

LAND USE/URBAN SPRAWL**LAND USE****Statement of Position****As announced by the State Board, May 1976****As amended, (underlined), April 1997**

The League of Women Voters believes that New York State must develop an intergovernmental system for land resource management. Such a system would require:

- 1. Local governments to adopt local land use plans under minimum state standards with direct or indirect financial and technical help from the state.**
- 2. Review by higher levels of government of those land use decisions which have larger-than-local impact, such as watersheds.**
- 3. The development of land to meet public needs (such as low and moderate-income housing, recreational and open space uses) under a system which fairly distributes the costs and benefits of such uses within a region.**
- 4. The strengthening of county and multi-county regional planning bodies.**
- 5. The use of regional commissions to represent larger-than-local interest in managing unique natural resource areas of the state.**

The League of Women Voters is concerned that inadequate planning at the state level wastes resources: natural, social and fiscal.

The state must coordinate functional plans of state agencies with each other, with federal programs, and with the budgetary process. The combined impact of state plans and actions upon land use should be considered.

At convention in 1999, delegates voted to review study materials necessary for concurring with a statement pertaining to urban sprawl. That review took place in spring 2000 and the State Board announced the following new position:

URBAN SPRAWL**Statement of Position****As announced by the State Board, May 2000.**

In order to conserve natural resources and improve the quality of life for its residents, New York State should take a proactive role in regional land use planning, enhancing urban neighborhoods, containing urban sprawl, and protecting agricultural land, open space, watersheds and other sensitive areas.

The League's natural resources positions on land use are based on positions reached from 1958 through 1986; on water in the 1960's; on equality of opportunity in 1968; and on access to transportation, and on regional and metropolitan planning to prevent haphazard urban growth from 1971 through 1988. The League's urban policy position to promote the economic health of cities and improve the quality of urban life was announced in 1979. In 1976, the state League did a study that led to a position in support of establishing a statewide intergovernmental system for land resource management. The position on watershed protection, arrived at in 1997, is the most recent.

Armed with its new position on Land Use, the League has followed pertinent developments around the state initiated by the governor, the legislature, and civic groups.

In early 2000 Governor Pataki issued an executive order creating the Quality Communities Interagency Task Force charged with studying community growth and with developing measures to assist communities in implementing effective land development, preservation and rehabilitation strategies. League members participated in the roundtable discussions held by the Task Force around the state. Its report entitled, *State and Local Governments-Partnering for a Better New York*, was issued on January 31, 2001. The report includes 41 recommendations for improving the quality of life in communities throughout New York.

The New York State's Quality Communities program, as developed in the report, emphasized collaborating with localities and a using bottom-up approach to curbing sprawl, rather than the State leading by articulating a coherent vision and taking action to support it.

An informal coalition of 30 organizations was established at the first Smart Growth Conference in 1999 to monitor and guide the next steps for achieving smart growth in New York State. The State League joined the Smart Growth Working Group (SGWG) in January 2001. In addition to monitoring the Quality Communities Interagency Task Force and its Advisory Committee, the SGWG lobbied the State Legislature on smart growth issues. Implementation of the Quality Communities Task Force Report was the focus of the Third Annual Smart Growth Conference held in April 2001 in Albany. The Conference, which the State League cosponsored, was held under the leadership of Audubon New York and the SGWG that it chaired. The SGWG and the Department of State jointly conducted a fourth Smart Growth Conference on May 25 and 26, 2004. The conference proceedings were published, but there has been little activity since then.

The State League worked with a coalition, the Campaign for CPA, in support of a statewide "Community Preservation Act" in 2006 and 2007. The act would allow local communities to create community protection funds to protect open space, support working farms, and preserve community character using funds raised by a real estate transfer fee. Legislation for the five East

End towns on Long Island was enacted 10 years ago and since renewed. Thousands of acres have been preserved. Warwick and Red Hook, Chatham and Fishkill have also worked to secure this same Community Preservation legislation. In August of 2007, Governor Spitzer signed into law the "Hudson Valley Community Preservation Act" for cities and towns in Putnam and Westchester counties.

In December 2007, Governor Spitzer established the Governor's Smart Growth Cabinet by executive order. The executive order recognized that state policies, practices and capital investments shape economic development and land use patterns throughout the state, and can have the unintended effect of encouraging sprawl, development of open space, shifting investment away from developed areas and abandoned areas. It stated, "New York State government can take affirmative actions to encourage communities to use "smart growth " to grow and develop in a responsible, efficient, and sustainable manner that enhances quality-of-life, environmental quality , and economic prosperity," marking a significant change in the role of the state regarding land use. The Cabinet consists of the commissioners of all state agencies that affect land use. It reviews state regulations, practices and policies and advises the governor on the most effective mechanisms to promote and facilitate smart growth in the state. A Smart Growth Office was also created within the Department of State's Division of Local Government to oversee the Smart Growth Cabinet. Governor Paterson has continued support for the Smart Growth in the state.

Smart Growth bills have been introduced in the legislature for the past several years. In 2008, for the first time, a smart growth bill, State Smart Growth Principles Act (S.8612, A.7335a), passed both the Assembly and the Senate. The bill "directed state agencies and public authorities to adopt and utilize smart growth principles." The LWVNYS sent out an action alert in support of this bill. However, Governor Paterson vetoed the bill stating that its "amorphous" definitions and weak language made it unenforceable and that the Smart Growth Cabinet was sufficient to accomplish the goals of the bill. The bill was a watered down version of the State Smart Growth Infrastructure Policy Act introduced by Congressman Sam Hoyt (A 7335) and reintroduced (A543) in 2009. This bill defined smart growth principles and requires state agencies to base funding decisions on these principles.

In early 2009, the League officially joined Empire State Future. Empire State Future (<http://www.empirestatefuture.org/>) is "a coming together of many civic improvement organizations, planning groups, and individuals interested in advancing the principles of "smart growth" and turning them into reality in cities, towns and villages all across the Empire State." Empire State Future monitors the activities of the governor's Smart Growth Cabinet and smart growth initiatives throughout the state. It is currently (2009) organizing regional smart growth groups bringing together organizations within a region which support smart growth principles. A

conference, cosponsored with the Department of State, titled, “Revitalizing NY: Building a New Economy through Sustainable Development” was held in Schenectady in October 2009.

With leadership from the State, the prospects for Smart Growth and sustainable development in New York are better than they have ever been.