

Quality of Life in the Homebuilding Industry

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When first asked to write on this topic, I thought for sure I understood the assignment based on the title of the article. However, upon further reflection (and construing the words of the title as only an attorney can), I realized that there were several interpretations. I then stepped back and thought "they can't really want me to write about the quality of life of the people in the homebuilding industry". As a result, I have decided to take a small amount of liberty with the title and will concentrate on how the homebuilding industry interrelates with quality of life.

I can answer simply that homebuilding is quite inextricably tied with quality of life. For instance, in this year's State-of-the-State address Governor Carper stated that "[h]aving a decent place in which to live is basic to a family's quality of life." In the State of Delaware, the predominant form of living is in owner-occupied housing. It is estimated that 71% of Delaware residents own their own homes. This close relationship between homebuilding and quality of life has been the case for more than 50 years, particularly so following Congress' passage of the landmark Housing Act of 1949, the preamble of which sets forth the goal of providing "a decent home and a suitable living environment for every American family".

But what really is quality of life? In Delaware, the terms "quality of life" are mentioned in 57 different provisions of the Delaware Code. This phrase can be found in code provisions dealing with such diverse topics as transportation and highways, forestry and wetlands, noise control, mobile homes, alcoholic liquors and nursing facilities. In fact, in 1988 Delaware adopted the "Quality of Life Act". While mentioned in the Code many times, nowhere are the terms "quality of life" defined for us. Notwithstanding this lack of direct definition, the Quality of Life Act does provide us with a statement of its intent and purpose from which the building blocks for achieving quality of life can be gleaned.

"It is the purpose of this subchapter to utilize and strengthen the existing role, processes and powers of County Councils in the establishment and implementation of comprehensive planning programs to guide and control future development. It is the intent of this subchapter to encourage the most appropriate use of land, water and resources consistent with the public interest and to deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of County Council can preserve, promote and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention and general welfare; facilitate the adequate and efficient provision of transportation, water, sewage, schools, parks, recreational facilities, housing and other requirements and services; and conserve, develop, utilize and protect natural resources within their jurisdictions."

In its [Delaware Statistical Overview 2000](#), the Delaware Economic Development Office has attempted to define quality of life by stating as follows:

"Delaware provides a variety of leisure time offerings, including world-class museums, historic sites, gardens, performing arts, unique festivals, many special events, tax-free shopping and outdoor recreation facilities. Although situated in the densely populated Northeast Corridor, Delaware retains extensive open space and an easy-going lifestyle. Delaware residents enjoy the comfortable pace of their home state and tap the rich historic, cultural and recreational attractions which are all within a two hour drive."

Obviously, quality of life is many things to many people. As Justice Potter Stewart once remarked about pornography, "It's hard to define, but you know it when you see it." Perhaps in talking about quality of life, "you know it when you live it" is more appropriate.

In today's climate, quality of life seems to revolve around issues of growth. As noted by the National Governors Association, "[o]f the 45 state-of-the-state addresses given through February 14, 2000, about half addressed one or more aspects of growth and the connections to quality of life and protection of the environment." No discussion of growth can take place today without the mention of sprawl. "In

communities across the nation, there is a growing concern that current development patterns -- dominated by what some call 'sprawl' -- are no longer in the long term interest of our cities, existing suburbs, small towns, rural communities or wilderness areas. Though supportive of growth, communities are questioning the economic costs of abandoning infrastructure in the city, only to rebuild it further out." The president of the National Trust for Historic Preservation just one year ago referred to the discussion of sprawl as "a great national debate" and surmised that it would "frame one of the most important political issues of the first decade of the 21st century".

There is no question that Delaware is still growing. The Delaware Population Consortium has indicated that population will increase statewide by approximately eight percent over the next ten years. For Sussex County, the increase is projected at more than seventeen percent. More importantly perhaps, total households statewide will increase by twelve and one-half percent. And Delaware is not alone.

Concerns over sprawl combined with the planned increase in population and households has spawned the concept of smart growth. "Smart growth recognizes connections between development and quality of life. It leverages new growth to improve the community." Phrased in question form by the president of the National Trust for Historic Preservation, "Will we continue to allow haphazard growth to consume more countryside in ways that drain the vitality out of our cities while eroding the quality of life virtually everywhere? Or will we choose instead to use our land more sensibly, and to revitalize our older neighborhoods and downtowns, thus enhancing the quality of life for everyone?"

Delaware is no different. As noted just a few years ago in The Shaping Delaware's Future report, Delawareans prefer a future in which "[h]ousing and business development is focused in existing communities and in clearly defined 'growth' areas around the state, with limited development occurring outside of those areas". The report went on to state:

"Across the state people voiced concern about what they viewed as seemingly haphazard and unplanned development. Houses and businesses are springing up where there were once open fields, forests and farms. At the same time, the state's major cities and smaller towns lose residents and jobs to these new developments.

To reverse this trend, people generally supported focusing most future residential and economic growth in certain areas of the state.

State, county and local governments should work together to identify where such future development should and should not occur. Through increased and coordinated planning and zoning these agencies should guide residential and economic activities to desired growth areas. Focusing development in these areas would control the sprawling development most people dislike; more efficiently use limited financial resources; and help protect Delaware's unique characteristics."

Since that report, Delaware has been pursuing the concept of smart growth in different ways. As Governor Carper noted in discussing the recently adopted statewide investment strategy, "[f]or the first time in our history, agreement has been reached between the state and each of our counties about where growth should occur and when it should happen." He continued "Over the next few years . . . we need to more clearly define growth areas. By doing so, we can better protect our resources and further reduce the amount of open space and farmland that's lost to unnecessary sprawl."

The homebuilding industry has adopted smart growth as its platform for the future of its industry. The National Association of Home Builders (NAHB), a national trade association representing the homebuilding industry, endorses the concept of smart growth as outlined in its Smart Growth Report. "NAHB believes that smart growth can serve as a blueprint for planning and building an even better America in the years ahead." The key elements of NAHB's strategy include the following:

- Anticipating and planning for economic development and growth in a timely, orderly and predictable manner.

- Establishing a long term comprehensive plan in each local jurisdiction that makes available an ample supply of land for residential, commercial, recreational and industrial uses as well as taking extra care to set aside meaningful open space and to protect environmentally sensitive areas.
- Removing barriers to allow innovative land-use planning techniques to be used in building higher density and mixed use developments as well as infill developments in suburban and inner-city neighborhoods.
- Planning and constructing new schools, roads, water and sewer treatment facilities and other public infrastructure in a timely manner to keep pace with the current and future demand for housing, and finding a fair and broad-based way to underwrite the costs of infrastructure investment that benefits the entire community.
- Achieving a reasonable balance in the land-use planning process by using innovative planning concepts to protect the environment and preserve meaningful open space, improve traffic flow, relieve overcrowded schools and enhance the quality of life for all residents.
- Ensuring that the process for reviewing site-specific land development applications is reasonable, predictable and fair for applicants and contiguous neighbors.

Of course, "there is no 'one-size-fits-all' solution. Successful communities do tend to have one thing in common -- a vision of where they want to go and of what things they value in their communities -- and their plans for development reflect these values." As stated in the NAHB Report, "[m]ost important, smart growth is understanding the aspirations of Americans . . . while protecting the environment and quality of life for all Americans. Where do people want to live? What types of homes do they want for themselves and their children? What can they afford? What types of jobs and economic opportunities do they seek and expect?" In Delaware, Governor Carper identified the things we value as "a cleaner environment, plentiful water, land and open space better preserved, smarter land-use strategies, an improving transportation system, safer neighborhoods, record levels of home ownership, expanded healthcare, effective management of taxpayers' dollars, and a job for everyone who wants one." Clearly, the homebuilding industry is a large part of this vision and, therefore, a strong player in achieving the quality of life we all desire.

This year, in his State-of-the-State address, Governor Carper began by looking back in time, to the beginning of the 20th Century. He stated, "Then, as now, our citizens were concerned about their quality of life, and how to make the quality of their children's lives even better than their own." In conclusion he looked forward one hundred years and speculated that they would say of us that "we laid the foundation which enabled Delaware to achieve a quality of life and a nobility of purpose for which future generations were grateful". The homebuilding industry intends to be a part of that foundation. As stated in the Executive Summary of NAHB's Smart Growth Report, "Building Better Places To Live, Work and Play. That has always been the work of the nation's home builders".

Together, quality of life can be achieved to everyone's satisfaction.