seven50 program²³. Opponents successfully argued that Seven50 is based on faulty science and that the promoters already accepted grant money from HUD, obligating the communities to adhere to the Federal government's planning requirements. Further, the regional scheme will cost taxpayers far more than the planner's projected costs and provides minimal benefits to Floridians²⁴.

In San Francisco, traditionally liberal community members are joining with conservative groups like the "Tea Party" to oppose Plan Bay Area. They argue the nine county plan places up to 36% of existing low-income home owners at risk of being displaced and makes plans for accommodating up to 280,000 new residents. But, it fails to say who will pay for all of the newly required services.²⁵

And community leaders in Tennessee are fighting the 16-county region formed by Thrive 55. They see the program as little more than a federal takeover of local communities with the money being channeled through and controlled by the larger cities.

This leads us to the biggest challenge with regions that planners tend to trivialize.

Regions mean governance boards

Most people are familiar with America's representative form of government. People vote for elected officials who once in office, wield power to represent their constituents' interests. If the officials fail to live up to expectations, they can be removed from office at reelection time.

When regions are established, they are managed by unelected council members who often wield the same or even more power than local elected officials do. They can set policy, make changes in zoning regulations and even make decisions that affect community members' lifestyles and property rights.

In spite of their power, in most cases unelected consortium or regional board members are not answerable to the people or the local public officials. Community members cannot vote them out of office or even hold them accountable for failures. Lacking local oversight, regional boards are ripe for political favoritism, backroom deals and outright bribes.

Overbearing regional boards are one of the biggest causes of citizens' complaints against Sustainable Development Regions. Plan Bay Area, which covers nine counties, wants to reduce greenhouse gasses by forcing people into smaller homes and limiting their access to automobiles. Similar attempts have had little effect on greenhouse gasses, but have driven up the cost of housing by as much as 100%²⁶. Still, none of these arguments has deterred the regional council. As we will discuss later, when the Plan Bay Area planning commission was caught sending misleading surveys to community members, there was little the community or local officials could do to stop the regional commission.

Once in power, regional boards may directly overrule local official's authority, or partner with groups like transportation authorities to sway officials to vote their way using their control of millions of dollars. In situations like these, local officials surrender much of their authority and community members find themselves with no place to go for representation.



CLICK HERI

Planners Tactics:

Understanding planners' mindset

I have been fortunate to know many fine planners, and while we disagree on some issues, I never met a single planner who intentionally desired to limit people's property rights or even mislead community members into accepting programs that cost more or return less than promised.

Yet, this is precisely what they do. Their idealistic vision for protecting the common good and expanding 'social justice' necessarily leads to the loss of the individual good and diminishes the ability of local community members to decide their own definitions of 'justice.'

Here are excerpts from three revealing narratives by young planners explaining why they entered the field:

"I entered planning because I was so used to riding bikes during my college years, that I felt if I could develop communities that were less dependent on automobiles, I was helping the environment. I want to 'nudge' people into living greener and better experiences." ²⁷

Another planner entered the field because it "gives hope" for the future. I love planning because the concepts of "social justice and sustainability shape the field."²⁸

A University of California graduate entered planning to "find ways to help shape land use and to learn how to design cities and spaces that promote healthy living that is economically and socially just for its residents. My goal is to work collectively with the community to address these issues and implement policies that support the wellbeing of underrepresented communities of color."²⁹

These are idealistic and noble ambitions. But, these young people were talking more about social engineering than about improving transportation, and land use. The fulfillment of their visions will necessarily infringe on people's property values and rights. One well-meaning individual even wants to "nudge" or prod people into doing what he thinks is right.

With this in mind, I had lunch with a well-known and successful planner and posed the problem of how planning can interfere with individual property rights.

To paraphrase his response:

I believe in property rights and that people should have a right to own property. But, we have to look at the community rights, not just individual rights. If an individual or company is damaging or impeding the health and welfare of the larger community, then we have an obligation to protect the less fortunate. Planning can help. In either case, we involve other community members and in a democracy, we go with what the majority of community members want.

It was clear that, even though my planner friend was more than willing to infringe on people's rights, he did not view it as something bad. He just needed enough community members to vote for his plan. I explained to him that the United States is not a democracy and property rights are not negotiable, even by vote. In fact, I went on, individual property rights are so important that our founders placed them ahead of majority interests. His response was revealing:

"People have tried to convince me that we are not a democracy, but that is silly."

It endangers the community when their chosen planner does not understand why the United States is not a democracy, nor understands the difference between that form of government and ours, a constitutional republic.

The fundamental difference between a democracy and a republic lies in the structure of their laws as it relates to individual rights. In a democracy, the government grants all rights, including property rights, to its people. Since the government granted people their rights, the government can also alter or remove them.

In United States, the Constitution establishes that the people's rights come from nature, not from government. Further, government cannot, except in very limited circumstances, alter people's rights.

Unfortunately, through processes like eminent domain, courts are compromising individual property rights. When planners fail to recognize the difference between individual rights under a democracy versus a republic, it removes any legal motivations they may have for placing individual rights above those of the common good. This paves the way for the reduction, or even outright confiscation of property, all in the name of the public good.

When idealism meets government mandates

While planners have different motivations, it is clear most believe that individuals' rights may have to take a back seat to community interests in their quest for sustainability and social justice. This may or may not be helpful to the community, but it can have devastating effects on individuals.

Idealism and ignorance of our form of government may explain why the planners of San Francisco's Plan Bay Area are willing to uproot hundreds of low-income families in a project to build...more low-income housing. In their optimism, they failed to consider the devastating effect displacing people from their homes would have on families.

But planners' idealism is only part of the problem community members confront when their new Sustainable Development Plan unfolds. As noted, many plans are fully or partially funded by federal grants containing restrictions on how the money can be used. The grants become a vehicle to force de facto centralized planning on local communities.

Programs involving the government's Six Livability Principles, social justice and a definition of sustainable development that requires management of the local economy, environment and society, simply cannot be implemented without altering lifestyles and risking infringements on property rights.

As a result, planners have become increasingly circumspect about the specifics of their programs. In many cases they promote their new development scheme with spectacular images and videos of environmental benefits, while downplaying the risks involved.

Interestingly, this is not because planners want to deceive people, but rather because they passionately believe what they are doing is necessary for the survival of society, the

economy and the environment for the future. The fact that their vision might be completely erroneous, or incur more damage than benefit, rarely occurs to them.

Planners know that if community members fully understood the potential for cost overruns, the frequent failure of plans to meet their stated objectives, and the forced lifestyle changes that accompany plans, it would be extremely difficult to sell their development schemes.

As a result, planners are not always forthcoming about the full consequences of their plans, unless pressed. They routinely use deceptive practices to create the impression that their scheme will meet its intended objectives and that the majority of the community is on board, whether completely true or not. Here are a few typical planners' tactics that leave community members misinformed and uninformed:

Underrepresented communities

It is vital for all community members to understand what their proposed sustainable development plan will look like and how it will affect them when the plan is completed. Promises that their plan will reduce traffic congestion, create jobs and protect the environment are not the same as guarantees. Often, they are blatant exaggerations. The only way to safeguard your individual and community interests is to fully participate in the planning process. Though it is the planner's job to gain community involvement, their efforts will probably not be sufficient to engage large percentages of the community.

When selling their development schemes, planners will trumpet their outreach programs that will engage community members. The engagement is, at best, weak.

The organizers of New York's Capital Region Sustainability Plan urged community members to "attend a public workshop or planning event."

Yet in July of 2012, of the 1 million people who will be affected by the plan, just 150 attended 3 different workshops. Clearly, there was not enough participation to advance the program, but that did not stop the planners.

The tiny group, now spoke for all of the inhabitants of the entire 8-county NY region. They went on to identify "300 existing and proposed projects on county and town maps," approved technical committees and created eight focus areas including draft goals to include:

- Climate adaptation
- Energy
- Transportation
- Economic development
- Solid waste
- Land use/livable communities
- Food systems
- Water³⁰

Poor engagement was not entirely the fault of planners and organizers. People must show a personal willingness to participate and respond to planers' requests.

Still, it was the planners' idea to create a plan that would affect over a million inhabitants, not the peoples' idea. Therefore, it is the planners' responsibility to get more representative groups and opinions, even if it is difficult and even if it means more resistance to their planning scheme.

New York's Capital Region Sustainability Plan is not alone in community underrepresentation.

In South Carolina, fewer than 350 people participated in the creation of Greenville County's comprehensive land use plan that will govern a population in excess of 450,000 (.0008% of the population).³¹

The Thrive55 regional program proposes combining 16 counties and over one million residents in Tennessee, Georgia and Alabama. Citizens complained that notification of public hearings on the project were only announced in a single community leaving most unaware of the events. In addition, most of the people who did attend were stakeholders who will profit, if the region is formed.³²

Community members cannot rely on officials and planners to prod them into attending hearings. Planners have a program to advance and are only so willing to reach out to the community, particularly if it will mean including people who might be opposed to their plans. Community members must take it upon themselves to participate in planning meetings.

Meeting control

Planning meetings are intended to elicit community input as members participate in the planning process. But, attendees should not be surprised to discover that the input planners seek is limited. If too many people object or raise questions, the planners' development scheme may become derailed.

If attendees do not want proposed public transit options, open spaces, bike trails or compact living, their opinions may not be as welcome as those who do support those designs.

By exercising subtle control of meetings, planners or facilitators are able to sway community members to support the fundamental design the planners choose. They keep their plans on track by guiding community decisions, often toward cosmetic changes, to protect the integrity of their basic plan.

Large groups of community members who disagree with the planners fundamental requirements, could disrupt the meetings, or call for the abandonment of ideas on the planner's 'must do' list. To overcome resistance to their ideas, meeting facilitators use several techniques to get the outcome they desire, while creating the appearance of community approval.

- One strategy is to marginalize those who disagree with the plan. This can involve
 praising people who agree with proposals and activities that advance the plan while
 ignoring comments from those who disagree.
- Another approach is for the facilitator to 'talk down' to the persons in opposition, as if
 there ideas obviously lacked merit or are irrelevant. For example, "Bob, thank you for
 that idea. But, our group wants to focus more on areas that will help the community as a
 whole."
- If this subtle technique fails to silence opposition, the facilitator may attempt to turn the group on the dissenter. "Thank you Bob. I think the rest of our group would like to discuss how we might be able to use more open space to preserve our community and our wildlife."
- Planners may enlist 'research,' surveys and comments from 'experts' to soften or eliminate opposition. But much of the research is biased, misrepresented or simply

incorrect. It is up to community members to analyze information to identify which is legitimate and which is faulty.

• If a dissenter is particularly effective at swaying community opinion, the attendees may be broken down into smaller groups and sent to separate areas or rooms, each with their own facilitator. In that way it is easier for the facilitator to manage the opposition and keep the dissenters' opinions from affecting the entire community.

There are many ways facilitators can manage or eliminate the influence of people who disagree with their proposals. Community members must understand that the planners' primary objective is not to get just any input, but the input that will most likely advance their development scheme. Community members must gain as much information as possible; and engage the planners in discussions that fully expose the pros and cons of their plans.

Misleading and under sampled surveys

Surveys are used to measure community attitudes toward forming regions, sustainable development planning, urban or rural living and a host of planning activities. They are a legitimate source of information and are used to direct activities and inform community members of what their neighbors are thinking. But community members should be cautious, even of surveys conducted by known firms.

Survey questions can be accidentally or intentionally worded to elicit the outcomes the planners desire. In other cases, so few people are sampled, the results tend to be of little value. When not used responsibly, surveys can become a tool to promote the planners' vision rather than gauge community interests.

Manipulative questions:

Carver, MA

In the Carver Massachusetts, Open Spaces Survey³³, one question asks:

"Which of the following would you like protected or acquired?"

It then lists open spaces, access to streams, places of historic value, etc. The survey fails to explain that once any selection is made, it automatically constitutes a vote in favor of having a local authority "protect or acquire" property. Nor does it explain the consequences of "protecting or acquiring "land. Respondents have little way of knowing that the creation of the open spaces may well lead to the confiscation of private property and increases the potential for higher property taxes.

By wording the survey in this manner, the planners have already begun a positive momentum in the area of acquiring property, a highly controversial move in most communities.

American Planning Association

Results of a 2012 American Planning Association survey titled, *Planning and Perceptions in America*, show that 79% of Americans "support community planning."³⁴ Obviously this is a boon for a group in the planning industry. But, look at the question that elicited so many positive responses.

Their definition of community planning was...

"...a process that seeks to engage all members of a community to create more prosperous, convenient, equitable, healthy and attractive places for present and future generations."

This definition is so broad and optimistically stated, the only surprise is that 100% did not support it. The survey result may be accurate, but it is virtually meaningless.

San Francisco, CA

The planners of San Francisco's, Plan Bay Area conducted a phone survey which they claim showed that 84% of respondents supported a regional plan. However, like the American Planning Association, the survey question was worded in such an appealing manner, that nearly anyone would answer in the affirmative, effectively negating any value of the response.

Here is the survey question...

"Plan Bay Area is something that will improve the economy, reduce driving and GHG, and provide access to housing and transportation to anyone who needs it. In general, how important is this regional plan?"

Again, who would not find a program important that does all of the items listed?

Plan Bay Area presents a powerful lesson for other communities. The planners' and planning commission's responses to opponents of their plan serve as a graphic example of just how far planners are willing to go to override community wishes and implement the plans of their choice.

Local community members objected to the biased wording above and asked for the survey to be redone. The planners agreed. However, the 'revised' survey contained wording identical to the original. Naturally, the 'revised' survey received similar results.

When the citizens cried, "fowl," the planning commission issued a report saying there would be a full evaluation of the planning process, but not until "after the Plan's adoption." 35

Under-sampled territories:

In other cases, survey results are misleading because so few community members actually participated in the survey. The results are further degraded when the people surveyed had a bias in favor of the planners' proposal.

New York State

Results of New York's Capital Region Sustainability Plan's *Climate Adaptation Survey*, show that "97% of respondents support green infrastructure." In the fine print of the survey appendix, you will discover that of the region's 1,000,000 inhabitants, only 96 participated in the online survey.³⁶

Respondents take survey multiple times:

"Thrive 55", Proposed Tennessee, Georgia and Alabama Region

Survey planners took no precautions to assure that a single respondent did not take the same survey multiple times. In one example, a respondent bragged that she had taken the survey numerous times and observers watched several plan facilitators take the survey repeatedly. While planners hold up the results as conclusive evidence the local community approved of Thrive 55, in fact, their information was so doctored, the results were worthless.

Cherry-picked survey results

Another practice that creates a false impression for community members is 'cherry-picking' the results of surveys. In this tactic, planners sift through the survey results and either ignore responses that do not support the plan scheme, or downplay them while simultaneously giving more attention to those results that favor the plan.

New Jersey's State Development and Redevelopment Plan³⁷ proposes the use of high-density (urban) living and mixed-use housing in their Smart Growth model. To foster the idea that most community members prefer living in urban as opposed to suburban settings, the Plan references survey results showing that...

Americans favor "walkable, mixed-use, - smart growth neighborhoods versus those that require more driving between home, work and recreation."

The authors are quoting results from the National Association of Realtors Community Preference Study. The New Jersey Plan fails to reveal that the same survey shows that twice as many respondents preferred suburban to urban living and most preferred single detached homes to the 'mixed-use' homes popular in Smart Growth.³⁸

By ignoring this portion of the survey, plan proponents created the false impression that their Smart Growth proposals were what most people wanted.

Exaggerated or false claims

Citizens rely on the information provided by governments and planning organizations to help them decide whether to support a plan proposal. Often, the information they receive is not true.

Planners generally propose their community development plans as a response to some pending emergency. It may be a concern for overpopulation, crowded freeways, dangers from climate change or increased CO2 levels. The purpose of the plan then, is to provide ways to address the 'critical' challenges. Closer inspection proves that these claims are often overblown or even fabricated.

In 2010, the Hollywood, California town board used census data to produce a report showing that the community's population was exploding and they would need to accommodate 60,000 more residents by 2030. After several 'stakeholder' meetings, the board concluded that the solution was to build more high-density dwellings and provide more transportation options in the form of transit-oriented development.³⁹

But, informed community members challenged the report's findings. After the board repeatedly ignored their comments, they took the town to court. Under oath, it was finally revealed that the officials had falsified the census data and concealed portions of the census report that proved the community was actually growing at a very manageable rate. The judge stopped the board from advancing their plan.⁴⁰

All communities are not as lucky as Hollywood. Their falsified report built an following of misinformed people who supported the plan. It was only because a small group of engaged

citizens doggedly pursued the board and the planners, that the truth was discovered and the plan derailed.

It is not just at the local level that people are deceived. Sometimes reports from trusted entities can be misleading.

California passed SB 375, which mandates that communities throughout the state establish sustainable development schemes as a way to address global warming. The National Resources Defense Council (NRDC) created a widely used booklet, *Communities Tackle Global Warming, A Community Guide to SB 375.*⁴¹ It promotes high-density living as a solution to reduce GHG's and therefore lower global warming. Planners, officials and community members use and quote frequently from this reference.

The Community Guide is highly misleading.

In promoting California's plan, the authors pull this quote from a National Academy of Sciences' report, *Driving and the Built Environment*.

"Residences in auto-oriented suburban areas produce greater GHG emissions than higher-density areas."

The NRDC has now created the impression that their planning recommendations for compact living will reduce GHG's.

What NRDC failed to reveal was that on the last page of *Driving and the Built Environment* it clearly states:

- The committee does not have the verifiable scientific evidence it would like to support this claim.
- Only modest reductions in short-term energy use can be expected.
- We have not examined all of the related cost-benefit considerations.⁴²

Worse, comprehensive studies from the UK⁴³ and Australia⁴⁴ report that high-density living does not reduce CO2. It may actually, *increase* it. This information was never shared with community members.

Planners are salespeople

The overarching objective of urban planning is to improve the quality of life and reduce poverty. Because of the civic nature of their work, it is easy to forget that planners and planning firms, are salespeople who are selling their design schemes to your neighborhood. They use sophisticated graphics, polished presentations and other selling tools to convince community members to act on their ideas.

That is not necessarily a bad thing. The selling process is valuable. It allows the community to see plans in detail and ask questions before development schemes are implemented. As with any sales situation, the buyers must be cautious. Community members must understand the details and ask questions before 'buying into' development designs.

Planners' words are selling tools

Words are powerful tools that planners use to explain, or frequently to sell their designs. The right words can lull community members into a false sense that they are improving their community, whether or not this is true.

Terms like 'healthy' cities, 'sustainable' cities and 'smart' cities have marketing appeal, but can be disarming. Who would not want to be part of a healthy, sustainable or smart city? But many designs promote concentrated living that studies show is not necessarily healthy⁴⁵ or any more sustainable than current community standards.

Open spaces and bike trails may sound inviting, but both can infringe on people's property rights. Those tree-lined streets, and community parks require on-going upkeep, and the true costs of public works projects are almost routinely underestimated.⁴⁶ All of these can lower the living standards of community members as their property taxes are raised to accommodate the 'unexpected 'additional expenses.

The words are not the plan

Community members must look at the entire scope of the proposed work and relate it to the planners' commentary before judging whether or not a program is in their best interests.

Consider this comment from the website of one of the partner planning organizations for the proposed Florida Seven50 region:

"We strive to maximize public involvement in planning the built environment. Most of our plans are designed in intensive charrettes*; these on-location events merge the modern design studio with interactive town meetings. Each charrette is customized for the situation. Computer visuals, pioneered by our firm, and drawing in teams make planning more meaningful for citizens and clients. To implement the resulting plans, we typically produce simple, illustrated form-based codes that can replace conventional zoning."⁴⁷

(*Charrettes are intensive planning group sessions structured to get accelerated results.)

This firm engages the community in intensive meetings where they work together with the planners and sophisticated design programs to arrive at community plans. This is an excellent format, and no doubt the planning group means every word of it.

But, if you look at the Florida Seven50 website, the regional group already accepted grant money from the Department of Housing and Urban Development that forces them to advance the government's centralized Livability Principles.⁴⁸

Regardless how good the process might be, except for minor changes, the outcome of this plan has already been pre-determined.

Conclusion

Planners' designs can provide substantial benefits to communities and their individual members. But all plans are not created equal and, on balance, do not protect the environment, improve the quality of life or reduce poverty.

Claims of population density, and CO2 scares are often overstated or unproven. Even in those cases where densification and compact living has been implemented, the cost to the quality of life and the rapidly increasing costs of housing have resulted in more subsidies to support newly unaffordable lifestyles. In Seattle, an iconic example of the successes of Smart Growth, a new 140 square foot apartment, barely the size of a small bedroom, costs \$800 a month. The furnished unit has a shared kitchen "down the hall," and is the up and coming mode of living.

As community members' sacrifice lifestyle choices and pay higher taxes to protect the environment and reduce CO2, the benefits of the sacrifice often are not there. Portland Oregon, another Smart Growth city, implemented costly and invasive programs to reduce CO2 levels. After bragging about reducing CO2 below 1990 levels, it was discovered the math used to obtain the lowered figures was false⁵⁰ and the methods to obtain the data were questionable⁵¹.

In fact, Seattle and Portland, long considered the embodiments of a successful planning drive to create improved living quality and reduce income inequality have been failures at both.^{52 53}

Unless the current course of planning changes, within one or two decades more Americans will be living in urbanized 'livable' communities whether they want to or not. More Americans will lose control over the homes and property they have worked for years to own.

It is for these reasons that community members must work together and fully engage in any community or regional planning processes. They must attend meetings, ask for copies of agreements, research the planners' claims and surveys, question the implied outcomes and do their own in depth research.

While planning is an American tradition, and can improve transportation and other basic services, today we are so top-heavy with planning authorities and government influence that all development schemes must be viewed with extreme caution.

Harvey Ruvin, a proponent of sustainable development said, regarding planning, "Individual rights will have to take a back seat to the community". This is only true if community members allow it. By attending planning meetings, learning more and participating in the planning process, it is the planners who will have to take a backseat to the community's wishes.



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Endnotes. All links were active at the time of printing.

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