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use and development: a coastal perspective

the connecticut coastal area management program

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REDEVELOPMENT AND REUSE
AND CONNECTICUT'S COAST

Prepared for the
STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
COASTAL AREA MANAGEMENT PROGRAM
by
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P R E F A C E

This report was prepared by Dorothy A. Moore under the supervision and guidance of the staff of the Connecticut Coastal Area Management Program. Ms. Moore served as an environmental intern with the CAM Program under the auspices of the Massachusetts Audubon Society's Environmental Intern Program. She is currently completing work on her thesis for a masters in urban planning at Columbia University. Her undergraduate training is in geography and economics and she holds associate memberships in the American Institute of Planners and the American Society of Planning Officials.

It is the purpose of this planning report to review the process of the redevelopment and reuse of urban areas, with particular reference to Connecticut's coastal zone, in order to evaluate the extent to which this process, in its existing framework, could be incorporated into a plan for the management of the coastal area.

The report is divided into an introduction, three major chapters, and a concluding chapter. The introduction serves to frame the problem and the reasons for the interest of a coastal management program in the special problems of redevelopment. Part I then provides an overview of the nature of urbanization and land use on the Connecticut coast, based on a brief historical perspective and a review of current trends in land conversion.

Part II addresses itself to some of the reasons why the existing market structure has been inadequate for solving the problems of decaying central urban areas, and the resulting legislation which has been produced at the federal level in order to alleviate or better the situation. Past programs such as Urban Renewal, as well as the currently applicable Community Development Act of 1974, which have had the greatest impact on their resolution, are reviewed in this chapter. Several cases from the Connecticut coast are outlined in order to provide the most realistic illustration of the problems involved in using these programs, and to evaluate their applicability to the regional focus of coastal area management.

Part III is devoted to the interest of the coastal management program in guiding development and redevelopment efforts in the coastal area. Based on a statement of policy which is set forth at the beginning of the chapter, recommendations are made regarding the role of a management program in the future policies set by local and regional agencies, methods of encouraging private interests in redevelopment, and review criteria are suggested for future redevelopment projects.

The concluding section of the report offers some consideration of the difficulties involved in attempting to assess the

extent of redevelopment opportunity, and suggests areas where further research is indicated.

It is the recommendation of this report that, given the realities of the current framework for redevelopment, in which full authority is given to the municipality to set priorities for development subject to the approval of the department of Housing and Urban Development, the most satisfactory and perhaps successful way to deal with decisions regarding development in the coastal zone is to give each municipality planning and implementation responsibility, with a permit procedure to allow for state review and approval. The task of the state is then to establish a set of sound and realistic criteria for the review of redevelopment proposals, and to develop the permit procedure in such a way that it does not create an extra layer of bureaucracy and risk undue duplication, delay or inconvenience in the process of development and redevelopment. In addition, it would be the wisest course for the state program to work side-by-side with other state agencies such as the Departments of Commerce, Transportation, and Planning and Energy Policy in setting up policies for the best use of land in the coastal zone.

If it will be CAM's policy to make a concerted effort to utilize redevelopment potential in the coastal zone, but without being able to attain the large-scale level required by continuous renewal, a permit procedure which requires evidence from a developer that he has considered redevelopment areas for his site before proposing new development in a growth area may be effective. Such a procedure would require some form of information system on the part of CAM for the purposes of evaluating such proposals which would include previous definition of what comprises a redevelopment area - in other words, location of blights before finding a reuse. In either case, methods will have to be found which allow redevelopment to occur in a profitable manner.

This report, concerned with broad questions, is constrained to provide only broad perspectives. Much of the material has been drawn together from previous planning studies, reference works, and theoretical literature, as well as from discussions with professionals directly involved in the existing decision-making process. Much of the information contained in the report will be quite familiar to most local officials and to planners at many levels. The report is designed to be used by the CAM staff in conjunction with specific data on redevelopment which is gathered from other sources. This combination of broad perspective and specific data will, it is hoped, provide the most systematic method for approaching the problem of incorporating a redevelopment guidance mechanism into the coastal management plan.

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I N T R O D U C T I O N

In passing the Coastal Zone Management Act in 1972, Congress declared the national policy to include the preservation, protection, development, and where possible, the restoration or enhancement of the resources of the nation's coastal zone "for this and succeeding generations." Under the provisions of the Act, individual states are encouraged to develop and implement management programs for their coastal zones in order "to achieve wise use of (their) land and water resource ... giving full consideration to ecological, cultural, historical, and aesthetic values as well as the need for economic development."

While all of these goals are of the utmost importance, in many cases the varied nature of their demands upon coastal resources create serious conflicts when it comes to allocating those resources to various uses. Traditionally, such decisions of allocation have been made by market demands, with the guidance of various levels of government for facilitating orderly satisfaction of those demands.

In Connecticut, the problems of resolving these conflicting demands have been compounded recently by intense pressures for rapid growth and expansion in the coastal zone. While the older urban centers on the coast suffer from many of the same problems facing cities elsewhere - loss of population and employment opportunities, leading to the decline and decay of large portions of the inner cities - remaining open spaces on the coast are rapidly being filled in by a pattern of low-density development which has been characterized as "sprawl."

Often inner-city decay is concentrated on waterfronts and harbors which no longer serve their original purpose. And, because of the special attractiveness of the coast for many types of development, much of the "sprawl" has concentrated in the narrow coastal zone, with the results that the remaining open space is limited, access to the coast and to the ocean is increasingly denied to many of the state's residents, and rapid and unplanned growth of urban areas is placing increasing pressure not only on fragile coastal ecosystems like tidal marshes, but also on the willingness and ability of many coastal communities to provide needed services. Finally, with this growing complexity, confusion over the proper jurisdiction for the management of coastal resources limits the effective resolution of conflict. Clearly the national Coastal Zone Management incentive is timely.

Many approaches have been suggested for dealing with the problems of unmanaged growth. They comprise, in effect, a set of alternative measures for land use control. Since proper management of coastal areas is primarily a problem of land use, most of these suggested techniques, which range from the timing of development to various changes in standard zoning practices to

the outright acquisition of remaining open lands by the government for public use and preservation, can be applied and evaluated for the purposes of designing a comprehensive coastal area management plan.

One theme which runs through many discussions about desirable patterns of growth concerns the need for clustering new development. Clustering is most often discussed in terms of Planned Unit Developments and other innovations in subdivision practice, the need for preventing "strip development" along highways and other corridors, and the possibilities of arranging new development in the form of "new towns." In a broader sense, though, the notion of clustering development represents a re-discovery of the oldest form of urbanization - the village, town, or city agglomeration - which allows for economies of scale in providing municipal services as well as maintaining open lands for agriculture, forestry, or recreation, according to the needs of a given region.

It has been pointed out that cities develop either through accretion or through transformation.¹ While some areas are beginning to strive for a "no growth" policy, it is generally recognized that growing populations and changing lifestyles will continue to demand the overall expansion of urban areas. For this reason, most growth control techniques concentrate on methods for channelling the inevitable accretion of those urban areas into acceptable patterns. In a narrow coastal belt, however, it is no longer possible for the most optimistic onlooker to perceive the land area which has potential for expansion as infinite. It is perhaps for this reason - the realization, unusual for American thinking, that a land area is finite - that interest is now being focused on the other element of the development of cities, that of transformation. Several studies, including the California Coastal Plan, have emphasized the need for new development to occur in as well as around existing urbanized areas.² The most specific suggestion to date has appeared in the Long Island Sound Study's Land Use planning report, which indicates that a considerable proportion of the projected population increase on the coast of Long Island Sound could be absorbed by "infilling" of vacant parcels in developed areas, and that renewal of deteriorated areas within central cities could accommodate another smaller proportion of the projected increment:³

"Together, infilling and renewal could absorb enough of the population increase to reduce the pressure on open land by at least 20 percent." ⁴

Hard questions are raised by this concept. What framework exists presently for encouraging redevelopment? How applicable is this framework to the regional focus of coastal area planning? Who are the major actors in the process, and how can they be drawn into the coastal management framework? What criteria are used or

should be used to determine which areas are suitable for redevelopment? How much pressure for increased development, more housing, and more revenue for property-tax dependent Connecticut municipalities can existing urban areas on the coast realistically be expected to absorb through the use of redevelopment? And finally, how can we assure that the mistakes of the past in distributing the benefits and costs of redevelopment and renewal will not be repeated?

None of these questions have easy answers. This report is intended as an initial probe into the complexities and possibilities of redevelopment for the coastal zone. Taken in conjunction with specific information on redevelopment and reuse collected by the coastal regional planning agencies, it should offer the planning staff of the Coastal Area Management Program (CAM) a starting point for incorporating a redevelopment and reuse element into the overall coastal area management plan.

PART I: GROWTH AND DEVELOPMENT ON THE CONNECTICUT COAST

On any coast, location is the most important resource. The special environments created by the meeting of land and water lure an astonishingly wide range of human uses to the coastal zone. With increased sophistication in technology, the number of new uses continues to grow. Most often, change in the uses of the coast is an additive process rather than one of substitution, so that the most ancient activities such as fishing and transportation must compete with the sewage outfalls and oil refineries of today. Those same ancient uses will be put to the test of survival next to the as yet unforeseen uses of the future.

It is a truism that the future cannot be adequately planned for without sufficient knowledge of the past. Existing and past uses of the land which are based on patterns of living, of working, and of movement form the framework on which future development and urbanization will occur. For example, the form which a city or township will take in the future is affected by historical trends, prevailing forms of land ownership, the implicit as well as explicit policies of government programs, and the economic relationship between the city and its neighbors, as well as by a myriad of individual decisions by people whose livelihood or some hope for profit is centered in the market for urban land. This chapter will describe and review some of these processes and determinants of growth.

Historical Setting

The earliest uses of almost all coastal areas were practical, productive, and in some measure water dependent. The sea has always been a major source for food. In addition, some of the world's most important cities developed because of the use of their ports as a "transportation break," or a point at which land and water transportation modes met and goods were transferred from one to the other. As it was discovered that transportation costs could be saved if manufacturing occurred at or near such a transshipment point, these transportation centers became industrial centers such as those on the coasts of New England.

By the mid-1800's, a wide range of productive activities was beginning to develop all along the previously agricultural Connecticut coast. Greenwich was a thriving economic center supplying granite and various agricultural commodities to other communities, to which they were transported in sailing vessels owned by wealthy merchants who lived in the town. During the nineteenth century, manufacturing was beginning to develop in Bridgeport and New Haven, which both have excellent natural harbors. The natural shellfish beds at Stratford and Bridgeport supplied seed oysters for New Jersey and Rhode Island. New London's harbor found its use as a whaling port, and industry

which also supported the communities of Mystic and Stonington.⁵

The development of these areas as economic centers resulted in certain quite typical patterns of development. The nineteenth century marked a period of rapid physical growth for cities throughout the country because of the attraction these bustling, wealthy centers held for people residing in rural areas. As manufacturing centers, cities were the location of jobs; since transportation facilities were limited and expensive, the people flocked to the cities and formed the labor pool which was so important to the further expansion of industry and manufacturing that resided within the boundaries of the cities.

The same great tide of migration into the cities which helped them to gain their power, wealth, and size ironically fostered conditions which were ultimately to result in the reversal of that tide: sheer numbers of people resulted in overcrowding, poor quality housing, lack of recreational opportunities, poor sanitation. The history of American cities has in one work been traced through the course of major epidemics.⁶

Because of these conditions, it is not surprising that, while the economic uses of much of the coastal area continued to be profitable, to grow, and to attract population, interest in the aesthetic value of the land bordering Long Island Sound was finding a place alongside the productive uses. This interest began with the new influx of the wealthy to the shores of the Long Island Sound. Before 1848 the major transportation link between New York and Boston involved the Long Island Railroad and a link-up with steamship service to Boston. With the completion of the last mainland railroad link between New York and New Haven in 1848, the Connecticut side of the Sound was "opened up" to visitors as well as to potential residents, and the whole character of the Sound changed, making it "not so much a watery highway but an aquatic playground:"⁷

*"The transformation, which came about slowly, was not completed until the twentieth century but signs of change were already apparent in the nineteenth century as wealthy urbanites began to build homes on the Sound. Whether on the North Shore of Long Island or Connecticut or Westchester coast, the great estates started to appear in the mid-1800's. Their owners may have been encouraged to venture forth from New York City by the dependable transportation provided by the new railroads. Better still was commuting to one's estate on the Sound via yacht...it would appear that as early as the nineteenth century segments of the shoreline bordering the Sound were being set apart as the private reserve of the rich."*⁸

Occasionally, the less rich could find their way to one of a few seaside resorts on the Sound by railroad, but the real development of shore areas as a prime recreation area for the masses did not occur before the widespread use of the automobile around the turn of the century. From that point on, the trend toward the rapid physical growth of Sound shore communities other than the central cities was firmly established. As early in the twentieth century as 1914, a report of the Connecticut State Park Commission to the State General Assembly pointed out the importance of the coast as a recreational resource:

*"It (is) plainly evident that the field most urgently demanding attention (is) the salt water front, or shore of Long Island Sound. Its popularity for the purposes of recreation is almost universal, there can never be any more of it, and the rapid development of the last two decades has left little of it accessible to the public."*⁹

The author of this report could not have foreseen the changes which were to take place on the shoreline within the very near future, which would make his notion of "extensive development" seem like a quiet pastoral scene. The railroad was augmented by Route 1, the Merritt Parkway, and the Connecticut Turnpike. Accessibility is one of the major determining factors in the location and extent of settlement, and the opening of these corridors to automobiles made the coastal area of Connecticut in particular desirable for residential use.

Following the second World War, the acute housing shortage inspired a trend of converting seasonal cottages located right at the water's edge to permanent, year-round housing, often with minimal improvements. In addition, Federal housing legislation passed in the late 1930's through the 1940's made low-interest, long-term mortgages available for the first time to a broad segment of the population, with an emphasis on returning veterans. Home ownership became a reality for many families, and subdivisions at the fringes of urban areas proliferated. Connecticut was not exception to these trends. Jean Gottman, in his landmark study of the urbanized Atlantic seaboard, Megalopolis, points out that, "the lure of Connecticut for native-born Americans seems to have been the greatest of all in New England, and one wonders whether proximity to New York City has not been a decisive factor."¹⁰ It is almost certain that the intensive urbanization found on the western portion of the Connecticut coast between the Westchester border and the harbor city of New Haven, which contrasts so sharply in nature with the eastern portion of the coast, was shaped by its attractiveness for New York City residents who joined the move to the suburbs.

Rising residential populations close to the shore served

to underscore the interest in the use of the Sound for recreation. Since, however, the last major state acquisition of shoreline recreational land occurred in the 1930's, patterns of shorefront ownership of land have echoed those begun by the wealthy in the late nineteenth century: other than six miles of public beach on a shorefront of over 260 miles, most of the beach and shorefront land is privately or municipally owned.

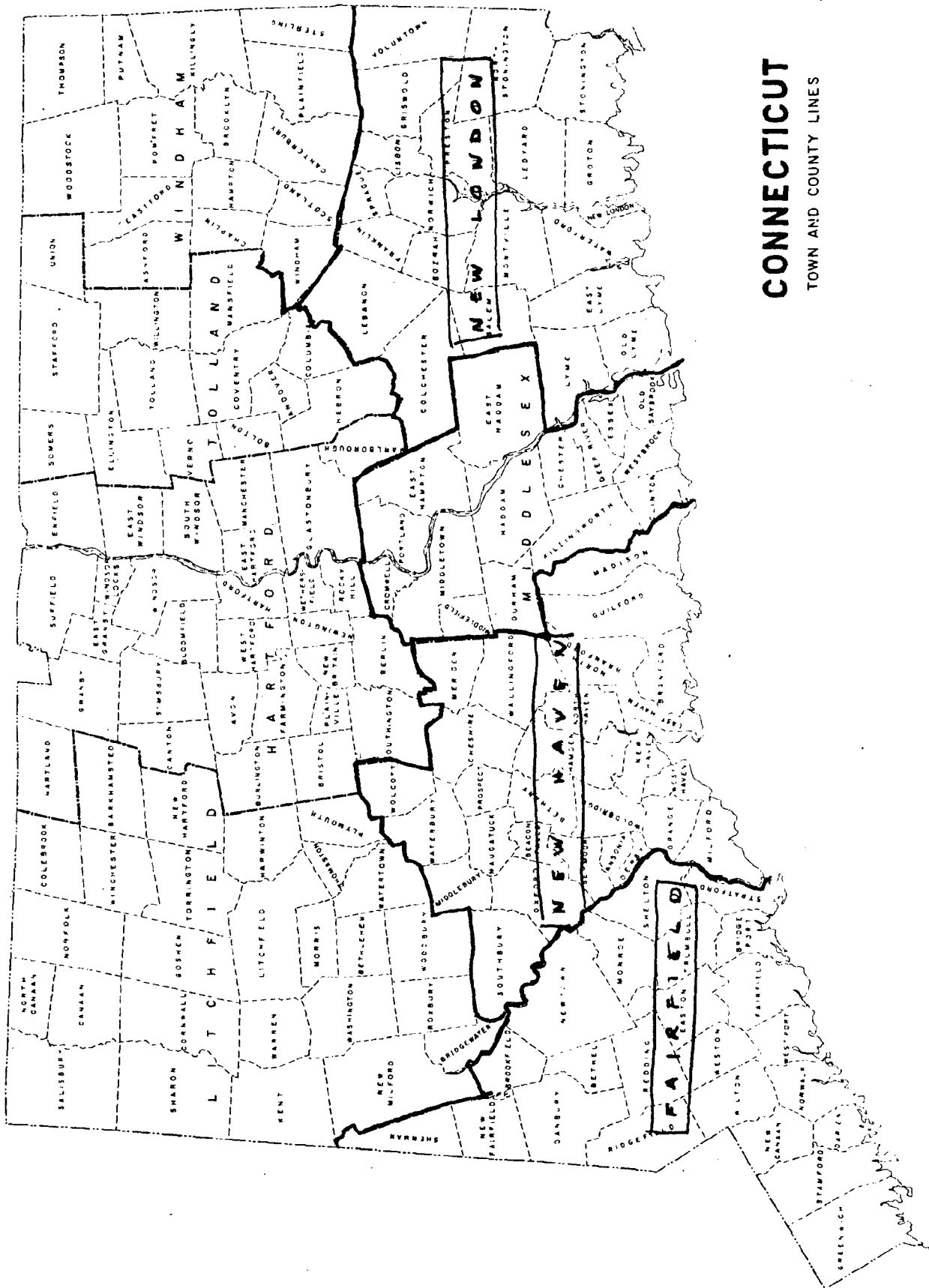
Patterns of Growth

A pattern of rapid population growth and the resulting physical expansion of cities and towns was set early in Connecticut. In the nineteenth century, the state's population increased more than threefold. In the first seventy years of the twentieth century, the state's population increased by the same amount as in the entire previous century. Much of the high density urban expansion has occurred in the western portion of the coastal area and the central river valley. These areas continue to absorb much new growth because over a period of 100 years this pattern of urbanization has been reinforced by both public and private investment in various facilities and service systems.¹¹

The attractiveness of the coast for various types of development is illustrated by the following figures. The three Connecticut counties of Fairfield, New Haven, and New London, which border Long Island Sound, together contained in 1970 almost 58% of Connecticut's population on 39% of the land area (Map 1). On a slightly smaller scale, the territory covered by the six coastal regional planning agencies (Map 2) contained 49% of the population of the state on 32% of its land area. The twenty-six towns directly bordering on Long Island Sound contained 33% of the population on 13% of the land area (Map 3).

The older settled portions of the coastal area have the highest population per square mile. The Long Island Sound Study Land Use report pointed out that the six Connecticut towns containing central cities - Norwich, Groton-New London, New Haven, Bridgeport, Norwalk, and Stamford - together with the New York State town of Mt. Vernon accounted for about 30% of the 1970 population of the entire Long Island Sound Study area.¹² It is notable that five of the six Connecticut towns found in this statistic are on the coast.

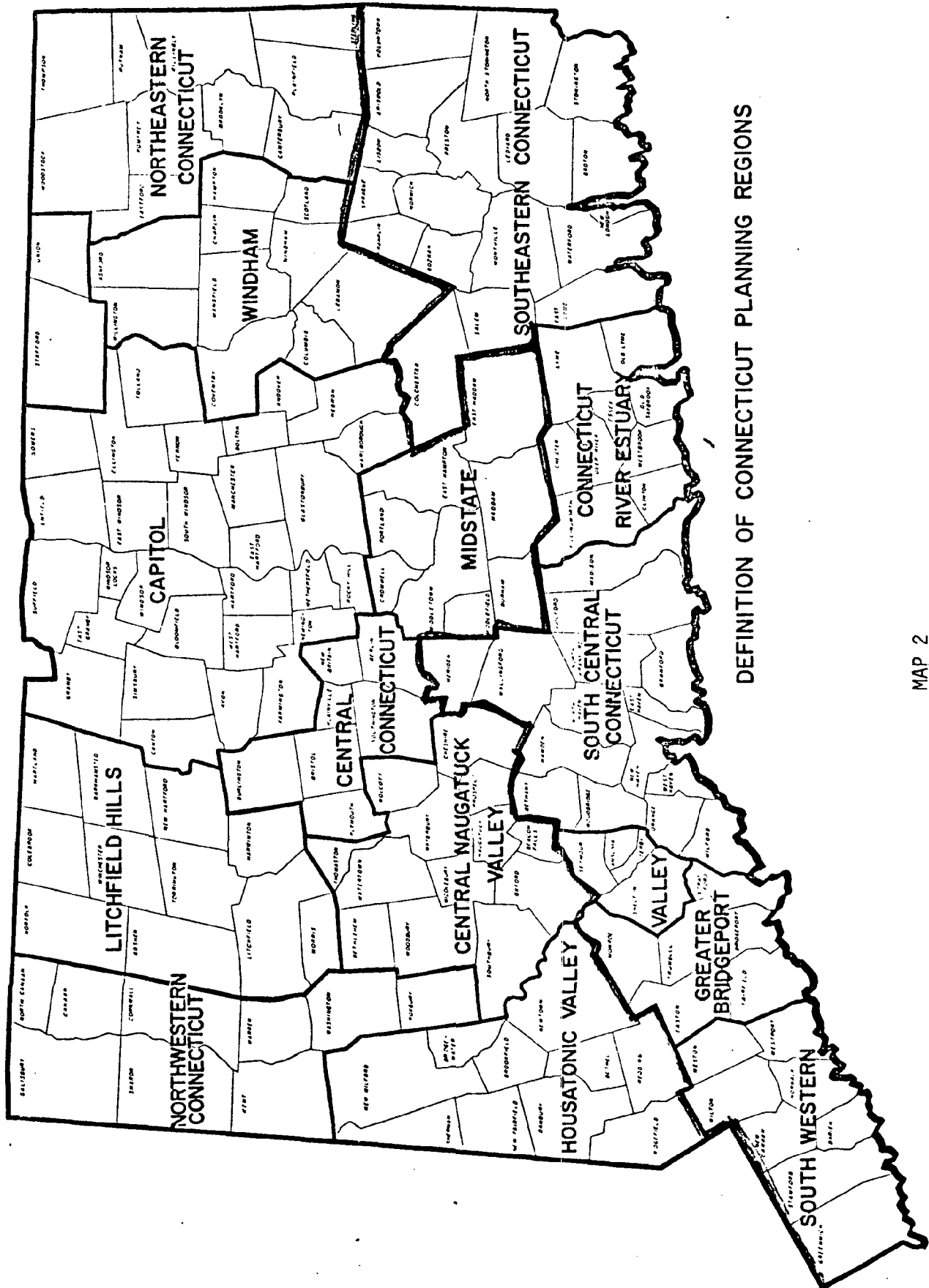
This is not to say, however, that the growing numbers of people who are drawn to the coastal area reside in the cities. It is illustrative of the great change in patterns of urban growth between the nineteenth and twentieth centuries that, when referring to a location or lifestyle other than rural, it is no longer completely accurate to refer to the "city." While 69% of the United States population was found by the United



CONNECTICUT

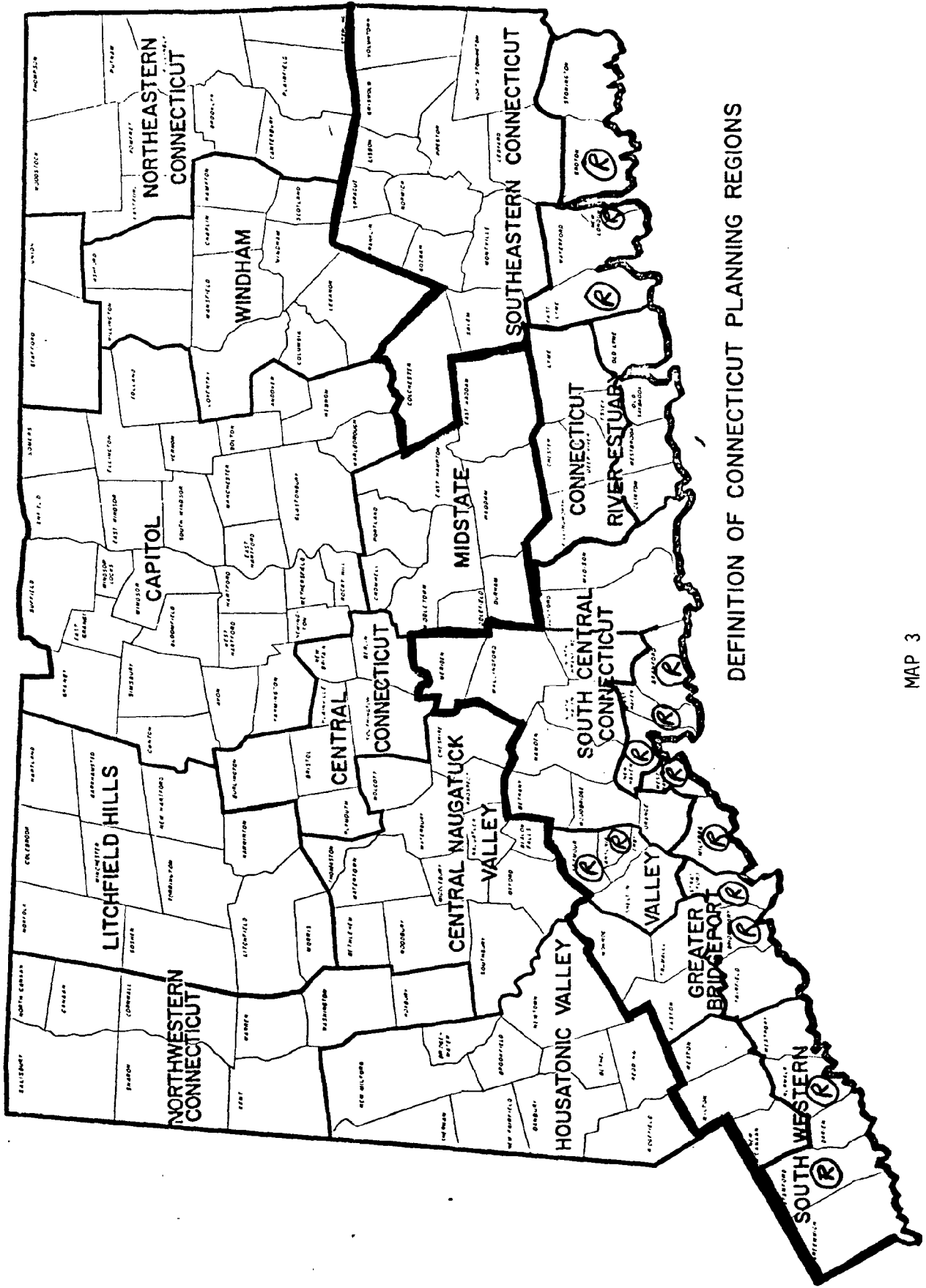
TOWN AND COUNTY LINES

MAP 1



DEFINITION OF CONNECTICUT PLANNING REGIONS

MAP 2



DEFINITION OF CONNECTICUT PLANNING REGIONS

MAP 3

States Bureau of the Census to be residing in "urban areas"* in 1970, only 31.4% resided in cities. In Connecticut for the same year the figures stand at 77.4%** of the state's population residing in urban areas and 32.8% in cities proper.¹³ In fact, the definition of a city is blurring, and leading more often to a delineation based on a clearly recognizable political boundary than on a lifestyle, density criterion, or economic function. This blurring of definition may be attributed largely to the type of urban development which has occurred as a result of a radical increase in the overall mobility of the population.

The distinction which is now most commonly made is that between "city" and "suburb". In other words, we have seen in this century a reversal of the nineteenth century trend of immigration to the cities; with greater mobility, people have moved their residences to the urban periphery, or "fringe," while maintaining jobs in the city.

When people move away from the city, they are almost always in search of amenities such as greater access to open space and visual beauty, new, modern dwellings, lower taxes, better school systems, less crime, and so on. Therefore, it stands to reason that the physical shape as well as the lifestyle of the settled areas at the urban fringe is radically different from that of the cities. Where cities are dense and, because of limited land area, tend to build upward rather than outward, suburbs tend to spread over many acres at a very low density. Where cities have traditionally been characterized by their diversity, suburbs are often notably homogeneous in lifestyle, incomes, and race of residents by comparison. Where cities developed around their traditional economic functions of import and export, suburbs began as residential "bedroom communities" surrounding central urban areas, which still served as major employment centers for suburban residents.

One of the most important facts about the nature of this type of urbanization is that suburban residential bedroom communities do not necessarily stay that way. They certainly attract supporting commercial activities such as grocery stores and other retail establishments. In recent years, they have begun to attract business away from the central cities. A major example on the Connecticut coast is the Greenwich/Stamford area, where executive offices of major firms have opted to relocate away from New York City, and are causing a well-documented shortage of appropriately-priced housing in the area in addition to tremendous increases in traffic.¹⁴ Thus bedroom communities turn into bustling townships and centers of economic activity; they may never achieve the density of the older urban centers, but

* Defined by U.S. Census as "Standard Metropolitan Statistical Areas

** Also SMSA

they perpetuate the pattern of dispersed additional development.

Clearly these generalizations about suburbs must be qualified. Anthony Downs has pointed out in his book, Opening Up The Suburbs, that some suburbs differ more from others than suburbs as a whole differ from cities as a whole.¹⁵ In addition, as they have grown, many suburbs have acquired new facilities which make them more comparable to central cities than previously - another reason for the "blurring" of the distinction between city non-city.¹⁶ Downs notes:

*"These similarities preclude glib generalizations that sharply contrast all suburbs with all cities. Much more significant for public policy are the distinctions that can be made between relatively new portions of suburbs and central cities and older portions of both. The new portions are where new urban growth is now concentrated, or soon will be. The older portions are where urban decay is appearing, or soon could be."*¹⁷

It is important for our purposes here to note that these trends are present wherever growth occurs. In Connecticut, they are particularly pronounced. Census figures for 1970 show that among the planning regions in the state, those which do not contain central cities had the highest percent increases in population between 1960 and 1970. The Connecticut River Estuary Region had the highest growth rate of the state, with a 60.9% increase during that decade. Southeastern Connecticut Regional showed an increase of 23.1%, the Valley Region, 22.3%, and the South Western, South Central, and Greater Bridgeport Regions showed increases of 19.6%, 13.1% and 11.9% respectively.

The Conversion of Land

When we talk about the growth of population and the patterns of land use by which that growth is accommodated, it is important to understand the process by which land is converted from open or agricultural uses to urban uses, or one land use type is changed to another. No discussion of the redevelopment and reuse process is useful without a prior understanding of the nature and functioning of the urban land market. The process of land conversion is an enormously complex one, and has been the subject of extensive research, particularly in the field of economics. Because of the volume of available material, the summary comments here will necessarily be repetitive and in some measure simplistic. But it is in the functioning of the land market that the keys to the need for and structure of current redevelopment efforts are found.

In a society based on the ideal of a free market economy, the basic assumption is that the economic marketplace can most efficiently allocate the goods and services of that economy. Land, and the improvements on land, are some of those goods which are

not distributed by some all-powerful central planning authority, but rather left to the marketplace, which is assumed to function under the laws of supply and demand. In effect, the urban land market is a kind of decentralized decision-making process:

*"It is the particular nature of a market economy, in urban land and buildings as in other commodities, that decisions about how resources should be used are made for one piece of property at a time and by individuals who can base their decisions on the known pattern of uses of all other pieces of property. The individual decision maker is also free, in a market economy, to ignore the effect of his decision on other people and other properties not directly involved in the transaction."*¹⁸

The motive for exercising that individual decision is, of course, some form of profit or utility. If the sale and/or conversion of a parcel of land cannot provide at least the expectation of profit for every individual involved in the transaction, the conversion process will simply not occur. Because this profit must be possible for each of the actors on the supply side, the value of the final, improved (or built-up) parcel of land will be higher than that of the original parcel of land; the very use of the term "improved" is an indicator of this. This increase in the value of improved land over unimproved land, then, explains in some measure why differences in land values between the cores of cities and the urban fringe are so large - values are much higher within cities than at their periphery.

It should be noted that in discussing the urban land market, "land" refers either to open land or to land and buildings. The reason for this is that if a building already exists on a piece of land, that land cannot be used for any other purpose unless the building is also acquired and demolished; the price of the land also includes the value of the buildings.¹⁹ This is another reason for the higher land value in already built-up areas.

So far it is apparent that some of the major characteristics of the urban land market are that it is piecemeal, due to the agglomeration of many individual and decentralized decisions; it is profit-oriented, since that is the rational reason for an individual to engage in transactions in a free market economy; and it is generally uninventive, since expectation of profit is based on more or less detailed evaluation of current trends, tastes, and willingness to pay on the part of the buyers in the market. The fact that decisions are made by individuals without needing to take into account the needs of others not directly involved in the transaction indicates that the potential for conflict in uses made of the land is great. Since decision-making is largely based on profit, such conflicts are generally

resolved in favor of those who offer the prospect of the most profit.

These market interactions do not take place completely in a vacuum, however. Since the communities within which development of any kind occurs have a large stake in the long-run effects of that development, a variety of land-use controls and development regulating techniques such as zoning regulations and subdivision regulations have evolved at the local level.

To illustrate the roles of the various parties in the land development process, we shall invent an example and follow it through from beginning to end. Assume the existence of a fifty-acre tract of farmland, including some farm structures, lying just off a main road and within a 30 minute's drive of a major city. The owner, who in our example is also the occupant, has seen other land around him become sold to developers whose business it is to subdivide land and create housing. The prices per acre which are being offered by buyers interested in subdividing are incomparably more than those the landowner could expect for his land from another farmer, because the subdividers in turn have expectations of high profits. If the landowner sells as soon as an offer is made, he will probably do so because a tidy profit is in store for him. If he refuses to sell, whether because he likes farming at that particular location, or in expectation of even higher profits later when (he hopes, based on the experiences of others) land in that particular area becomes more scarce, one of several things may happen. If the buyer's expectations of profit are high enough, he may make the farmer "an offer he can't refuse" simply because of its magnitude. Or, if enough land is available in the area, the developer may move on to another landowner and make a similar offer. If the location does catch on, and open land becomes scarce and therefore more valuable, the landowner in our scenario may be "forced out" by the prospect of immense profit later and have indulged in a little speculation, or the holding of land based on expectation of future profit.

The desirability of the farmer's land for residential development, as in our example, may have been his own idea based on looking at trends around him, but more often than not, it was determined by an individual or group of individuals known as developers, who derive profit from the purchase, improvement, and resale of land or the rental of its improvements. The developer becomes interested in a parcel of land if and only if certain characteristics are present: a good location, which is determined by experienced evaluation of the needs of his aimed-for clientele (for example, consideration might include the distance they are willing to travel, closeness of various amenities, existence of a proper infrastructure such as streets and sewers, scenic views, local taxes, and so on), his ability to acquire the land for a price which will allow him to make further expenditures on improvements and still resell the improved land at a profit which he finds acceptable; and his reliance on current trends in housing tastes, commuting patterns, etc.

The developer can do nothing with the land he is interested in, even if the previous landowner is willing to sell it, if the local municipality does not allow him to use it as he wants to. That is, proper zoning is essential for the development of the property, and the developer must first approach the local zoning board with his idea and a plea for a permit and, in some cases, for a change in zoning, before he may proceed. The zoning board will evaluate the project based on the amount of taxes it is expected to bring in yearly, which in turn is based on the assessment of valuers; on the potential nuisance characteristics produced by the proposed use of the property, the existing infrastructure of streets, sewers, water mains, etc., and whether the cost of supplying this infrastructure would be that of the town or the developer; local design and other ordinance requirements; and to a greater or lesser degree, the desires of the local citizens for this type of development. Usually the profit motive comes into play here as well, although in the case of local government the profit is not personal but for the town as a whole in the form of property taxes, which is often the deciding factor. In addition to zoning and subdivision controls, the town has many more options for controlling development, but these will be discussed later.

Once the developer/builder has secured the necessary legal sanctions to go ahead with the project, he must find a source of financing. Builders typically invest as little as possible of their own capital in a project; the bulk comes generally from a long-term lender such as a savings bank, whose profit in the matter is a guaranteed income on the loan (interest) over a guaranteed period of years. In order to obtain this financing, several characteristics must combine; among them the developer's reputation and the lender's confidence in his good judgement in the success of the scheme; the availability of capital for that particular kind of project, and proof that all the necessary legal permission is obtained so that the project will proceed as much according to plan as possible.

Once financing is obtained, the developer/builder may proceed with the project by contracting with a construction company, and purchasing materials (this is often done locally, particularly in the residential housing market). During the construction process the sales process begins. If the developer has calculated correctly, there should be a minimal vacancy rate once the project has gotten underway.

This is an extremely simplified example of the workings of the market in residential housing. The framework and philosophy are similar for shopping centers and other commercial developments, where the potential market is a prime consideration, and location, more so than in residential and even office construction, can make or break a project. Industrial development has a complex number of additional factors to consider, such as labor pool, freight costs, proximity to required resources, and so on. A schematic representation of the urban land market dimensions is shown in Figure 1.

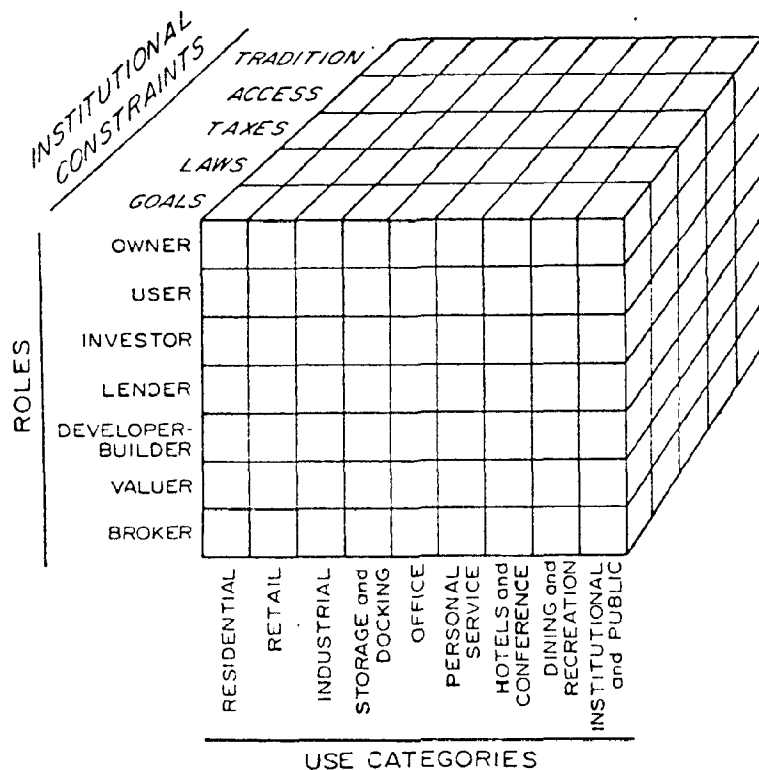


Figure 1. Dimensions of the Land Market

Source: Wallace Smith, Urban Development: the Process and the Problems (Berkeley: University of California Press, 1975), p. 167

The above description concerned itself exclusively with the market in open land. The picture changes drastically when we deal with already built-up land, and the transformation of cities. According to one observer of the housing market;

*"With a few notable exceptions...the residential real estate market works only once. It creates, alters, maintains, and improves, and eventually discards assets, but seems incapable of providing for their replacement on the site. The invisible hand, which only infrequently produces the optimum spatial deployment of land uses, with respect to renewal, typically produces nothing at all."*²⁰

Reasons for this failure of the system of allocation vary according to interpretations of the goals of the market and the nature of cities, but certain inefficiencies of the market are generally recognized.

The most obvious problem would appear to be that the supply of land is fixed, and therefore the ideal market equilibrium between supply and demand is unattainable. In a large scale view, this is of course true; while land can be and is created by such techniques and deposition of dredged spoil along coastlines (for example, large amounts of acreage, including beaches, have been added to the Connecticut coastline in this manner), the process is expensive, and economically feasible only under certain conditions. It cannot be relied upon generally. It can also be argued that building upward at high densities in central cities is also a way of, in effect, increasing the supply of land. Generally, however, this is not done at the urban fringe where most growth and development is currently taking place.

The most common explanation of the origin of land market dysfunction has to do with the durability of buildings as compared with other products. If one of the main effects of the market is to provide choice to consumers of real estate in terms of price, location, and tastes, that market must have a certain flexibility. For example, prior to 1960, single-family houses never accounted for less than 77% of non-agriculture housing starts, and mostly accounted for 80% in the United States.²¹ During the decade of the 1960's, however, there was a marked "boom" in suburban apartment buildings, which indicates quite a change in tastes. Open, previously unimproved land at the urban periphery has greater potential to provide for such changing tastes; densely built-up inner-city parcels have much less flexibility in rebuilding because of the prohibitive costs of demolition. That is, buildings which endure for longer periods of time can become obsolete, yet often cannot provide enough economic incentive for rebuilding.²²

This is not to say that central cities are completely stagnant; some development and change in communities is always occurring, in a patchwork fashion. In the process of physical change and the movement of population, the location of buildings may be in effect changed by the reorientation of their surroundings, thereby catalyzing their obsolescence or their reuse and rejuvenation. Use of the buildings, such as waterfront warehouses, may change when the nature of the products shipped through a city's port changes. Warehouses used for the storage of textiles may become useless when petroleum products become the port's primary source of commerce. Thus changing realities of population and the economic functions of the city as well as the diversity of ownership of property and the resulting fragmented decision-making process are additional barriers to the effective reuse and redevelopment of urbanized areas. In the area of housing, an important barrier is the low income of the residents of areas which most need attention, who don't have the resources themselves to regenerate and rebuild neighborhoods.

Let us now step back from generalizations for a moment and investigate the actual patterns of land conversion on the Connec-

ticut coast since 1970. According to a survey completed by the State of Connecticut Department of Planning and Energy Policy (DPEP), land use changes for 1970-1975 occurred at a much slower rate than in the previous decade.²³ The survey distinguishes between conversion of open land and development within already built-up areas. During the five-year period covered by the study, 8,505 additional acres, or approximately 1.5% of the total built-up area, were converted from open to built-up land. An additional 1035 acres within already built-up areas experienced some form of development, whether in the form of infilling, intensification, actual demolition and redevelopment. Within central city locations, an additional 211 acres were converted by demolition from built-up to open lands. Figure 2 presents land change by major categories in chart form.

The report on land conversion points out that development within already built-up areas can be of four general types: infill, in already dense areas; intensification such as the addition of structures in areas which were previously used for open space or parking areas; actual demolition or redevelopment of a parcel with a new structure of the same or different land use; and the conversion of built-up to open land uses (demolition alone). On the Connecticut coast between 1970 and 1975, thirty-six percent of the new acreage occurred as infill, intensification, or reuse in areas designated as built-up in 1970. Much of this, according to the DPEP report, occurred along urban arterials in the form of strip development. In terms of residential land uses, the report concludes that over the five years in question the overall housing stock was being less intensively utilized at the end of 1975 in both central city and suburban towns, that the differences in house types and densities between central city and nearby suburban areas was less distinct and that in general the overall built-up environment is less intensively utilized. Industrial development in the 1970's occurred adjacent to or very near the interstate highway system and there was a high degree of conformance with municipal zoning for industry. Among commercial acreage, thirty-eight percent of the new commercial acreage occurred in previously built-up areas. The thirty-six coastal towns have less than $\frac{1}{2}$ of the state average for land devoted to agricultural use.

The Need for Growth Management

The growth of population, and with it the expansion of the land area required to support that population, has occurred historically and will continue to occur primarily in and around urban areas. The major determinants of the location of population are phenomena associated with economic and physical agglomerations which comprise urban areas: proximity to jobs, and the ability to reach them via various modes of transportation; the relative ease of adding new infrastructures of sewers and water supply to existing ones rather than developing new systems; the existence in urban areas of social and cultural amenities, to

Figure 2

Land Use Change in Acres 1970-1975 by Major Categories

<u>Land Use Category</u>	<u>Acreage Increase 1970-75</u>	<u>% of Total Increase</u>	<u>Acreage Decrease 1970-75</u>	<u>% of Total Decrease</u>	<u>Net Acreage Change Increase or (Decrease)</u>
Residential	6466	47.5	306	2.2	6160
Commercial	787	5.8	317	2.3	470
Industrial	983	7.2	211	1.5	772
Institutional	464	3.4	106	.8	358
Utility	273	2.0	70	.5	203
Transportation	<u>568</u>	<u>4.2</u>	<u>25</u>	<u>.2</u>	<u>543</u>
Total Built-up	9,541	70.1	1,035	7.6	8,506
Recreation	681	5.0	56	.4	625
Extraction	418	3.1	346	2.5	72
Agriculture	187	1.4	2,149	15.8	(1,962)
Under Construction	858	6.3	361	2.7	497
Open Land	1,848	13.6	3,864	28.4	(2,016)
Wetland	-0-	-0-	178	1.3	(178)
Forest Land	-0-	-0-	5,610	41.2	(5,610)
Water	<u>81</u>	<u>.5</u>	<u>15</u>	<u>.1</u>	<u>66</u>
Totals	13,614	100.0	13,614	99.9	-0-

Source: State of Connecticut Department of Planning and Energy Policy, "Land Use - Conversion and Impacts" (prelim. draft)

name a few. As was pointed out on page 12, the tendency is for public and private investment in various facilities and service systems to reinforce existing patterns of urbanization. The following description is from a study for the National Water Commission, and while it describes national patterns, its applicability to Connecticut is clear:

*"In the United States the growing community is generally recognized as an economically healthy one. Increasing population itself serves as the basis for further expansion. Expansion results in opportunities which attract more population, and subject to various constraints that may exist to continued expansion, a self-sustaining pattern of growth becomes established. Where economic growth is inhibited, population decrease usually results. Characteristically capital investment is mobile, seeking always the growth opportunities. The nation's population is mobile as well, strongly oriented toward finding its relative economic advantage."*²⁴

The same study also determined, after tracing the population trends for individual communities over two decades, that "growth breeds growth, decline breeds decline, and stability is the quality least in evidence."

Traditionally, decisions about the location of housing, transportation, services, employment, and other elements of the urban framework are made in the private sector subject to public regulation. The dominant public entity which has direct approval powers is the municipality, which can operate only within its political boundaries. As a result, regulations such as zoning and subdivision controls are designed to maximize the benefits desired by the municipality, with little regard to regional impacts and benefits. The result is often an inequitable distribution of the resources and amenities of a unique area like the coastal zone, while practices which may be environmentally dangerous to the coast are permitted. This type of decision-making is reinforced by the state and federal levels of government, whose programs and policies have a less direct but nonetheless notable impact on land use decisions in the coastal area. For example, the federal flood insurance program has, in a sense, made it easier for development to occur in flood hazard areas. We shall see in the next chapter that federal housing policy has contributed to the pattern of urban sprawl. An example at the state level can be seen in the Department of Commerce, which for years has had a program of aiding new industries to the state in finding locations based primarily on their resource and labor pool needs, but a planning component to that decision-making process has until recently not been a part of the program. In short, standards for development and redevelopment, for conservation, and for environmental control are fragmented, creating confusion, gaps, and duplication in carrying out community programs. Standards can range from pure policy to technical speci-

fications which are scientifically derived.²⁶

In order to develop and carry out a management program as provided for in the Coastal Area Management Act, methods must be found for balancing development and conservation needs. Clearly the question at hand cannot be one of putting a stop to all growth on the coastal area. The problem is rather to develop uniform standards which have the flexibility to guide future development while maximizing the protection of fragile coastal resources. The key to conflict resolution is management in a positive, rather than a negative sense:

"Many of the actions which have been taken in the name of land use policies at the state and local level in recent years have been taken in the name of environmental protection. The bulk of public actions have been regulatory and negative in character; they set forth what is not permitted. There is little exercise of affirmative powers to direct where something should happen with the possible exception of some instances where sites for power plants have been identified."²⁷

As was described in the Introduction to this report, one way of combining needs for development and conservation is to increase the efficiency and utility of existing developed areas by stressing intensification and redevelopment. By locating sites where such intensification or transformation could occur, guidelines can be developed to channel development of an appropriate nature into those areas. The second chapter of this report will discuss the background and current framework of redevelopment programs. The third chapter will evaluate their usefulness for the objectives of the CAM program, and propose redevelopment policies and criteria for the coastal area.

PART II: REDEVELOPMENT: THE EXISTING FRAMEWORK

As we have seen in the foregoing description of the way in which land becomes used, or developed, inefficiencies can and do occur in the distribution or type of land uses relative to a region's needs. Individual land uses can also become decayed through mismanagement or obsolescence. The concept of "underutilization" is applied in cases where land is available for use in an area where demand for land is relatively high, but certain pieces of land have not been used because they require clearance, or because the size and shape of the parcels require more imaginative handling than is normally the case.

Therefore, while urban areas, or previously developed areas, are continually redeveloped and reused in the course of economic events, sections and individual parcels exist which have the potential to be updated, or re-used, in accordance with current demands in an urban area. Because decay and underutilization of land, particularly in the cores of urban areas where land values are the highest, is economically unsound, redevelopment has been construed from the earliest use of the word to mean the introduction onto a previously developed piece of land of a new and more desirable use than is currently being made of it. The need for public intervention in the private land market has been determined on the basis that such decayed and underutilized parcels and sections exist and persist; the nature and extent of this intervention (that is, the policy behind this intervention) has been shaped by certain interpretations of what in fact constitutes a "better" use.

Federal Incentives for Redevelopment

The phrase "urban redevelopment" first came into common usage during a time of national crisis - the Depression of the 1930's. The economic crunch was felt in particular in the area of the housing market. Awareness of the problems of a shortage of safe and sanitary housing had existed since the early nineteenth century in the private sector, when movements for slum housing reform resulted in a few ventures involving private philanthropic housing and other slum improvement efforts. The so-called "tenement laws" passed in New York City in the 1890's which attempted to find physical solutions to the problem by setting standards for light, air, etc. in new tenement buildings are an outgrowth of this movement. However, it was not until the 1930's when the depression crippled the housing industry along with most other sectors of the national economy, that the federal government assumed the role of intervening at the national level in the financial workings of the housing market.

The earliest programs were enacted because of a high rate of foreclosures due to nonpayment on mortgages, lack of available credit for new mortgages, and a virtual end to low income housing construction. In other words, these programs were designed to

help both homeowners and lending institutions. The Home Loan Bank Act of 1932 founded savings and loan associations to provide mortgage money backed by federal insurance. The Federal Relief and Reconstruction Act of the same year extended loans to private corporations to induce the construction of low-cost housing. In 1934 the Federal Housing Administration was established in order to ensure the building of new, moderately priced housing on previously undeveloped land. In the same year, the Federal National Mortgage Association was created to buy mortgages in debtor areas to save bankrupt cities and stimulate the building industry.²⁸

While methods were being sought to encourage the construction of new housing, primarily on undeveloped land, awareness of the extent of the cities' "slum problem" grew rapidly throughout the depression years. One eye-opener, aside from the effect of the widespread destitution caused by the depression as a kind of social "leveler", was a series of real property surveys undertaken by the Public Works Authority in major cities. Land use and housing surveys revealed that slums were not static, but that they could and did spread into previously non-slum areas.²⁹ The best remedy for this spreading "blight" was thought to be the process of providing new, standard housing for slum dwellers, thus decreasing the densities in slums by moving their residents out altogether. In 1937 a low-rent public housing program emerged from Congress. Between 1937 and 1941, over 125,000 units of this locally constructed, 100% federally funded housing were built.³⁰

The concern with problems of housing and the ailing state of the national economy were both temporarily suspended with the advent of the second World War, when war production skyrocketed and jobs became available to large sectors of the population, many of which had not been in the job market previously. With the end of the war, attention refocused on housing shortages, which were becoming even more acute during the post-war period due to wartime construction limitations and materials shortages.³¹ In addition, a matter of greatest concern with regard to housing was the effect of the shortage on returning veterans. In 1947 the Housing and Home Finance agency was established, primarily in response to this need for more new housing. Some states enacted legislation permitting localities to exercise strong powers for the purpose of developing blighted areas, but found that without sufficient funding, the programs were not very useful.³² Through growing experience with this series of new programs, it was becoming apparent that slums by themselves were not the only key to the problem of deteriorating inner cities, and that the public housing program was not a panacea for blight.³³ In other words, new housing development away from the inner cities could do nothing about the removal of substandard old housing; the core cities continued to decay at the center while spreading rapidly at the periphery. A movement developed for a broader, more comprehensive approach to city planning. Various ideas,

including the building of new satellite communities (for which funds were not provided in federal legislation until 1975), were proposed.³⁴ The final product of much discussion based on the experiences of previous programs, and five years of political debate, was the Housing Act of 1949, with its often quoted goal of providing "a decent home and a suitable living environment for every American family." Contained in Title I of the Act was the Slum Clearance and Community Development and Redevelopment program* which for the first time provided at the national level the broad powers and the large-scale federal funding which were to enable cities to clear their slums and to develop the cleared land for new housing.

The Urban Renewal Program

As can be expected, the concept of urban renewal was an extension of the goals of the housing legislation preceding it. These goals grew out of two overriding areas of concern: the problems of spreading "blight" and a shortage of clean, safe, standard housing. The framework for the Urban Renewal program was based in part on past experience from preceding programs, particularly the 1937 Act and the various state incentives. Three major constraints on what could and could not be done in such a program were taken into account by the drafters of the legislation:

1. The political tradition growing out of the federal system of government, which precluded too much direct intervention by agencies at the national level into local affairs;
2. the experience that in a system of local revenue-gathering which relies heavily on property taxes as a source of income, the amount that the locality can pay for large-scale projects is limited;
3. and the concern that the rights of private citizens to use their property relatively freely must not be indiscriminately abused.³⁵

Within these constraints, the major tools for achieving urban renewal were based on the concept of a public/private partnership. The city or locality was given the use of the power of eminent domain, within prescribed limits, for the clearance and assembly of land for later sale to public or private ownership. Since land cannot be taken without just compensation to the owner, large sums of money were needed for the acquisition of land with or without the use of eminent domain, in addition to the costs incurred by the preparation of sites for sale, which included demolition, payments to those who had to be relocated, and property management, if that was to be part of a given project.

*Later changed to Urban Renewal

The sums of money required by the process of clearing land would, it was foreseen, require substantial federal subsidies.

In addition, the problem of attracting developers, or, in the terminology of the Housing Acts, redevelopers, to generally high-priced center city sites was foreseen. In the interests of encouraging enough redevelopment efforts to maintain a proper replacement rate, the major tool of the program was a cost write-down to the developer, to bring the selling price of the cleared land down to an attractive level. If the clearance costs were not absorbed by the government, redevelopment would face the same problems with or without the program. This use of public funds, it is declared by one author, "may be regarded as both a penalty that the community must pay for past errors and as an investment in future taxable values."³⁶

Finally, the original program recognized that the 2/3 - 1/3 split between the federal government and the locality for the costs of a renewal project would still place a burden on the locality. Therefore the program permitted public improvements such as schools, parks, and street improvements, to count as non-cash grants toward the locality's share of the financial burden.

Changes in the basic Urban Renewal Program became a matter of course throughout the housing legislation of the 1950's and 1960's. Each Housing Act contained some amendment of the Title I provision of the 1949 Act. While this could be interpreted as flexibility in responding to the changing needs of the program, a closer look at the nature of these changes serves to underline some of the difficulties inherent in the program.

The 1949 Act

The program in its original form set the following requirements:

1. private enterprise was to fill as large a part of the need for new housing as possible;
2. government aid was to be used to enable private enterprise to fill this need;
3. appropriate local public bodies were to be encouraged and assisted to do the following:
 - assist development of well-planned integrated residential neighborhoods
 - encourage development and redevelopment of communities
 - provide lower-cost production of housing of adequate design, construction, livability, & size for family life

- provide for farm aid (for dwellings)

Generally, the 1949 Act set its goals for the production of good, low-cost housing, the use of new design and technology in producing that housing, well-planned and integrated communities, and the stabilization of the housing industry at a high annual volume of residential construction.

The 1954 Act

The name of the redevelopment program was changed to "Slum Clearance and Urban Renewal." All authorizations, funds, and appropriations were brought together into an "Urban Renewal Fund." The concept of providing technical assistance to communities in need of professionals to help carry out their programs was introduced. The major change was the introduction of the requirement for each application for funding to include a "workable program, (which "shall include an official plan of action as it exists from time to time, for effectively dealing with the problems of urban slums and blight within the community and for the establishment and preservation of a well-planned community with well-organized residential neighborhoods of decent homes and a suitable living environment for adequate family life") for utilizing appropriate public and private sources to eliminate, and prevent the development or spread of, slums and urban blight, to encourage needed urban rehabilitation, to apply for redevelopment..." (Sec. 101c).

In addition, Sec. 305 of the original Act was amended to read that capital grants could not be made with respect to projects which consisted of open land.

The introduction of the workable program, which in effect comprises a "blueprint" of the plans for the community and was intended to ensure that the projects initiated under the Urban Renewal program would fit into the overall plan for the community, is an indication that problems were already being experienced with the "project-by-project" approach of the program. The amendment to section 305 suggests that the purposes of the program were being interpreted quite broadly.

The 1956 Act

In this Act the permissible undertakings were expanded to include aid for carrying out plans of voluntary repair and rehabilitation in accordance with the Urban Renewal Plan, and "acquisition of any other real property in the urban renewal area where necessary to (eliminate blight), or otherwise to remove (blight) or to provide land for needed public facilities. The necessary residential character of projects of the predominantly residential new use of projects was reemphasized.

The 1959 Act

New provisions to the basic program included:

1. statewide operation of the local agencies established by the states on behalf of smaller communities;
2. acquisition of real property in Connecticut with an urban renewal project regardless of the stage of development of the urban renewal plan, and regardless of whether the plan was approved as yet or not, with the provision that the property would not be disposed of until the plan was approved.
3. While the predominantly residential emphasis of the program was to continue, grants could be made under the program for the redevelopment of areas for predominantly nonresidential uses "necessary for the proper development of the community."

In addition, the 1959 Act extended funding under Section 701 "Urban Planning" to encourage "comprehensive planning" on as broad a scale as possible. This introduced the Community Renewal Program, CRP, which grew out of a need for studies, data collection and development of comprehensive goals and resources for renewal work, including the various aspects of code enforcement, social programs, and rehabilitation. The collection of this information could be done under this type of funding on a city-wide or metropolitan basis. This development demonstrates the distance the program had come in one decade in terms of recognizing the metropolitan nature of many cities' problems, and represents another large step away from the narrow "project-by-project" view of the program's origins.

The Housing Act of 1961

The 1961 Act added housing for moderate income families as a permissible use for property in an urban renewal area, and increased nonresidential authority by making provision for expansion of universities and hospitals located in urban renewal areas. In addition, the gravity of the financial burdens of major renewal projects was reflected in a change in the distribution of urban renewal costs to 3/4 for the federal government, and 1/4 for the municipality.

The Housing Act of 1964

The 1964 Act added enforcement requirements to the workable program and extended the provisions for those relocated from urban renewal areas. In this Act as in those preceding it, increasing attention is paid to specific problems which were found to have posed problems during various projects. Rules for dealing with problems such as a transfer of air rights, acquisi-

tion of property affected by coal mine subsidence or underground fires, and the eligibility of counties for planning assistance illustrate the great variety in the kinds of projects which were being initiated under the urban renewal program.

Up to this point we have been able to illustrate the evolution of the urban renewal program from one of slum clearance to one of blight prevention; from an inner-city neighborhood change program to one with a metropolitan orientation; from one of housing improvement to a kind of monumentalism, where renewal projects were designed as "magnets" to attract middle-class populations back to the cities, as well as to improve a city's tax receipts. The original program was designed to provide physical solutions to the problems of slums, by bringing the living conditions of the poor up to a nationally determined standard. In practice, the program was found inadequate to solve the problems of decaying cities, while the social problems were growing. In many cases, the social problems of the city were exacerbated by urban renewal projects; it became clear that, in most cases, the poor who were relocated from project areas were in most cases not rehoused within those areas, and that as a result, "blight" was not being prevented, but spread from one area to another. Projects were often isolated within the most blighted areas of the city, and found it difficult to attract developers because of location. It was also difficult to find tenants after project completion because of the project location. Costs in addition to those of physical site improvement were being recognized: the social costs of relocating families, and the economic costs of relocating and, in many cases, losing local businesses as a result of renewal plans. The recognition of such problems, together with the "war on poverty" policy of the Johnson administration, together contributed to the radically different program amendments which emerged in the so-called "Model Cities Act of 1966.

The Demonstration Cities and Metropolitan Development Act of 1966

The idea of a broad program to bring together the diverse elements of previous programs and to tackle the social problems which were continuously being raised by those programs grew out of a task force on urban problems which was convened by President Johnson in 1965, in anticipation of the creation of the department of Housing and Urban Development.³⁷ The main concern of the new legislation was twofold; first, it aimed to coordinate under one "umbrella" the diverse programs which preceded it, and second, it was specifically directed toward adding a dimension of social concern and problem-solving to the physical orientation of the urban renewal program. While reaffirming the purposes and continuation of the existing federal grant-in-aid programs, the stated purposes of the new title were as follows:

"...to provide additional financial and technical assistance to enable cities of all sizes (with equal

regard to the problems of small as well as large cities) to plan, develop, and carry out locally prepared and scheduled comprehensive city demonstration programs containing new and imaginative proposals to rebuild or revitalize large slum and blighted areas; to expand housing, job, and income opportunities; to reduce dependence on welfare payments; to improve educational facilities and programs; to combat disease and ill health; to reduce the incidence of crime and delinquency; to enhance recreational and cultural opportunities; to establish better access between homes and jobs; and generally to improve living conditions for the people who live in such areas, and to accomplish these objectives through the most effective and economical concentration of Federal, State, and local public and private efforts to improve the quality of urban life." (Sec. 101)

In the words of the task force noted above, the aims were "concentration, coordination, and mobilization."³⁸ The program took the form of revenue-sharing with designated cities. As an incentive for the Model Cities Program, supplemental Federal aid to a locality could amount to up to 80% of all non-Federal contributions to Federally subsidized projects or activities of the program. Additional features of the program included "new town" development through FHA financing, an FHA sales housing program for low-income families, grants for surveys to locate historic structures, and authorization of air rights projects for industrial development. In implementing the program, great emphasis was placed on the input of local community and political leaders; the program has been described as one which both centralized and decentralized the decision-making process, by coordinating federal programs at one level, and dispersing the planning and decision-making functions at another.³⁹

Connecticut Urban Renewal Projects - Some Examples

The Federal Urban Renewal legislation permits the individual states to empower their municipalities to develop and carry out an urban renewal project. In Connecticut, the state statute on Redevelopment and Urban Renewal defines its goals in a manner commensurate with the Federal legislation - it emphasizes the existence and spread of unsafe and unsanitary housing, its negative impact on the neighborhood structure and on the sound growth of municipalities, and declares such blight to be beyond the remedy of standard regulatory procedures, and in need of the stronger measures of redevelopment.

Redevelopment areas may consist "partly or wholly of vacant or unimproved land or of land with structures and improvements thereon, and may include structures not in themselves substandard or unsanitary which are found to be essential to complete an adequate unit of development, if the redevelopment area is

deteriorated, deteriorating, substandard, or detrimental. An area may include properties not contiguous to each other. An area may include all or part of the territorial limits of any fire district, sewer district, fire and sewer district, lighting district, village, beach, or improvement association or any other district or association, wholly within a town and having the power to make appropriations or to levy taxes, whether or not such an entity is chartered by the general assembly..." (Conn. General Statutes, Ch. 130, Sec. 8-125).

Such a town, city, or association may then create a redevelopment agency consisting of electors from the municipality, which in turn may hire a staff, technical assistance, etc. The first task of this agency is to select a site, develop a plan for the site, and obtain approval of the redevelopment plan from the public through the process of a public hearing. The plan must be in accordance with a comprehensive general plan of the municipality, and may not be approved until such a comprehensive plan exists and the two are found to be in accordance. After the hearing process is completed, the plan may be approved by the redevelopment agency if certain criteria are met, including finding that the carrying out of the plan will result in materially improving conditions in the redevelopment area; proper living accommodations are available within a reasonable distance from the project area for relocated persons and there is expectation of the financial and construction ability of the redeveloper to carry it out (Sec. 8-127).

The redevelopment agency can take the role of the developer, the site improver, or it can take the role of both developer/builder. The plans do not have to be initiated or originated by the agency; builders may submit plans to the agency for approval, and then work with the agency to refine the plans and in essence tailor them to the established needs of the redevelopment area.*

"Within a reasonable time after its approval of the redevelopment plan ... the redevelopment agency may proceed with the acquisition or rental of real property by purchase, lease, exchange, or gift. The redevelopment agency may acquire real property by eminent domain with the approval of the legislative body of the municipality and in accordance with the provisions of (this Act). Real property may be acquired previous to the adoption or approval of the project area redevelopment plan, provided the property acquired shall be located within the area designated on the general plan as an appropriate redevelopment area or within an area whose boundaries are defined by the planning commission as an appropriate area for a redevelopment

*In a small municipality with few resources, the state may take the role of the redevelopment agency.

project." (Sec. 8-125)

The next step of the process is the most difficult and time-consuming. It involves determining the amount of compensation for properties that are to be taken under eminent domain, and taking possession of the land. Experience has shown this to be a difficult process. While the courts have upheld the principle that the taking of property for redevelopment pursuant to a project area redevelopment plan constitutes a public use, and is thereby not arbitrary but beneficial to the community as a whole (see for example Berman v. Parker, 348 U.S. 26), in practice this procedure can and often does develop into a contest for more money on the part of the property owner. When the taking is challenged, the proceeding may drag through the courts for many years.

Once title has been transferred to the redevelopment agency, the municipality may abate taxes on that property. This is another tool which is meant to facilitate the process and keep costs as low as possible.

In order to pay for the next step of the process, the municipality is empowered by the state to issue bonds of the municipality upon approval of the local legislative body. The bonds, whose date of maturation, interest, and form are determined by the redevelopment agency, are fully negotiable and are not included in computing the aggregate indebtedness of the municipality.

The next step of the process involves clearance and redesign, if necessary, of the property in the redevelopment area. This may be accomplished by a separate contractor hired by the redevelopment agency. Clearly site design is an integral part of the redevelopment plan, and as such, will not occur until a builder is found. In some projects, land is merely cleared by the redevelopment agency, and is then sold to developers of projects. One of the major criticisms of such redevelopment programs is that they have in some cases been used merely to assemble and clear land, without having found a redeveloper to complete the project. Redevelopers are usually found through a bidding process, with the final plan and proposed costs approved by the municipality before a contract for the work is signed. As we shall see, it can be difficult to attract developers to a redevelopment site because of its location or other factors. However, because the redevelopment agency can purchase property previous to the approval of a development plan, it can occur that the municipality becomes saddled with property which has been cleared and acquired at great expense but for a combination of reasons may not be disposable.

Of the 36 Connecticut coastal towns contained in the Regional Planning Agencies, 16 have redevelopment agencies, which means that some form of renewal activity has been initiated. New Haven was one of the earliest cities to take advantage of a redevelopment program. Beginning in 1954 under Mayor Richard Lee, the

city carried out a series of projects, "accomplishing more with less cash than was done in almost any other U.S. city."⁴⁰ The renewal work in New Haven can truly be termed a program, because the projects were part of an overall plan of renewal and neighborhood renewal. The history of these efforts has been extensively documented elsewhere.

In Stamford, too, renewal efforts can be said to form part of an overall plan, although a somewhat unique situation exists in the city. The downtown area is being revived through a \$300 million urban renewal program. The builder is F.D. Rich, a native of Stamford, who, according to a brief telephone conversation with an F.D. Rich Co. staff member, is "fulfilling a lifelong dream" in his home town by reviving it and making it once again a center of economic activity. Because of this personal interest of the developer/builder, and his conviction that he can make a go of the redevelopment work, the first \$1 million of the city's share of the financial obligations was contributed by Rich, in return for contracts to complete all of the necessary redevelopment work. Whether by design or good fortune, Stamford is one center of the new flood of office buildings in Fairfield county. While neighboring Greenwich is alarmed at the growth potential resulting from this new activity, Stamford still welcomes such growth and, through the major urban renewal program, will perhaps be able for some time to come to accomodate it.

The other older urban centers on the coast, such as New London and Norwich, also have urban renewal projects. New London has recently celebrated a "victory" in conservation as Union Station, once slated for demolition as part of the Winthrop Urban Renewal project, has just been completely renovated and brought back into use. This is a case where a group of local citizens came together and formed a non-profit corporation devoted to saving the station. Since proposed rehabilitation work on the station had been turned down at the last minute by two other developers, the corporation turned to Anderson Notter Associates of Boston, who had experience in renovating historic buildings in Boston. Most important of all, Notter Associates had succeeded in making them pay. Together with a well-known contractor, Notter Associates was officially designated "redeveloper" of the station by the Redevelopment Agency of the city of New London. According to a 1974 newspaper article about the station, Notter was given a six-month option to present definite plans for the renovation to the Agency.

"Progress in negotiation with the agency proceeds slowly. Anderson Notter presents evidence of complete financing for the project. The response of the agency is to declare the financing inadequate, revoke the developer designation, and terminate all dealings with the firm.

Without benefit of "developer" status, obtaining additional mortgage guarantees was extremely difficult. Nevertheless Anderson Notter persisted and brought back

to the agency within a month financing arrangements which could not be faulted.

Anderson Notter is reinstated, and by June the Redevelopment Agency agrees to sell to them.⁴¹

The rededication party for Union Station was held on July 29, 1976. This brief description is useful in demonstrating the Redevelopment Agency/Developer relationship, but it in no way implies that the completion of one building is the same as the successful completion of the entire urban renewal program in New London. The city has been experiencing acute problems in the downtown area. While the Captain's Walk project, a pedestrian mall in downtown New London, has been completed, shopping areas a few blocks away have long been experiencing a high rate of vacancy and deterioration of small businesses. The trend was at its worst in 1973, when the effects of the nationwide economic recession were compounded in New London by the construction activities surrounding Captain's Walk, which made the area even less desirable for shoppers in the few remaining stores.⁴² Current efforts must now begin with this area.

In Norwich, some of the major problems in the downtown area include congestion and lack of parking space. The West Side Urban Renewal area is at the point of rebuilding leveled areas. \$850,000 has been earmarked for Redevelopment Agency use.

Renewal projects which are intended to revitalize the downtown or business center of a city or town are the most common among the coastal towns. Among other towns not mentioned above which have such a project either completed or in the completion stages are Ansonia and East Haven. In East Haven there has also been an interest in the past few years on the part of the Economic Development Agency in initiating a second project at the waterfront in the Momauguin community, which has a large development of often badly converted beachfront cottages. However, plans are currently in abeyance.

A renewal project which combined both residential and industrial elements is the Frash Pond project in Stratford.⁴³ As early as 1962 the Stratford Redevelopment Agency was established by the Town Council. The five-member board selected a director, who then worked with a consultant firm to survey, inventory, and plan for a project. In 1966 application was made to the Department of Housing and Urban Development (HUD) for planning funds, and the first portion of these funds was approved in 1968. Planning for the project, waiting for project approval, and other administrative activities took up the next three years. In 1971, the first public hearing was held on the proposed initial plan, and the Redevelopment Agency then bonded for \$1.7 million through private banks to get the project started. In 1973 the execution stage of the project began, which involved acquisition of properties. This was accomplished either by friendly closing or by exercising the power of eminent domain. Some of the court suits (which the agency director sees as inevitable) are still pending.

When the agency was formed, several other projects were considered for the Town of Stratford. The Frash Pond project was finally selected because it was the largest area, would cause the fewest residential disturbances, and zoning for mixed uses preexisted in the area. The project is located adjacent to the Great Meadow marsh, in the major industrial area of the town of Stratford. It basically forms an interface between this industrial area and a residential area. The project has been designed in accordance with the Plan of Development of the town of Stratford which dates from 1964, the same year in which the Redevelopment Agency was first formed. The Plan states, "The area between Access Road, Woodend Road, and Frash Pond is characterized by arrested industrial and residential development containing deteriorating and obsolete structures. The roads and sanitary facilities are inadequate for the proposed development. Any urban renewal plan should obviously do away with the mixed residential-industrial character and follow the Land Use Plan proposal, which draws a distinct line between industrial and residential uses at Ketcham Road."

The intent of the project, then, is to create a consolidated industrial area and to eliminate residential uses scattered throughout that area. New residential development comprising 8.9 acres is planned for the area closest to the existing residential section, thereby achieving the separation of residential and industrial uses. In order to accomplish this separation, a key element of the plan is a reorganization of the existing street system, which according to the Redevelopment Plan proposal "has developed haphazardly through piecemeal subdivision of the area". While this does not involve expensive, radical changes, the flow of circulation will be changed by extending streets which carry industrial traffic to create new collector streets, and closing a street which will serve the residential area to form a closed cul-de-sac.

In all, 21 of the total 47 buildings located in the project area are to be retained. The new housing units are to conform with the Plan for the Town of Stratford by being predominantly one and two-family houses. A proposal for building town houses was turned down by the town council. Technical difficulties in carrying out the plan included a need to change zoning in one part of the project area from light industrial to low-density residential; this was accomplished in January, 1976. In 1973 the project was cut back in size by Federal authorities. Additional funding difficulties arose in connection with the court cases involving compensation for property taken for the project. Six of seven of these cases are still pending, and the director of the Redevelopment Agency notes that the property owners have each time been declared by the court to be entitled to 20-45% more for their property than the fair market value determined by the agency. Such values are set by three different MAI appraisals; the first two offer suggested values and the third decides between the two. These prices are then approved by the Redevelopment Board

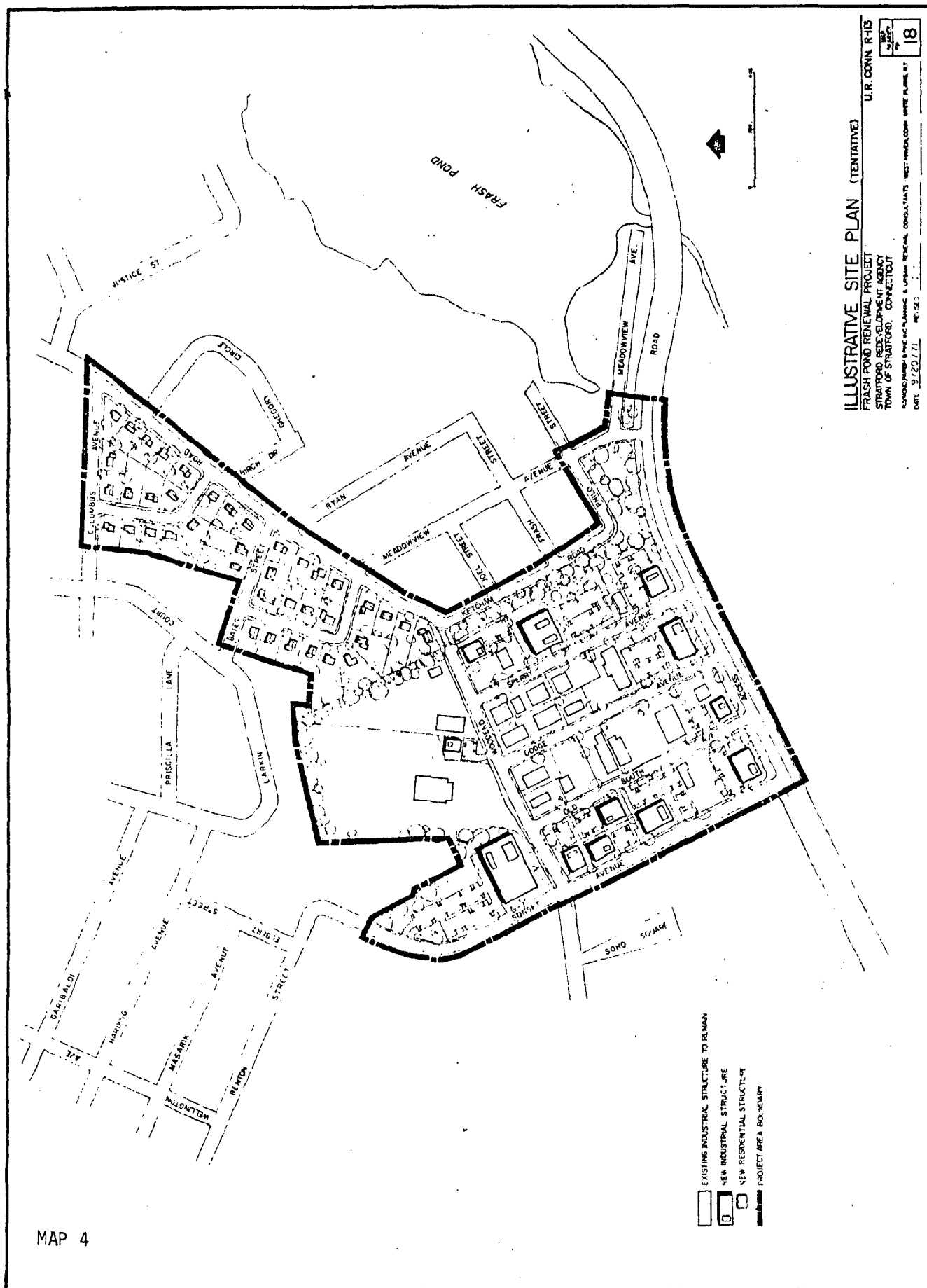
of the town. During the processing of these cases, delays have caused values to rise due to inflation, and new appraisals are needed.

Because of the difficulties at each step of the way in following through on such a project, the new director, who was hired in 1974, decided to initiate work simultaneously on the different phases including purchase of sites, residential relocation, and clearance of sites on a site-by-site basis, rather than completing each stage for the entire project area before going on to the next, as the previous director had done. As a result the timetable has been speeded up considerably. Execution began in 1973, and clearance has been completed on 50% of the project area. Estimated completion of the site clearance portion of the project is December, 1976. In the meantime, bids have been solicited from developers. Only two developers showed an interest in building the homes for the project as specified by the Redevelopment Agency. In this case, the site plan and approximate size and price range of the new homes (which are to be for moderate income families) were determined by the Redevelopment agency, and the precise design of the homes within those constraints is to be provided by the builder subject to design approval by the agency. Because the project is small in scale, and the building involved is the same as it would be in any new subdivision, both developers are local.

It should be noted that a redevelopment agency, rather than comprising a permanent line agency, is temporary. It is formed for the single purpose of completing urban renewal of redevelopment projects or programs, and must dissolve once this purpose is accomplished. While the agency exists, it is often a highly political body, since it deals with large amounts of public funds as well as having a hand in physical changes which at least indirectly affect most of the people in the town. There seems to have been a trend toward the selection of noncontroversial or at least minimally controversial sites, which have a higher probability of acceptance and a better chance of becoming success stories. In Stratford an issue involving the choice of the site, which is located in an area of the town with the highest percentage of minority residents, for new housing for moderate income families who are likely to also be minority members, was raised. In other words, it was felt that racial minorities were being concentrated and isolated in a less accessible part of the town. The problem was apparently resolved through meetings with community leaders, and through the demonstration on the part of the architects of the renewal project that no other area of the town was suitable for such a renewal project. It is quite realistic that no such project could ever be considered for location in the higher-income residential sections in the northern part of the town.

The Community Development Act of 1974 and the Future of Redevelopment

The examples of urban renewal programs which have been initiated by some of the coastal towns illustrate a few of the much-



debated problems of the urban renewal program. From the beginning, the program was designed with certain limitations, as pointed out in a recent HUD manual for the evaluation of local urban renewal projects:

- Urban renewal activities are almost entirely physical in nature, but the process of neighborhood decline also involves crucially important social, economic, financial, psychological, and political forces. Thus, renewal treatment cannot cope with many of the key causes of neighborhood decline at all.
- Neighborhood decline in many older areas is a logical result of the life cycle imposed on most urban neighborhoods by the basic American urban development process. That process is deeply embedded in the economic, legal, political, and social institutional structure of our metropolitan areas. It is unreasonable to expect urban renewal projects aimed solely at conditions in the deteriorating areas themselves to alter the whole metropolitan-area-wide institutional structure that has generated those conditions.
- There was never any intention that the renewal program would be used in every deteriorated urban neighborhood. Consequently, the funds appropriated for the program have always been much less than would be needed to physically upgrade all neighborhoods requiring treatment.
- Urban renewal cannot directly provide new or rehabilitated housing for low- and moderate-income households without additional housing subsidies. Yet both Congress and HUD have limited housing subsidy programs for low- and moderate-income households throughout most of the urban renewal program's history.⁴⁴

Our review of some of the important changes in the program has illustrated the growing trend toward comprehensiveness, particularly in the Community Development Program of the 1959 legislation and the 1966 Model Cities program. Still, Urban Renewal had its staunch supporters, to whom it was inconceivable that such a program would ever be done away with. In 1974 one of the most important pieces of legislation in this housing series was passed. It is the Housing and Community Development Act, which represents a culmination of the trend away from categorical grant programs back to the notion of revenue sharing, and stresses the ability of the individual municipality to best decide what its priorities and needs are. The goals of the Act combine earlier goals expressed in the Housing Acts of the past twenty years, with more recent conceptions of the need for "community development." What is meant by community development? The definition in a manual for use of the new Act by municipalities is illuminating in its vagueness:

*"The final definition of this term is yet to come. It will probably become a Local definition and be based on how each community decides to apply its block grant... to its own needs for community improvement, picking and choosing among both physical and social services types of eligible assistance as needed locally."*⁴⁵

The Community Development Act provides funds for activities which are directed toward the following specific objectives:

- (1) the elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low to moderate income;*
- (2) the elimination of conditions which are detrimental to health, safety, welfare, code enforcement, demolition, interim rehabilitation assistance, and related activities;*
- (3) the conservation and expansion of the Nation's housing stock in order to provide a decent home and a suitable living environment for all persons, but principally those of low and moderate income;*
- (4) the expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities;*
- (5) a more rational utilization of land and other natural resources and the better arrangement of residential, commercial, industrial, recreational, and other needed activity centers;*
- (6) the reduction of the isolation of income groups within communities and geographical areas and the promotion of the increase in the diversity and vitality of neighborhoods through the spatial deconcentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods to attract persons of higher income; and*
- (7) the restoration and preservation of properties of special value for historic, architectural, or aesthetic reasons. (Sec. 101 c)*

The Act emphasizes sustained action by federal, state, and local governments, and seeks "to further the development of a national urban growth policy" by consolidating a number of complex and overlapping programs for Federal aid into one consistent system of payment. This system of payment is in the form of a

"block grant," of a package program under which the funds are allocated within the community according to the priorities and goals stated in the application for the grant. Communities with prior experience under the previous programs which have been consolidated under the Act are automatically entitled to a block grant. Communities with no previous experience under these programs receive their entitlement based on a formula which takes into account the community's population, poverty index, and overcrowded housing inventory.

The programs which have been consolidated into the block grants are Urban Renewal, NDP (Neighborhood Development Program), Section 312 rehabilitation loans, Open Space project grants, water and sewer project grants, loans for public facilities, and Model Cities grants. It is stressed that the new program does not represent the abolition of these past programs, but represents an effort to build upon their strengths.⁴⁶ One of the main objectives of the program is to increase both the flexibility and the certainty of federal assistance. The earlier programs are not left hanging, or uncompleted; elaborate provisions are made in the Community Development Act for the periods of transition from one type of assistance to the other. A brief reading of the DCA applications for Connecticut coastal towns reveals that the main priorities of towns and cities having Urban Renewal projects underway is the completion of those projects.

It is as yet too soon to tell what impact this Act will have on the solution of urban problems and the future shape of urban areas. Many of the criticisms which were leveled at the earlier revenue sharing program can be and have been applied to Community Development. For example, although 80% of the funds allocated under the programs are to go to SMSA's (Standard Metropolitan Statistical Areas), the funds are spread too thinly and the two essential elements of the distribution formula - per capita income and tax effort - discriminate against urban areas which have the most severe problems.⁴⁷ This politically expedient ability to satisfy everyone by giving everybody some of the funds can occur at the local level, where the priorities are set, as well as at the federal or state level. For example, while New Haven has developed in its block grant application a consolidated program of housing and social services delivery, New London has a list of seventy-odd priorities and goals, which, when added up, provide some form of funding to almost every department in the city government.

It is also difficult as yet to determine what impact the program will have on further renewal activities, other than allowing municipalities to complete existing projects. While the purposes and goals of the Act are worded broadly enough to allow the initiation of future renewal activities, the question now becomes one of whether localities will set a high enough priority on renewal to begin new efforts at the expense of other problems, such as the provision of housing or the delivery of social services.

The problem of the future of local urban redevelopment appeared in a study completed for HUD once the Community Development Act was passed (it is interesting to note that the older term "redevelopment" is once again being used). The study, which was carried out by the Real Estate Research Corporation, with RTKL Associates, Inc., provides an excellent and useful guideline for municipalities in deciding what kind of renewal is most appropriate at what type of location, what the probabilities of success are based on a nationwide survey of past renewal efforts, and how Community Development Funds could best be applied to the projects for maximum usefulness. The report emphasizes that renewal could not be considered a panacea, and that it must be evaluated on how well it accomplishes (or has the potential for accomplishing) improvement of those factors which it can appropriately treat:⁴⁹

"Renewal alone cannot solve major social and economic problems. It cannot deal effectively with racial questions. It cannot, by itself, create jobs or build housing. In can, however, eliminate blight and blighting influences. It can encourage neighborhood preservation and stabilization. It can play a major role in downtown revitalization. It can make land available for needed housing, commercial uses, and public facilities. And it can encourage private investment."

PART III: REDEVELOPMENT AND COASTAL AREA MANAGEMENT:
NEW GOALS FOR REDEVELOPMENT

We have seen that current efforts at redevelopment have little direct utility for a comprehensive program for the management of land use and development in Connecticut's coastal area. Current redevelopment efforts are haphazard; yet they have been completely in accordance with Federal guidelines. They show little deference to the unique problems of coastal management; but then, that has never been their purpose. They seem uncoordinated in the light of such an effort simply because they are local projects which were generally not intended to have a regional focus. Yet the projects in many cases demonstrate an interest by many municipalities in making better use of some areas of land, particularly in relation to the coast. It is therefore the task of the Coastal Area Management Program to develop guidelines for future efforts in accordance with the environmental and developmental goals stated in the Coastal Zone Management Act.

In a sense it is fortunate that this planning effort is taking place in the mid-1970's rather than in the mid-1960's. For, in this last decade, there has been widespread recognition that most of the problems which in the past have been dealt with in a very narrow context are in fact influenced by a wide range of interrelated factors, and that it is more useful, if more difficult, to deal with the sources of problems than with their symptoms. In addition, the last ten years have seen a remarkable increase in the number of innovative programs designed to attack the problem of unplanned growth and development in a wide variety of communities. The standard regulatory practices such as zoning and subdivision regulations have been supplemented by wide-ranging land use control programs, in some cases at the state level. These programs have been described in detail elsewhere;* their importance for the Coastal Management Program is simply that they demonstrate that the state has an open door to be restrictive - to step in where localities are not stepping in, and to assume control of decisions in the realm of land use if a basic threshold of control is not established. How that authority is utilized is a function of the state's policy in regard to its municipalities.

This issue of the relationship between the state and the locality, and their respective responsibilities in the area of coastal management, is fundamental to all other management and policy decisions. Among Connecticut towns, as among towns in other coastal states, there is concern as to what the precise nature of this relationship will be. In a speech before officials involved in the field of coastal management, the City Manager of Savannah, Georgia raised several important points about the fears of local government regarding state intervention. He expressed concern on the part of local governments who have been actively engaged in land use planning and control for many years with the lack of ex-

*ex. Bosselman, The Quiet Revolution in Land Use Control

perience on the part of states in land use planning and controls; the possible impact of state-imposed coastal zone management programs on the economies of local communities, such as removing property from the tax roll; of the imposition of standards which are so strict that new building is prevented or discouraged; the potential broad definition of the boundaries of the coastal zone, which may result in the supplanting of local with state land development controls; and finally, the meaning of the term "full participation" as used in the Coastal Zone Management Act.⁴⁸

Once the question of the responsibilities of the state and locality is resolved, the next step is to determine the framework within which management will occur. Classic planning theory has it that plans should anticipate and provide for choices made by private and public developers. The State of Maine, however, provides an example of a different approach:

*"Maine resolved the problem on the theory that when generic impact decisions are made in advance, a reasonable market-adaptive plan will naturally flow from individual and cumulative decisions which adjust to such anticipated impacts. In effect, Maine has imposed a decision at the front end which would ordinarily be reached at the conclusion of a planning process."*⁴⁹

On the basis of this view, Maine has developed a permit process rather than a plan for dealing with conflicts and decisions as they arise, based on an overall framework of statutory classification of what constitutes a generic and definable impact on the environment.⁵⁰

It is the recommendation of this report that, given the realities of the current framework for redevelopment, in which full authority is given to the municipality to set priorities for development subject to the approval of the department of Housing and Urban Development, the most satisfactory and perhaps successful way to deal with decisions regarding development in the coastal zone is to give each municipality planning and implementation responsibility, with a permit procedure to allow for state review and approval. The task of the state is then to establish a set of sound and realistic criteria for the review of redevelopment proposals, and to develop the permit procedure in such a way that it does not create an extra layer of bureaucracy and risk undue duplication, delay or inconvenience in the process of development and redevelopment. In addition, it would be the wisest course for the state program to work side-by-side with other state agencies such as the Departments of Commerce, Transportation, and Planning and Energy Policy in setting up policies for the best use of land in the coastal zone.

The role of the state agency should also be one of proposing ideas for projects. While municipalities may be the best judges of their own needs in the eyes of the Federal government, by their

nature they have less of a grasp of potential conflicts in regional needs.

The Urban Waterfront

Since, as was pointed out in Chapter 1, waterfront cities developed as a result of the practical and productive uses of their location at the water, it is almost universally true among waterfront cities that some of their oldest sections are found at waterfront sites. During the last 25 years, significant changes not only in technology of passenger and cargo movement but in the economic functions of central cities have had significant impacts on the kinds of activities taking place at urban ports. Changes in activities bring about changes in the types of land uses and physical structures required to house those activities. As a result, traditional ports like those found in Bridgeport, New Haven, and Groton/New London, while retaining their economic function, are the location of outmoded, underutilized, and often decaying shoreline areas which have no real remaining usefulness for the kinds of activities which are being carried on at those ports. While the existence of such areas may represent a loss of one kind, they are only recently being recognized for the opportunity they represent for new and completely different uses. It is finally being pointed out that "the decline of shipping and related industrial activity at the port has created large amounts of unused and underutilized urban space which has the potential for improving the economy and environment of our urban communities."⁵¹

The real potential of this resource is underlined by the fact that the vacant and/or unused land at the edge of the water is frequently owned by the city itself, or, if in private ownership, is often extant in relatively large parcels which would allow for easier assembly of the land. In addition, the obsolete character of land of this nature has been compounded by the fact that it is somewhat removed from the rest of the city. During a redevelopment or transformation process, disruption to the city would be minimal; at the completion of a project with proper design, large areas of land would in effect have been added to the city.

While the existence of such land is most obvious in the large port cities, smaller towns, too, often have expanses of waterfront land which are either vacant or contain obsolete or decayed uses. The most predominant example is the typical pattern of converted cottages which line many of the state's beaches. West Haven is in the process of completing a major renewal program which replaced a 50 or 60-year-old amusement park, which was described by observers as a "honky tonk". The Town of Milford has completed plans for a major waterfront renewal project which would replace a settlement of cottages which were exposed to storms and high tide.

In order to evaluate the potential for the redevelopment of such areas, some criterion for or definition of what constitutes

"blight" in waterfront areas is needed. The best such delineation was proposed by Donald Wood in an article on "renewing Urban Waterfronts" in Land Economics.⁵² It is his analysis which is the basis for the following discussion.

Wood's descriptions of kinds of blight are based on a description of the cause of the particular problem under discussion. They are as follows:

1. Poor Water Quality and Vulnerability to Flood and Storm Damage - water pollution and siltation (which is viewed by people seeking recreational use of the water as a kind of pollution) limit enjoyment of the water for swimming, boating, walking, and sunning. Floods and storms can play havoc with the safety and housing code requirements of homes.
2. Obsolete Port Facilities - loss of a specific kind of cargo may cause specialized docks to fall into disuse; or, the water's edge is still needed for navigation, but the amount of land near the waterfront which is needed to support those activities has declined, leaving large vacant or underutilized areas somewhat inland of the water's edge.
3. Physical Deterioration of Protective Measures - the cost of replacing bulkheading and other shorelined retention structures is high; natural or raw shoreline may also be deficient. Uneven shoreline collects debris and stagnant water.
4. Decay of Residential Structures - a community's poorest housing may be located along the waterfront; summer cottages may have been converted to year-round usage.
5. Physical Separation from other Portions of the City - a main street, railroad yard, or rail line which parallels the waterfront may effectively cut it off from the rest of the city. This same barrier may also have prevented waterfront blight from spreading inland.
6. Poor Planning of Recreational Facilities - public beaches draw large crowds and create a demand for large parking areas; amusement parks may become honky-tonks.

Thus according to these descriptions of the causes of blight, quite different definitions arise than those which have been used in Federally guided urban renewal and redevelopment programs. Here the emphasis is placed on: structures which no longer serve

their original purpose and cannot be reused in a way which would revitalize the structures and their surroundings; abandoned structures, such as rotting wharves, piers, warehouses, railroad yards and so on which stand in the way of new uses; and structures which are physically dangerous to their inhabitants. In other words, blighted waterfront parcels are both responsible for the decline of the waterfront, and stand in the way of new uses which are planned. According to Wood, "This approach looks at re-use before it looks at blight. This is possibly more logical than looking first for blight, then wondering whether reuses exist."⁵³

The concept of underutilization is not as straightforward as one might expect. It must first be established whether underutilization refers to the inefficient use of buildings at the water's edge through low occupancy or obsolescence, or whether it is inefficient for a thriving enterprise which no longer has need for water transportation to remain at the water's edge. Should it make way for firms which do require a waterfront location in hopes of stimulating commerce in the harbor? Wood warns:

*"If under-utilization of water frontage were closely correlated with inefficient and declining firms, the problem might be handled by equating under-utilization of the water with blight. However this cannot be done because some non-users of navigation are neither backward nor inefficient. In fact, sometimes the transition from water transport to rail or pipeline represents a technological improvement insofar as the firm is concerned. There is no easy way to compel utilization of the waterfront for shipping without running the risk of introducing inefficiencies into a transportation system by forcing firms to use the water."*⁵⁴

In the classic model of redevelopment, once it has been determined that an area is blighted or underutilized, the problem is then one of deciding on the best new use for the site. In our model, where need and an idea for a new use come first and a site must be found for that new use, it is actually even more critical than for traditional redevelopment projects to get the private sector involved.

"Developing Developers"

In a speech before a convention of members of the American Society of Planning Officials in 1965, then Director of Planning for the City of Los Angeles, Calvin S. Hamilton spoke on a topic which is all too infrequently dealt with in planning literature: "How to Interest Developers and Provide Liaison with Planning." His premise was simple: planners should understand what the ideal objectives of developers are in order that they can develop renewal projects which are "so attractive that they flock to you... or put on a terrific sales pitch with their objectives firmly in mind."⁵⁶

Although we are attempting here to get away from the classic model of redevelopment, it is just as crucial for us to know what developers want. Therefore we shall reproduce Mr. Hamilton's list as food for thought:

"Let's first of all think of the developer's ideal objective:

- 1. Make as much profit as possible.*
- 2. Turn the money over as fast as possible.*
- 3. Take as little time as possible in processing through government red tape (preferably no government at all).*
- 4. Complete flexibility in design, construction techniques, and requirements.*
- 5. Be able to change his mind on a moment's notice-- either the design, type of development, timing, and so on, if he feels he misread the market, or to take advantage of shifts and changes in the market.*
- 6. Program in increments that are geared to financing possibilities, or shifts in interest rates or lender policy.*
- 7. Creation of not only a successful project, but also one that enhances his prestige and creates an image for future use in marketing his projects.*
- 8. He wants to take advantage of the protection which zoning gives to the image and saleability of this project, but he also wants to be able to "vary" his own project so it will have uniqueness and "image," and more flexibility from the "rigid" regulations.*
- 9. He wants immediate action from government, even though he may have been fussing around, "thinking" about the project for several years, and holding the land for the "right" or "ripe" time to develop for several additional years.*
- 10. He wants government to pay for all, or most of all, off-site improvements, even though his project may create most of the demand for the improvements.*
- 11. In urban renewal projects he wants many of the above factors but is also concerned about:*
 - a. The price of land in relation to the market for the project type permitted and its relation to the same or similar markets against which he is competing.*

*b. The timing of the project in relation to forces outside local government control."*⁵⁷

Clearly this is an "ideal" list, and many developers working independently of government programs cannot achieve all of these objectives for one reason or another. But it is interesting to view the problems of earlier redevelopment programs in the light of this list.

If the objectives of the coastal area management program of limiting continued sprawl at the peripheries of cities while encouraging redevelopment within cities and towns are to be realized, methods must be found to limit what developers can do on one hand, and to encourage them to do more than they normally would on the other. Various techniques have been suggested for limiting growth, including limiting its timing (see #5 and 9; tested in Goldman v. Planning Board of Ramapo, 30 N.Y. 2d 359, 285 N.W. 2d 291), placing limitations on the development of infrastructures such as sewers, roads, and utilities (see #10; the utilities idea defeated in Robinson v. Boulder, District Court of Boulder 1974.), extending the zoning concept, building new towns, and so on.

There are far fewer suggestions for ways to encourage redevelopment within cities. Other than Hamilton's suggestions about talking to developers, making speeches, and "selling" planning ideas, the only real suggestion for positive incentive has been Marion Clawson's idea of giving private developers the power of eminent domain "under carefully controlled conditions."⁵⁸

*"To those who may think this is radical or dangerous, let us point out again that the program of public urban renewal has operated to do just this."*⁵⁹

Before such a proposal can go past the stages of speculation, a great deal of research involving extensive interviews with developers as well as legal and political investigation of the potentials of the suggestion must be conducted. In addition, it should be noted that such a solution would by itself work only to alleviate the problem of land assembly; it could then only be one part of a larger and more comprehensive program if it were to be effective. Other suggestions include tax abatement, which has never been a favored technique in Connecticut.⁶¹ If a tax abatement program were to be designed, it would require the co-operation of each of the municipalities in the coastal area, probably with some form of compensation to the municipality from the state.

Toward a Program for Continuous Renewal

Once interest is shown by municipalities and/or private developers in redeveloping in the coastal zone, criteria must exist which can form the basis for judging the suitability of proposed

projects in a given area. These criteria will depend on the final formulation of the goals and objectives of the coastal management program, and on the final delineation of its boundary. Ideally, they would include design criteria, based on the principles outlined in the Developer's Handbook and the Long Island Sound Study's work on shoreline appearance and design; performance standards; concern with the most rational and most equitable distribution of coastal resources among all users of the coast; integration with housing programs, industrial and trade development policies of the directly affected municipalities, the regions, and the State; and the policies set forth by the Federal government for the management of the coastal zone. Such a comprehensive set of criteria could be based on a specific plan for the management of the coastal zone, which outlines in detail which uses would be most appropriate at what location or in what time frame. It is the nature of such plans, however, to become increasingly static as they increase in detail. The coastal region is now and will continue to be a dynamic system. Because the coastal area on the whole is growing, it will continue to require more new housing than re-housing, and more new development than redevelopment. New building and urban redevelopment cannot proceed independently of one another.

One solution to designing the decision-making process is suggested by a research paper for the National Technical Information Service entitled "A Program for Continuous Renewal of our Cities and Metropolitan Regions; A Design for Improved Management, Decision-Making, and Action." The concept is based in the process theory of planning, which generally involves continuous receipt of information on a system, continuous formulation and revision of planning goals, and an awareness that the physical, economic, and social goals of the city must be treated in concert.⁶¹

According to Frank W. Osgood, the author of this report on continuous renewal,

*"There is one particularly important aspect of Continuous Renewal that definitely sets it apart from Model Cities, Community Renewal Programs and Urban Development Programming. Continuous Renewal needs to wait until portions of cities become blighted or even begin deteriorating. When the dynamics of urban development are examined in a unified, inter-related, and interacting process which involves every portion of an urban area, there should be no need to wait to treat parts of the city or metropolitan area based on their condition. Every portion of the urban fabric should be treated as a cell with a different purpose and a different stage of development. Treatment will be possible no matter what the current conditions of a parcel, because Continuous Renewal implies regular renewal in a positive planning approach which should be preventative and not just curative."*⁶²

The key elements of the model, which is reproduced in Figure 4, is information. The model is in the form of a loop, which is also an open system and represents a time sequence. The six major components providing inputs into the loop are the equivalent of the standard planning stages: values, information, planning, selection, guidance, and evaluation. The philosophy of renewing all areas of the city over time implies knowing the stage of the decaying process of every parcel of land at a given moment. Utilization of such a model would require the development of an extensive information retrieval and storage system, as well as continuous monitoring systems.

The author of the report recognizes that major changes in current ways of doing things would be necessary before a planning process of such magnitude could be instituted. Among these changes are the development of an index for measuring renewal need (Osgood suggests utilizing Capital Budgeting techniques to arrive at a sophisticated formula), the consolidation of housing, renewal, and planning agencies; intergovernmental cooperation at all levels; a single set of development standards to replace the current piecemeal and overlapping standards; and revision in eminent domain procedures (Osgood supports Marion Clawson's suggestion of giving private developers the power of eminent domain); and revision of tax policies.

The concept of continuous renewal, as presented by Osgood in this report, is one which in many ways represents an ideal of the way in which cities ought to be made to function. However, aside from the as yet unattainable framework changes which would be required to achieve that ideal, it is not at all clear whether a program such as CAM would (a) have the resources to develop such a large information system, and (b) would properly take the role of intervening in such large-scale economic and social programming efforts. It may be more suitable to adopt a program such as that of the state of Maine, described previously, where the domain of Coastal Area Management remains limited to definition and evaluation of potential environmental impact, where need would be ascertained before blighted areas are sought out.

If it will be CAM's policy to make a concerted effort to utilize redevelopment potential in the coastal zone, but without being able to attain the large-scale level required by continuous renewal, a permit procedure which requires evidence from a developer that he has considered redevelopment areas for his site before proposing new development in a growth area may be effective. Such a procedure would require some form of information system on the part of CAM for the purposes of evaluating such proposals which would include previous definition of what comprises a redevelopment area - in other words, location of blight before finding a reuse. In either case, methods will have to be found which allow redevelopment to occur in a profitable manner.

By way of conclusion, it should be noted that support of the

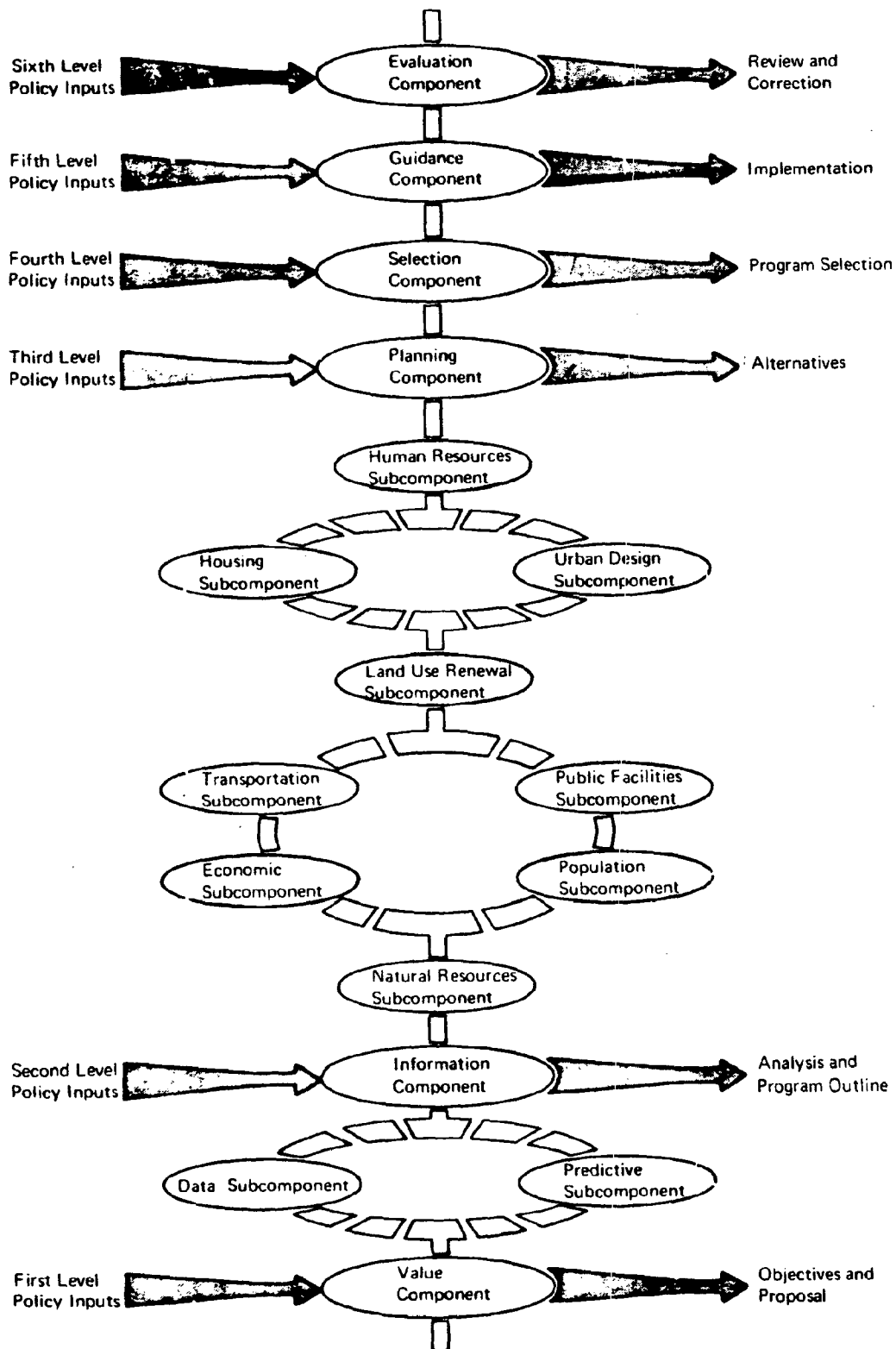


Fig. 10. Program outputs diagram.
Figure 4

Source: "A Program
for Continuous Renewal
of our Cities and
Metropolitan Regions"
Frank W. Osgood
NTIS #PB 198-008

concept, if not the method, of continuous renewal precludes any systematic attempt to evaluate the extent of the opportunity for redevelopment in the coastal area. The statistics quoted in the Introduction to this report, concerning the Long Island Sound Study, estimate that with infilling and renewal almost 20% of new development could be absorbed, is a misleading one. The figure was obtained by determining the acreage of vacant land parcels within built-up areas on the Long Island Sound coastal zone. The 20% figure does not make it clear whether a yearly rate is meant, or whether a longer period of time is involved. One of the major problems with classical renewal was its philosophy that once an area is redeveloped, it will stay that way forever. A rational program for renewal encouragement on the coast would recognize the long-term continuous needs of the municipalities.

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