

# THE McMANSION: ARCHITECTURE'S ROLE IN FACILITATING URBAN SPRAWL AND FARMLAND LOSS

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## I. INTRODUCTION

Beginning in the first quarter of the 20<sup>th</sup> century, the American dream has depended in large part upon the acquisition of the “American Dream House.”<sup>2</sup> This is true even today, as President George W. Bush proclaimed in 2001 that “homeownership lies at the heart of the American Dream,” and sought to help more Americans achieve that dream with homeownership-related legislation, such as the American Dream Down Payment Act, which was signed into law in December 2003.<sup>3</sup> With the strength of societal pressure for conspicuous con-

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2. JOHN ARCHER, ARCHITECTURE AND SUBURBIA: FROM ENGLISH VILLA TO AMERICAN DREAM HOUSE, 1690-2000, at 249-50 (2005).

3. American Dream Downpayment Act, Pub. L. No. 108-186, 117 Stat. 2685 (2003); ARCHER, *supra* note 2, at 261; *see also* Press Release, The White House, President Bush Signs

sumption reaching new heights in recent times, the classic iconic home image – a square with a rectangle on top – no longer meets the average family's expectations for what their residence should be. Applying the "bigger is better" mindset of fast-food, houses, as with most items in today's marketplace, appear to have been supersized.<sup>4</sup> The new "biggie" version of the single family home is the "McMansion," architectural jargon for a particular style of housing that is – as its name suggests – both large like a mansion and as culturally ubiquitous as McDonald's fast food. So, with apparent disregard to the fact that the average American family is decreasing in size,<sup>5</sup> every year Americans are buying increasingly larger, more costly homes.<sup>6</sup> And, naturally, as families demand houses with increasing square footage, residential communities must provide lots big enough to accommodate them. Thus, beyond creating homogeneous and unremarkable residential landscapes, this housing trend is furthering the urban sprawl pandemic gobbling up America's farmland and open spaces. So vivacious is this craze that land masses the size of Delaware are paved over every year to make way for expanding hypersprawl.<sup>7</sup>

Translated into farmland specifics, it is estimated that over seventy percent of the nation's arable land is facing almost certain urbanization.<sup>8</sup> Most disturbing, however, is that this occurrence cannot be explained or justified by the population boom. In actuality, evidence shows that farmland conversion is more than double that of population expansion.<sup>9</sup> Put into harsh perspective, if our current loss of about 4.2 million acres per year continues, in slightly over two centuries all of the remaining farmland will be converted into urban residential and

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American Dream Downpayment Act of 2003 (Dec. 16, 2003), available at <http://www.whitehouse.gov/news/releases/2003/12/20031216-9.html>.

4. Amir Efrati, *The McMansion Expansion*, WALL ST. J., Aug. 12, 2005, available at <http://www.post-gazette.com/pg/05224/553098.stm>.

5. See *America's Homes Get Bigger and Better*, ABC NEWS, Dec. 27, 2005, <http://abcnews.go.com/GMA/Moms/story?id=1445039&gma=true> (noting that the average family size in 2005 was around 2.6 people versus the 3.1 average in the mid 1970s).

6. See Cathleen McGuigan, *The McMansion Next Door: Why the American House Needs a Makeover*, NEWSWEEK, Oct. 27, 2003, <http://msnbc.msn.com/id/3225775>.

7. Leila Cabib, *Can America Sustain a Population of 500 Million – Or Even a Billion – by 2100?*, ENVTL. MAG., Nov/Dec 2000 at 1, available at <http://www.emagazine.com/view/?871&printview.htm>.

8. Sierra Club, Sprawl: The Dark Side of the American Dream, <http://www.sierraclub.org/sprawl/report98/report.asp> (last visited Oct. 11, 2006) [hereinafter Sierra Club, Sprawl].

9. Don Stuart, Pac. Nw. Reg'l Dir., Am. Farmland Trust, Protecting the Land that Sustains Us, (July 24, 2003), [http://www.farmland.org/programs/states/documents/PACE\\_Protecting.pdf](http://www.farmland.org/programs/states/documents/PACE_Protecting.pdf).

commercial uses.<sup>10</sup> It is not a hard conclusion to reach then, that farming – as society traditionally defines it – is under siege from urban sprawl in the United States.

This Note will focus on the phenomenon of urban sprawl overtaking America's remaining farmland and the role the housing industry plays in facilitating it. The Note will begin with an introduction to urban sprawl generally, and then, after exploring how urban expansion is actually greater than population growth alone requires, will consider what role the housing industry's McMansion craze has played in hypersprawl. Critical examination of the McMansion's architectural elements, the housing industry's marketing strategies, federal tax mortgage incentives, and exclusionary zoning tactics will follow suit. The Note will then discuss how urban sprawl is impacting America's farmland, and what potentially dire environmental, social, and economic consequences the loss of these open spaces might bring. The Note will conclude with a discussion of "smart growth" management and "smaller is better" housing trends that are developing in reaction to this predicament, and how they might provide a solution to the country's current growth pandemic.

## II. URBAN SPRawl

It is a generally conceded point that urban sprawl exists and is a problem in the United States. Sprawl, as used here, is "low-density suburban and exurban growth that expands in an unlimited and noncontiguous (leapfrog) manner outward from the built-up core of a metropolitan area."<sup>11</sup> While the existence of suburbia is generally cheered by the public for its creation of a sense of independence and privacy, it is also recognized to be a dominant force in the annihilation of agricultural and wilderness areas, which, in turn, interferes with the natural balance of ecosystems.<sup>12</sup> Seen as a way to have the best of both worlds, that of a higher city-based income coupled with the ease and comfort of a rural existence, suburbanization and sprawl have become "as ingrained in our national myth as baseball and apple pie once were."<sup>13</sup>

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10. Luther Tweeten, *Food Society and Farmland Preservation*, 3 DRAKE J. AGRIC. L. 237, 240 (1998).

11. Edward H. Zeigler, *Urban Sprawl, Growth Management and Sustainable Development in the United States: Thoughts on the Sentimental Quest for a New Middle Landscape*, 11 VA. J. SOC. POL'Y & L. 26, 29 (2003).

12. Thomas Benton Bare III, *Recharacterizing the Debate: A Critique of Environmental Democracy and an Alternative Approach to the Urban Sprawl Dilemma*, 21 VA. ENVTL. L.J. 455, 466 (2003).

13. Robert H. Freilich & Bruce G. Peshoff, *The Social Costs of Sprawl*, 29 URB. LAW. 183, 186 (1997).

The density of people per acre has steadily declined since the turn of the 20<sup>th</sup> century. In the last eighty years, population concentrations in cities, towns, and suburbs have reduced from around ten people per acre to around four.<sup>14</sup> Even more sparsely populated are the cities, towns, and suburbs which sprung into life since 1960, which only have an average density of two people per acre.<sup>15</sup> A prime example of this scattering out of a city's population can be seen in Kansas City, which experienced a concentration decline of 3,500 people per-square-mile in 1960 to 2,150 people per-square mile by 1990.<sup>16</sup>

This massive flux of outward migration to the suburbs early in the last century makes sense in light of two phenomena, one technological (the advent of affordable modern transportation enabling faster travel over greater distances than ever before), and one social (the start of society's romantic fixation that the American Dream could be fulfilled by a move to the suburbs). The country's obsession with this latter notion was facilitated in part by society's upper echelon seeming departure *en masse* to the suburbs, causing some social commentators to remark that the suburbs were quickly becoming "the social climber's imagined paradise."<sup>17</sup> Seeking to capture a more gracious, refined life – perhaps reflective of the glamorous notion of the English country estate<sup>18</sup> – suburbia was cast with a pristine gloss. The stubborn misconception that suburbia should remain free of all urban troubles and vices appears to be alive and well even today; when stereotypical city issues, such as pollution, heavy pedestrian and car traffic, and expansive commercial districts begin infiltrating the suburbs, residents who can afford to do so, pack up and move.<sup>19</sup> This move, by default, is further out into the countryside where the atmosphere isn't so tainted.<sup>20</sup> Now occurring on a yearly basis, this cycling in and out of suburban areas is "like a race that no one will ever win [as] each move out from the center will inevitably be unsatisfying and require another move."<sup>21</sup>

There are various and diverse factors that facilitate urban sprawl, but population growth cannot be claimed as chief among them. The rate of farmland

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14. Zeigler, *supra* note 11, at 30.

15. *Id.*

16. Freilich & Peshoff, *supra* note 13, at 185.

17. ARCHER, *supra* note 2, at 254.

18. *Id.*

19. Rose A. Kob, *Riding the Momentum of Smart Growth: The Promise of Eco-Development and Environmental Democracy*, 14 TUL. ENVTL. L.J. 139, 141 (2000).

20. *Id.*

21. *Id.*

loss to hypersprawl more than doubles that of our citizenry expansion.<sup>22</sup> The disproportionate percentage of land-use to population-increase of several urban centers around the nation validate that this is not a trend localized to certain regions of the country. For example, the last several decades have seen the greater Chicago area convert outlying land into its metropolis at a rate eighteen times faster than its population growth.<sup>23</sup> Uninhibited expansion is also occurring in Phoenix where, between 1950 and 1970, its greater metropolis land-area grew by 630%, but had a population increase of only 300%.<sup>24</sup> More startling than these numbers, however, are the cities whose land-use increased while population actually diminished. Case in point is Detroit, which saw its population lessen by 7% but simultaneously experienced a land use growth of 28%.<sup>25</sup> Similarly, in Pittsburgh there was a 9% decrease in population but an area expansion of 30%.<sup>26</sup>

### III. THE McMANSION

Since clearly the population growth happening in the United States, as in the rest of the world, is not the dominating cause of urban sprawl, there must be others to weigh.

#### A. *Design*

One such catalyst to our per-person land-use increase, but which is commonly overlooked, is the super-sized housing market. Market trends show that the largest single-family homes in suburbia are getting even larger although families are shrinking.<sup>27</sup> The top-selling designs of the nation's most successful home manufacturers *start* at 4,800 square feet – an increase of 1,600 square feet from the most popular design five years ago.<sup>28</sup> The magnitude of this scale comes into perspective when it's weighed against the 1,400 square feet of the average family home in 1970.<sup>29</sup> But this massive 4,800 square foot-base floor-plan isn't that impressive compared to the most coveted design, which weighs in at 5,425 square feet, a robust 250 square feet bigger than its equivalent from

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22. Sierra Club, Population Growth and Suburban Sprawl: A Complex Relationship, [http://www.sierraclub.org/sprawl/SprawlPop\\_2003.pdf](http://www.sierraclub.org/sprawl/SprawlPop_2003.pdf) (last visited Mar. 10, 2007) [hereinafter Sierra Club, Population].

23. Kob, *supra* note 19, at 142.

24. Sierra Club, Population, *supra* note 22.

25. *Id.*

26. *Id.*

27. See Efrati, *supra* note 4.

28. *Id.*

29. McGuigan, *supra* note 6.

2000.<sup>30</sup> Our preference for more “home-sweet-home” has been occurring for several decades, but its worth mentioning that the last ten years alone have seen a jump in size of 15%.<sup>31</sup> This surge is easily explained by society’s apparent decision that all of our activities need their own distinctive space, causing the addition of more and larger rooms, such as nondescript “bonus and hobby” rooms that are featured in abundance in all of the most popular designs.<sup>32</sup>

These full-bodied suburban houses are derisively called McMansions by today’s architectural community. This name was penned due to the initial aesthetic impression of the house – a mansion-like scale while being as unoriginal and mass produced as McDonald’s fast food.<sup>33</sup> So while most hot ticket items in today’s market have been stamped by the input of a professional designer,<sup>34</sup> the architectural community views the McMansion as being completely devoid of any genuinely original design influence.<sup>35</sup> In fact, the only differentiating feature between these off-the-rack steroid-enhanced houses is the various “themes” in which they come, such as “Mediterranean, French Country, faux Tudor, or neo-Colonial.”<sup>36</sup> But even these themes don’t dominate the form and content of the home’s architectural elements enough to prevent the realization that there is little difference between the styles. On the exterior, most contain inappropriately mixed features, such as a poorly balanced conglomeration of windows, doors,

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30. Efrati, *supra* note 4.

31. *Id.*

32. See *id.*; see also Stephanie McCrummen, *Taste for Space Is Spawning Mansions Fit for a Commoner*, WASHINGTON POST, Nov. 20, 2005, at A1, available at [http://www.washingtonpost.com/wpdyn/content/article/2005/11/19/AR2005111901445\\_pf.html](http://www.washingtonpost.com/wpdyn/content/article/2005/11/19/AR2005111901445_pf.html) (focusing on the Bennett family who, more than two years after moving into their sprawling 8,000 square-foot home, have yet to use several rooms of their house, decorating some in themes such that they become mini furniture galleries to admire in passing).

33. Abbott Koloff, *Not Every Higher-End Buyer Wants McMansion*, DAILY RECORD, Sept. 30, 2002, <http://www.dailyrecord.com/news/wherewelive/series3/> (“I guess the term is suppose to be an indictment of the fast-paced cookie cutter world we live in.”).

34. For instance, consider the collection of products, ranging from chic measuring cups to chess set pieces being sold at Target, created by award-winning architect and interior designer Michael Graves. See Target Online, <http://target.com/michaelgraves/index.jhtml> (last visited Mar. 10, 2007).

35. McGuigan, *supra* note 6 (recognizing that while some McMansions are built with important design considerations in mind, such as balance, purpose, and tradition, most are “badly proportioned pastiches of different styles,” completely devoid of the “brilliance of the modern house [which were] . . . the flexible spaces that flowed one to the next, and in the simplicity and toughness of the materials.”); see also Fred A. Bernstein, *Are McMansions Going Out of Style?*, N.Y. TIMES, Oct. 2, 2005, available at <http://www.nytimes.com/2005/10/02/realestate/02nati.html?ex=1285905600&en=2e73ccfe1f780d52&ei=5090&partner=rssuserland&emc=rss> (explaining that as opposed to the McMansion which often times is viewed as “intrusive” and “despoiling the natural environment . . . Modernist houses stress connection between indoors and outdoors.”).

36. McGuigan, *supra* note 6.

roof lines, shutters and chimneys, plus an abundance of superficial “wow” features, such as “porticos and columns, . . . glassy towers, gazebos, and gable ornamentation galore.”<sup>37</sup> The homogenous nature continues internally as well, with the guaranteed presence of a “vast foyer with chandelier; formal living and dining rooms (rarely used); open-plan kitchen/family room; master suite and bedrooms; many bathrooms; [and] at least a three car garage.”<sup>38</sup> This consistency doesn’t seem to faze the average McMansion purchaser, however, who appears to pay little attention to design considerations such as harmony and logic, but rather appears to value overall size as the determinative buying factor.<sup>39</sup>

### B. Tax Incentives

The desire for these expansive floor plans is motivated by more than just personal greed; clearly size matters because square footage is so intimately coupled with financing. The incentive to buy a home because of federal mortgage interest income tax deductions was intentionally designed. During the depression, the Federal Housing Administration, and afterwards the Veterans Administration, specifically aimed to increase residential development by pushing for, and getting, “lower down payments . . . lower interest rates and longer repayment terms.”<sup>40</sup> Over time, these incentives became too popular to discontinue and remain in full-force today. To maximize the perks offered by the tax program, higher incomes need to be offset with higher home mortgages, i.e. the more luxurious and costly your home, the more you can diminish taxable income because of higher interest deductions.<sup>41</sup> Essentially, tax policy encourages, almost requires, us to buy bigger homes - a fact not lost on the housing industry.

37. Janet Hawley, *Crowded Land of Giants*, GOOD WEEKEND, Aug. 26, 2003, <http://www.smh.com.a/articles/2003/08/26/1061663776473.html>.

38. McGuigan, *supra* note 6; see also McCrummen, *supra* note 32 (noting that the monotony doesn’t stop there, but continues on to other lavish “must-haves,” such as numerous “fireplaces . . . a spa, a home theater, a summer kitchen . . . ”).

39. See Efrati, *supra* note 4 (A good representation of a size-driven McMansion purchaser is the Bondugula family. A family of only 4, the Bondugulas bought an upgraded version of “The Hampton,” a popular and common top-selling design, with a total of 5,600 square feet for \$900,000. The deciding factors in their choice? – the fact that the house was “monstrous, gigantic, spread out,” and the dual staircases reminded Mr. Bondulgula of his “favorite Bollywood movies.”).

40. Freilich & Peshoff, *supra* note 13. For example, in New York, after WWII, home purchasing increased due to “the non-taxable status of imputed rents, tax deductions for home mortgage interest, and state and local property tax deductions,” all of which combined to make it significantly cheaper to buy a new home in the suburbs than to pay rent in Manhattan. Bare, *supra* note 12, at 463.

41. See Mona L. Hymel, *The Population Crisis: The Stork, the Plow, and the IRS*, 77 N.C. L. REV. 13, 114 (1998).

With such lucrative opportunities before them, the housing trade is quite content to encourage our present demand for large square footage. A recent report by Pulte, one of the top home manufacturers in the United States, predicts that "houses . . . will continue to get *bigger* and better, ensuring that real inflation-adjusted spending on residential construction will continue to rise."<sup>42</sup> It is not likely, therefore, that the industries' effective marketing campaigns in favor of the McMansion are going to diminish anytime soon.<sup>43</sup>

### C. Exclusionary Zoning

The detrimental impact of McMansion's size and frequency is further compounded by its role in home-orientated exclusionary zoning. Such ordinances, while preserving the homogenous appearance of McMansion-saturated communities by requiring high square footage requirements and large lot sizes, have the detrimental effect of furthering urban sprawl by decreasing residential density. Restrictive codes also extend sprawl by enticing developers to go further out from urban centers to find land, which is less likely to be heavily encumbered with codes and guidelines, and is more likely to be cheaper per acre.<sup>44</sup> It is not a coincidence therefore, that cookie-cutter suburbia abounds across the nation, with "[s]treet after street of houses that look exactly the same [that] are cordoned off from one another by identical large yards."<sup>45</sup> Municipalities try to excuse the imposition of exclusionary zoning ordinances on their desire to "protect the ambience of their community,"<sup>46</sup> but to others, this is merely a poor excuse for an elitist's preservation of "parochial interests."<sup>47</sup>

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42. McGuigan, *supra* note 6 (emphasis added).

43. Pulte Homes' 2002 annual report revealed that "adjust[ing] for inflation, houses of the same size and comparable features are the same price today as they were in the 1970s. That means that if business is going to grow, the industry has to sell more product – not just more houses but more square footage." *Id.* Thus, the housing market's campaigns to help it sell more square footage are without doubt one of the causes of society's ongoing notion that material signs of success, such as a large glamorous house, is necessary for personal satisfaction. In fact, the industries' advertising pushes for the McMansion – and increase square footage in general – has been likened to the "junk-food-marketing genius who figured out that people wouldn't go back for seconds but they'd pay more upfront to get . . . the 32-ounce Big Gulp." *Id.*

44. Zeigler, *supra* note 11, at 57.

45. Bare, *supra* note 12, at 484-85. "Modern zoning codes may impose restrictions not only on building height and setbacks, but also on lot size, floor area, yards, exterior appearance, fences, landscaping, signs, pets and parking." Zeigler, *supra* note 11, at 50.

46. Paul K. Stockman, *Anti-Snob Zoning in Massachusetts: Assessing One Attempt at Opening the Suburbs to Affordable Housing*, 78 V.A. L. REV. 535, 539-40 (1992).

47. Kristine Nelson Fuge, *Exclusionary Zoning: Keeping People in Their Wrongful Places or a Valid Exercise of Local Control?*, 18 HAMLINE J. PUB. L. & POL'Y 148, 149 (1996).

This latter view is the reason why many feel that zoning has strayed away from its original purpose of preventing nuisances from bringing down property values,<sup>48</sup> and has instead become a means of “economic and social control.”<sup>49</sup> But it should be noted that from the beginning, zoning has had this sort of intention. The landmark zoning case *Village of Euclid v. Ambler Realty Co.*, held that using exclusionary zoning to exclude apartment buildings from single-family neighborhoods was constitutional.<sup>50</sup> Now, seventy years after its rendering, Euclidian zoning has been the justification for “exclud[ing] undesirable portions of the population.”<sup>51</sup> It has “operated throughout the twentieth century largely to constitutionalize low-density restrictive zoning . . . directed at excluding less affluent housing from entire neighborhoods and suburban communities.”<sup>52</sup> The constitutionality of these codes, as well as a general belief in their necessity and appropriateness,<sup>53</sup> has been upheld by the Supreme Court, which has even “re-place[d] the rather hard ‘public nuisance/parasite’ rhetoric of *Village of Euclid* with the more politically correct theme of allowing local communities to avoid ‘urban blight’ by protecting the charm and aesthetic character of their neighborhoods.”<sup>54</sup>

#### IV. FARMLAND LOSS

The land demands created by the McMansion, convoluted further by exclusionary zoning, means that to accommodate demand, urban sprawl has to extend itself further into the last remaining space available: prime farmland on the edge of metropolitan centers. Current urban layouts show that approximately seventy percent of prime farmland is located within the projection of expected

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48. Specifically, zoning was created to protect against nuisances “by prohibiting the ‘unreasonable use of land that substantially reduce[d] the value of a neighboring property.’” *Id.* at 150 (quoting MARY SULLIVAN MANN, THE RIGHT TO HOUSING: CONSTITUTIONAL ISSUES AND REMEDIES IN EXCLUSIONARY ZONING 11 (1976)). “What constituted a nuisance required an analysis of the character of the neighborhood, the nature of the offense, and available means of prevention.” *Id.*

49. *Id.* at 148.

50. *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 395-96 (1926).

51. Fuge, *supra* note 47, at 151.

52. Zeigler, *supra* note 11, at 47.

53. See *Village of Belle Terre. v. Boraas*, 416 U.S. 1, 9 (1974) (“[a] quiet place where yards are wide, [and] people few . . . are legitimate guidelines in a land-use project addressed to family needs.”).

54. Zeigler, *supra* note 11, at 47-48; See, e.g., *Boraas*, 416 U.S. at 5-6, which held that “miserable and disreputable housing conditions . . . may be an ugly sore, a blight on the community which robs it of its charm, which makes it a place from which men turn.” “It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled.”

urban expansion.<sup>55</sup> Prime farmland, as defined by the Natural Resources Conservation Service, is “land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor without intolerable soil erosion.”<sup>56</sup> It is clear from the high volume of conversion of agriculture and wilderness areas into housing developments and residential centers, estimated to be between 1.5 and 4.2 million acres per year,<sup>57</sup> that “communities are relinquishing farmland to low-density development without regard to preserving these vital lands.”<sup>58</sup> The severity of this rate of exchange has some projecting that even as soon as 2010, the United States will be a net importer of certain foodstuffs.<sup>59</sup>

There is, of course, the underlying question of why farmland loss even matters. That inquiry is fervently answered by the American Farmland Trust, which champions that farmland needs to be protected because of “the role that agricultural and open-space land play economically, environmentally, and socially.”<sup>60</sup> More specifically, “[t]he concern over the loss of farmland stems primarily from the fears that our nation’s food security and well-being will be jeopardized, that the inherent values of agricultural lands will be lost, and that farmland loss will negatively impact all segments of the United States population.”<sup>61</sup>

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55. Sierra Club, Sprawl, *supra* note 9.

56. Michael R. Eitel, *The Farm and Ranch Lands Protection Program: An Analysis of the Federal Policy on United States Farmland Loss*, 8 DRAKE J. AGRIC. L. 591, 591-92 (2003).

57. For estimates around 1.5 million acres per year, see Jeanne S. White, *Beating Plowshares into Townhomes: The Loss of Farmland and Strategies for Slowing its Conversion to Non-agricultural Uses*, 28 ENVTL. L. 113, 113 (1998); for estimates of 4.2 million acres per year, see Tweeten, *supra* note 10.

58. Elisa Paster, *Preservation of Agricultural Lands Through Land Use Planning Tools and Techniques*, 44 NAT. RESOURCES J. 283, 284 (2004).

59. Bare, *supra* note 12.

60. Paster, *supra* note 58 (explaining that the American Farmland Trust is a “national group aimed at stopping the loss of productive farmland and promoting farming practices that lead to a healthy environment.”).

61. Eitel, *supra* note 56, at 592; see also Peter Forbes, *Another Way of Being Human*, in AS IF THE FUTURE MATTERED: VISIONS OF A NEW AMERICAN DREAM (2002), available at [http://www.tpl.org/tier3\\_cd.cfm?content\\_item\\_id=5482&folder\\_id=83](http://www.tpl.org/tier3_cd.cfm?content_item_id=5482&folder_id=83). (stating the importance of land to our culture, both historically and in modern times, is easily overlooked; “[a]nyone who doubts that we still get our most fundamental cultural information from the land should drive out to your closest strip mall, stand in front of it, and ask themselves ‘what does this place say about me?’ Or, as the Amish ask it, ‘what will this place do to my family?’”).

### A. Consequences for Food Production

At the forefront of all the valid concerns over the loss of farmland is the implication its demise presents for food production.<sup>62</sup> With evidence foreshadowing an impeding plateau of food production all over the world, analyzing our food security is beginning to take on a more urgent tone.<sup>63</sup> For example, the American Farmland Trust issued a report which identified twelve key food production regions throughout the country which are the most vulnerable to population growth and urbanization.<sup>64</sup> The report found that “although these regions together constitute only 5% of U.S. farmland, they provide 17% of total U.S. agricultural sales, 67% of domestic fruit production, 55% of vegetable production, and 24% of dairy products.”<sup>65</sup> Considering that these areas generate about six times that of less threatened areas, the risk of their conversion to an urban landscape is more injurious to the country than the absorption of other parcels.<sup>66</sup>

Besides concerns about a leveling-off of food production, there is also the risk of an overall decline. This risk has been manifested in the reduction of global grain production on a per person basis since 1985.<sup>67</sup> This regression is made more severe after factoring in the ongoing population boom; as the demand, and basic need, for agricultural products increases, the harm presented by the loss of farmland for food production will become more acute. The United States alone is projected to expand by more than 40 percent by the year 2050,<sup>68</sup> and the world as a whole is expected to reach between 9.1 and 11.7 billion people in that same time frame.<sup>69</sup> If the current pattern of urban-to-rural expansion continues (versus altering to a pattern of increasing city density) the conversion of agricultural land located on the urban fringe will only accelerate.

It is important to remember, also, that the population boom isn't just limited to developed nations. Most of the population increase will occur in the world's poorest and least independently-sustainable countries,<sup>70</sup> meaning that the

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62. Eitel, *supra* note 56, at 609-10.

63. Hymel, *supra* note 41, at 77-78.

64. *Id.* at 79. (“These regions included the Central Valley and coastal regions of California, south Florida, the mid-Atlantic coast/Chesapeake Bay area, and the Chicago-Milwaukee-Madison metro area.”)

65. *Id.* at 79-80.

66. *Id.*

67. *Id.* at 79.

68. Eitel, *supra* note 56, at 595.

69. Joel E. Cohen, *Human Population Grows Up*, SCIENTIFIC AMERICAN, Vol. 293, No. 3, Sept. 2005, at 50-51.

70. Projections show that populations will at least triple in “Afghanistan, Burkina Faso, Burkina, Chad, Congo, Democratic Republic of the Congo, East Timor, Guinea-Bissau, Liberia, Mali, Niger and Uganda.” *Id.* at 48, 50. To accommodate this huge surge, these countries will need

demand for additional food resources from the United States – which already exports close to one-third of its crops – will undoubtedly increase as foreign countries face more mouths to feed.<sup>71</sup> To meet the world's growing numbers, food production must, at a minimum, *triple*, not decline.<sup>72</sup> If it doesn't, leading agricultural researchers predict that “the tragic famine in Somalia will seem ‘infinitesimal’ compared with the massive food shortage the world will face....”<sup>73</sup> Put in bleak terms, if farmland loss continues at its current rate, coupled with a steady increase in the need for agricultural production, it is predicted that “[e]very forest, every valley, every bit of land surface capable of sustaining plant life, as well as much of the plankton in the sea, will have to be turned over to crops if our species is to avert [this] unprecedented global famine.”<sup>74</sup>

Our capitalist society, combined with the harsh reality of farm economics, plays into the willingness of farmers to sell their lands to suburban developers. This is, unfortunately, why remaining arable lands are being converted into suburban havens for McMansions at such an alarming rate. Simple supply-and-demand economics guide the logic behind farmers selling their lands at, potentially, enormous profit (at least in comparison to their normal intake from an unpredictable agricultural market). Developers are willing, if necessary, to pay handsomely for this land since they are almost assured of getting a good return on their investment because “suburban land values average 1800% more when utilized for building purposes than for cultivation or grazing.”<sup>75</sup> This lucrative return has caused some farmland ideal for development because of its openness, lack of vegetation and adequate drainage, to go for close to \$100,000 per acre.<sup>76</sup>

#### *B. Aesthetic and Ecological Concerns*

While not as shocking to survival instincts as food concerns, aesthetic and ecological justifications for preserving farmland should not be dismissed. Clearly agricultural lands provide many natural, beneficial, and essential functions, such as: the preservation of air and water quality, a natural habitat for flora and fauna, and providing an important cultural link to America's agricultural

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to build a city capable of inhabiting more than one million people every single week for the next forty-five years. *See id.* at 48, 51.

71. Teri E. Popp, *A Survey of Governmental Response to the Farmland Crisis: States' Application of Agricultural Zoning*, 11 U. ARK. LITTLE ROCK L.J. 515, 516-17 (1988/1989).

72. Hymel, *supra* note 41, at 78-79.

73. *Id.* at 76.

74. Cabib, *supra* note 7.

75. White, *supra* note 57, at 116.

76. *Id.* at 117.

past.<sup>77</sup> Furthermore, the loss of farmland and open space is extremely serious to the United States' endangered plants, over ninety-five percent of which are in California, Florida, and Hawaii.<sup>78</sup> These states are ironically predicted to have the highest increases in population density.<sup>79</sup> Due to the sensitive balance in most ecosystems, most species of plants and animals cannot coexist with humans in extremely close proximity. Therefore, even where a habitat is not completely ruined by urban sprawl, life-sustaining breeding and feeding patterns are often upset to the point of severely harming wildlife.<sup>80</sup> For the endangered species facing this predicament, there is a minuscule margin of error. Furthermore, the psychological impact on an individual's quality of life from having access to bucolic scenes and green, natural, open spaces cannot be accurately measured or valued.<sup>81</sup> The same goes for valuing the benefits on an individuals' physical health that come from having access to open spaces for recreational and exercise purposes.<sup>82</sup> And in a slightly alternative vein, if natural for the sake of natural isn't reason enough, these lands can support other economic endeavors that would be lost if the property was transferred to housing. For example, arable lands can be utilized in "hunting, fishing or other recreational activities [including adventure guiding and scouting]; pharmaceutical research; and picturesque landscapes utilized for motion picture productions."<sup>83</sup>

## V. ANTI-SPRAWL MOVEMENTS

In light of these other eco-friendly and potentially lucrative avenues, the tenacity of urban development is beginning to foster an anti-sprawl resistance in certain sects of the populace. Nation-wide there is now a "growing awareness that there may be significant psychological, emotional and civic costs associated

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77. See Paster, *supra* note 58.

78. Cabib, *supra* note 7.

79. *Id.*

80. Bare, *supra* note 12, at 466.

81. Eitel, *supra* note 56 at 614. As Masahide, a Japanese haiku poet, wrote, "The barn has burned to the ground. Now I can see the moon."

82. Research performed by the Trust for Public Land, a non-profit land conservation group, indicates that access to open spaces, such as parks, can play a key role in maintaining a healthy lifestyle; people who regularly exercise have less health problems, fewer health-related costs, and fewer health-related claims against their insurance companies. See Trust for Public Land, Research: Health Benefits, [http://www.tpl.org/tier3\\_cdl.cfm?content\\_item\\_id=1091&folder\\_id=726](http://www.tpl.org/tier3_cdl.cfm?content_item_id=1091&folder_id=726); see also Associated Press, *Are Our Cities Making Us Fat?*, <http://www.msnbc.msn.com/id/13362927/print/1/displaymode/1098/> (discussing how the growing obesity problem in America can partially be attributed to the design of the urban environment which is not pedestrian, bike, or even exercise friendly).

83. Eitel, *supra* note 56, at 615.

with the rootlessness of the suburbs and of our hypersprawl lifestyle.”<sup>84</sup> To some, this merely reflects the “ambivalence of an American public that frets over the ‘evils’ of sprawl while continuing to enjoy the benefits of low-density suburban living.”<sup>85</sup> However, others take solace knowing that the American people and government are finally taking notice of the urban consumption of the countryside, which is the first of many steps that must be taken to combat the problem.<sup>86</sup> As so aptly stated in a campaign speech by former Vice President and 2000 Presidential Candidate Al Gore, “environmentalism has suddenly moved from being a special interest issue to one that is very real to every American’s daily life, and one in which we all have an investment and key interest.”<sup>87</sup> This is reflected in the new-found partnership developing between suburbanites and urbanites, as the realization that helping preserve, refine, and update both environments provides mutual benefits.<sup>88</sup> After all, no one in the suburbs “wants to live on the margins of a dying city[, and n]o one in the city wants to be trapped by surrounding rings of parking lots instead of thriving, livable suburban communities.”<sup>89</sup> This collaboration is unique because of the diversity of individuals partaking in it, from “inner-city activities to suburban municipal officers to rural ranchers;”<sup>90</sup> in fact, it is probably the first environmental-protection movement participated in by such a broad range of individuals focusing on issues, like the urban environment, which have classically been disregarded.

#### A. *Smart Growth*

Having become an at-home issue for municipalities across the nation, local officials and engaged citizens are beginning to investigate alternative methods

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84. Zeigler, *supra* note 11, at 38.

85. Bare, *supra* note 12, at 481.

86. Oliver A. Pollard III, *Smart Growth: The Promise, Politics, and Potential Pitfalls of Emerging Growth Management Strategies*, 19 VA. ENVT'L L.J. 247, 250 (2000).

87. Kob, *supra* note 19, at 152.

88. *See id.*

89. *Id.* An editorial in *The Atlanta Constitution* aptly remarked that the urban world and the suburban world are “not separate . . . any line that divides one from the other is purely temporary, purely imaginary and purely destructive.” *Id.*

90. *Id.* at 151; Bare, *supra* note 12, at 472 (explaining that this merging of individuals who had what were classically considered disparate interests has been dubbed “eco-development” and “refers to a form of sustainable development reached through citizen participation.” “It looks to system-orientated solutions that address the connections between environmental problems and economic and civic issues such as disinvestment, unemployment, crime, education, and public participation. In short, eco-development is the means by which sustainability is realized.”).

to curb suburban sprawl.<sup>91</sup> These “smart growth” laws are intended to manage and harmonize urban expansion in particular areas.<sup>92</sup> These laws are not intended to stunt or prohibit development, which is both unavoidable and necessary for economic sustainability, but rather provide structure and control to ensure that when development does occur, it does so in a way that is the least harmful, intrusive, and destructive to the environment.<sup>93</sup> For instance, many smart growth zoning codes “may require environmental or other impact assessment studies, tree and vegetation protection, protection of wildlife habitat and migration and riparian areas, protection of historic structures and scenic views, architectural and design review, development impact fees and provisions for transfer of development rights.”<sup>94</sup>

The methods utilized vary depending on the region, but almost all seek to create an across-the-board city plan, prioritize increasing the density of urban centers, and reconfigure town format and flow to create a pedestrian friendly town center.<sup>95</sup> This philosophy, that of creating “more compact, higher-density, mixed-use and pedestrian friendly developments”<sup>96</sup> is commonly known as “New

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91. See Pollard, *supra* note 86 at 251-52. Further revealing the broad acceptance that urban sprawl must be dealt with on a local level, in February 1999, the bipartisan National Governors’ Association approved a position paper that stated, “[g]overnors in every region of the nation recognize the need to change suburban growth patterns. Long associated with economic expansion, today’s rapid and scattered development can consume irreplaceable farmland and wildlife habitat, compromise vital watersheds, and destroy scenic landscapes and recreational resources.” *Id.* However, the need to address and curtail urban sprawl is also a federal political issue, as shown by the Clinton-Gore Administration’s 1999 proposal of a “\$10 billion bond program designed to reduce suburban sprawl and promote the revitalization of existing communities by providing funds to help preserve open space, curb traffic congestion, improve water quality, and clean up abandoned industrial sites.” *Id.* at 252.

92. Kob, *supra* note 19, at 153.

93. *Id.*

94. Zeigler, *supra* note 11, at 51.

95. Kob, *supra* note 19, at 153.

96. Zeigler, *supra* note 11, at 55-57. New Urbanism has more than just concern over the impact sprawl has on the environment, as a recent study by Rutgers University shows that the infilling and redevelopment of existing urban areas would provide a “savings to businesses and local communities . . . [upwards of] \$250 billion as applied to the future growth of the United States housing stock over the next twenty five years. Road building could be reduced by 20% and land consumption (and its environmental impacts) could be reduced by 25%. Future operating costs for roads and infrastructure would also be enormously reduced.” *Id.* at 44-45. These results were further validated by a study performed by the American Farmland Trust which found that “[in] Loudoun County, Virginia . . . net public costs were approximately three times higher (\$2,200 per dwelling) where the density was one unit per five acres, than where the density was 4.5 units per acre (\$700 per dwelling).” The Trust for Public Land, Costs of Open Space vs. Developed Land Uses, [http://www.tpl.org/tier3\\_cdl.cfm?content\\_item\\_id=1099&folder\\_id=726](http://www.tpl.org/tier3_cdl.cfm?content_item_id=1099&folder_id=726) (last visited Mar. 11, 2007).

Urbanism.<sup>97</sup> Overall, these solutions are intended to be “common-sense, cost-saving and effective solutions that sustain quality of life” while protecting “parks, open space, and wetlands as . . . towns and cities expand.”<sup>98</sup> Employed tactics include “land purchasing programs, [enacting] urban growth boundaries, and using revenue collection measures to preserve open space.”<sup>99</sup> A successful example of the latter can be seen in Maryland where, in 1997, the state adopted the Smart Growth and Neighborhood Conservation Program.<sup>100</sup> The program has raised and allocated more than \$71 million to buy agricultural, forest, or any other open, natural space that is threatened with development,<sup>101</sup> as well as enact measures to “revitalize existing communities, [and] discourage haphazard devel-

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97. New Urbanism seeks to reinvent the suburbs by creating high-density neighborhoods which are pedestrian-friendly. These authentic neighborhoods contain thirteen physical and organizational characteristics:

- 1.The Neighborhood has a discernible center....
- 2.Most of the dwellings are within a five minute walk of the center. This distance averages one-quarter of a mile.
- 3.There is a variety of dwellings within the Neighborhood. [Such as] houses, rowhouses, and apartments, such that younger and older people, singles and families, the poor and the wealthy, may find places to live.
- 4.There are shops and offices on the edge of the Neighborhood....
- 5.A small ancillary building is permitted within the backyard of each house. It may be used as one rental unit or as a place to work.
- 6.There is an elementary school close enough so that most children can walk there from their dwelling. This distance should not be more than one mile.
- 7.There are small playgrounds quite near every dwelling. This distance should not be more than one-eighth of a mile.
- 8.The streets within the Neighborhood are a connected network [which helps to disperse traffic congestion]....
- 9.The streets are relatively narrow and shaded by rows of trees. This slows down the traffic, creating an environment for the pedestrian and bicycle.
- 10.Buildings at the Neighborhood center are placed close to the street.
- 11.Parking lots and garage doors rarely confront the streets. Parking is relegated to the rear of the building, usually accessed by alleys.
- 12.Certain prominent sites are reserved for civic buildings....
- 13.The Neighborhood is organized to be self-governing....

Andres Duany & Elizabeth Plater-Zyberk Architects, Inc., The Thirteen Points of Traditional Neighborhood Development, [www.newurbanist.com/principles.asp](http://www.newurbanist.com/principles.asp) last visited Mar. 11, 2007). See also DONALD MACDONALD, DEMOCRATIC ARCHITECTURE: PRACTICAL SOLUTIONS TO TODAY'S HOUSING CRISIS 22, 147 (1996) (In this work the author-architect explores various means of creating residences in compacted urban settings, from maximizing space in traditional apartments, to creating living spaces out of garages, storage sheds, and expandable tent-shelters).

98. Sierra Club, Sprawl, *supra* note 8.

99. Alec Zaccaroli, *General Policy: Urban Sprawl Presents Growing Threat to Cities, Environmental Quality Group Says*, 29 ER 998 (1998).

100. Sierra Club, Sprawl, *supra* note 8.

101. *Id.*

opment.”<sup>102</sup> Another successful revenue-orientated program was enacted in Township, Michigan which provides farmers with a stipend so long as they remain farmers (i.e. they don’t sell their land off for commercial uses).<sup>103</sup>

While certainly less common, but much more effective than a reworking of existing growth patterns, some areas of the country are seeing large parcels of land bought up by private investors and developed into strictly controlled eco-friendly New Urbanism-themed towns as opposed to McMansion-filled subdivisions.<sup>104</sup> In Buena Vista, Colorado, for example, a brother and sister team bought forty acres to create their own sustainable-living utopia. The entire town will be mixed residential and commercial, and be geared towards pedestrian-orientated movement.<sup>105</sup> Of the first twenty-six available lots, twenty-four sold within the first two months on the market, and there is now a waiting list of over forty-five individuals waiting to purchase whatever comes on the market next.<sup>106</sup> Interested parties range from young singles and married couples looking to buy a first home, to well-to-do retirees looking to downsize from a country estate.<sup>107</sup> Similar arrangements are occurring all over the country. In Marin County, California, a “big-and-tall ordinance” was enacted that requires plan review and approval of any house with more than 4,000 square feet or 30 feet tall; house-size restrictions have been imposed on lots in Austin, Texas, which demand that a new house cannot be 20% larger than the house that previously existed on the lot, or larger than 2,500 square feet.<sup>108</sup>

#### B. Anti-Sprawl Movements in Architecture

Besides just urban planning initiatives, anti-growth can be minimized by changes in the large housing trend itself. Within the residential architectural field there is a group of professionals challenging the prevailing idea that bigger is better. Inspired by the classic American cottages and bungalows,<sup>109</sup> architects are

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102. Pollard, *supra* note 86, at 249.

103. Zaccaroli, *supra* note 99.

104. Nick Heil, *Smart Idea #7: Buena Vista Colorado: Adventure by Design*, OUTSIDE MAGAZINE, Aug. 2005, at 96.

105. *Id.*

106. *Id.*

107. *Id.*

108. Christopher Solomon, *The Swelling McMansion Backlash*, MSN Real Estate, <http://realestate.msn.com/buying/Articlenewhome.aspx?cp-documentid=418653> (last visited Mar. 11, 2007).

109. Like the iconic American bungalow, “[t]oday’s small houses clearly owe much to historical tradition. Their interior spaces and their landscapes, for example, are strongly unified, as were those of the bungalows. They exude informality, coziness, and efficiency, as do older generations of smaller houses.” THE NEW AMERICAN COTTAGE: INNOVATIONS IN SMALL-SCALE

using a less-is-more philosophy to remind the general populace that there are many “happy benefits [to living small] that are not immediately obvious.”<sup>110</sup> But unlike the traditionally modest bungalow and cottage housing plans, today’s smaller designs are updated for a modern lifestyle and for modern family compositions – incorporating appropriate spaces for both the single adult and the co-habiting couple, each being with or without children.<sup>111</sup>

Constantly evolving with changing times, the latest rebellion to urban sprawl and off-the-rack McMansion housing styles is led by architect Sarah Susanka.<sup>112</sup> Her “Not So Big House” movement focuses on incorporating both human psychology and realistic interpretations of the human form into the design of a house.<sup>113</sup> Inspired into action by complaints she was receiving that modern housing plans included “[t]oo much space, too little substance,”<sup>114</sup> Susanka and others are reminding the residential construction community of the importance of scale and state-of-mind in designing a living space.<sup>115</sup> It is finding the correct

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RESIDENTIAL ARCHITECTURE 7 (James Grayson Trulove & Il Kim eds., 1999) [hereinafter THE NEW AMERICAN COTTAGE].

110. DUO DICKINSON, THE SMALL HOUSE: AN ARTFUL GUIDE TO AFFORDABLE RESIDENTIAL DESIGN 3 (1986) (“The functional efficiencies of condensed work spaces . . . save time and effort in the actual use of the house. [Furthermore there is] the benefit of energy efficiency. Super insulation, air locks, solar orientation, eave design, and various air-moving and sun-shading techniques all help mitigate the cost of cooling or heating a building. [Additionally,] small houses have less area to be artificially illuminated and allow for better solar penetration for natural lighting.”).

111. THE NEW AMERICAN COTTAGE, *supra* note 109.

112. See SARAH SUSANKA, CREATING THE NOT SO BIG HOUSE: INSIGHTS AND IDEAS FOR THE NEW AMERICAN HOME (2002); see also Architects/Designers/Planners for Social Responsibility (ADPSR), Group Goals, <http://www.adpsr.org> (follow “About” hyperlink) (last visited Mar. 11, 2007) [hereinafter ADPSR]. Architects’ taking on some personal responsibility for urban sprawl isn’t a new event. Books on the subject have been published since the early 1980s, which is also around the same time that a group called Architects/Designers/Planners for Social Responsibility (ADPSR), was created. Reflective of the architect-responsibility-movement as a whole, ADPSR was formed to “work[ ] for peace, environmental protection, ecological buildings, social justice, and the development of healthy communities.” *Id.* Inspired by a desire to increase both social and professional awareness of the need for reactive development and design, this group has chapters scattered throughout the United States and constantly puts on workshops and forums championing urban planning with an emphasis on achieving “a balanced ecology and social and economic equity.” *Id.*

113. SUSANKA, *supra* note 112.

114. *Id.* at 2; see, e.g., Koloff, *supra* note 33 (focusing on the O’Daniel family who chose to buy a 4,500 square foot house “with character” for the same price as a 6,000 foot “behemoth” McMansion); see also Bernstein, *supra* note 35 (nothing that up and coming home buyers are more interested in the amenities and finishing details of a house and are willing to give up space to afford them).

115. See SUSANKA, *supra* note 112, at 2-3; see also ADPSR, *supra* note 112.

state of mind, appropriate to the use and function of a space, which leads to successful design.<sup>116</sup> As Susanka points out, humans “tend to gravitate towards the corners of spaces to feel protected.”<sup>117</sup> By “addressing the ‘feelings’ involved in home and house design,” a smaller-scaled, more intimately sized house is going to create that sought-after “home-y” sensation.<sup>118</sup> So rather than designing a “starter castle” which will “impress the neighbors with scale,” Susanka champions using “quality design and construction . . . [and] sustainable techniques and materials,” all of which will “appeal to buyers who want a home that really nurtures their spirit.”<sup>119</sup> By creating designs that utilize visual tricks like spatial layering and placing visual perspectives on a diagonal to increase the perceived size of a space, essentially doing more with less,<sup>120</sup> Susanka has allowed home builders to rework their budget to focus on the elements that transform a house into a home, rather than on meaningless square footage.<sup>121</sup>

The successes of these alternative agendas are indicative of the mounting desire for society to seek new housing styles. In fact, this movement is so inspiring to millions of Americans that some have adopted it as their “rallying cry,” viewing the Not So Big design philosophy as being reflective of an entire lifestyle – one built upon “a balance existence, and what will insure a healthy planet and community for future generations.”<sup>122</sup>

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116. See McGuigan, *supra* note 6 (noting that a well-trained and perceptive architect “understands the importance of human scale. Under the dome of St. Peter’s, you’re meant to feel awe. But if your bedroom is the size of a barn, how cozy can you get?”).

117. Cathleen McGuigan & Ray Sawhill, *Home Is Where the Heart Is*, NEWSWEEK, Oct. 16, 2000, [www.not sobighouse.com/global/library/newsweek.pdf](http://www.not sobighouse.com/global/library/newsweek.pdf).

118. *Id.*; see also SUSANKA, *supra* note 112, at 10 (listing the key components of the “Not so Big House” design). Alison Skinner, owner of a 5,300 square foot McMansion admits that it is “difficult...to make the house feel cozy,” and has many rooms that are still empty and unused. McCrummen, *supra* note 32. The prevalence of empty rooms in McMansion is the result of the high “cost of furnishing the houses in a style appropriate to their dimensions.” Bernstein, *supra* note 35. Robert A.M. Stern, the dean of the Yale School of Architecture, has remarked upon the ‘empty nest’ feeling of these suburban castles because the furniture present is never “large enough to justify the spaces.” *Id.*

119. SUSANKA, *supra* note 112, at 3.

120. *Id.* at 6. There are various ways that architects can maximize the feeling that a space is larger than it actually is. For example, oftentimes they design one large open public space which “flow[s] into other areas, both horizontally and vertically, by way of large, windowless apertures or by the omission of boundaries....Within such a space, no area is stagnant and no view is monotonous. The viewer’s freedom of action and experience are in constant flux, shifting incessantly from one point to another, from upward through horizontal to downward.” THE NEW AMERICAN COTTAGE, *supra* note 109, at 8-9.

121. SUSANKA, *supra* note 112, at 10-11.

122. See Paul H. Ray, Cultural Creatives, Not So Big House, <http://www.not sobighouse.com/creatives.asp> (last visited Mar. 11, 2007); see also Bernstein, *supra* note 35 (noting that, while in 2000 a nationwide survey revealed that 51% of the population pre-

## VI. CONCLUSION

The cold reality is that putting our housing designs on a weight-loss regime won't be easy. Just like that extra piece of birthday cake, additional square footage is hard to resist. The American Dream's stubborn hold on the iconic image of a luxurious house "in suburbia with a white picket fence, large yard, and two-car garage" took a long time to build and won't be cheerfully relinquished by the masses.<sup>123</sup> In all reality, big steps won't actually occur until the general American mindset of "view[ing] development patterns as a reflection of individual choice and market preference" changes to one which recognizes, in the extreme, sprawl as a prime mechanism for "collective disaster."<sup>124</sup>

A balance must be struck between creating smart growth laws that protect the environment and preserve farmland, and one which will not destroy the classic suburban lifestyle overnight. Such a drastic shift would, undoubtedly, be met with extreme resistance by the general public upon whom eco-friendly action must be created and supported.<sup>125</sup> This conflict, which is on the one hand, society's budding desire to curb suburban sprawl with more eco-friendly growth alternatives and, by doing so, preserve farmland and, on the other hand, a general unwillingness to abandon the perceived perks of living in suburbia, means that a resolution of the issues isn't readily identifiable. Our market-based economy doesn't help in that there is no definable cost associated with the daily loss of farmland which directly impacts the suburbanite's wallet. Rather, just the opposite is true – generally speaking, living in suburbia is much more cost efficient than in an urban setting. And in the absence of considering long-term environmental impacts, the choice to move to the suburbs is a guilt-free concerted effort to reap these immediate economic benefits.

However, headway is being made in the effort to save farmland with the adoption of smart growth laws and alternative residential architecture explorations. This mixing of social consciousness, long-term land use programs, economic incentives, and political influence will begin a domino effect in an eco-friendly direction. With seventy percent of prime farmland already facing likely

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ferred a larger house, even one without character, amenities, or refined details, in 2004, the same question had 63 % preferring the "smaller-but-better" house.)

123. Bare, *supra* note 12, at 480 (noting that most Americans enjoy the privacy and convenience of suburbia).

124. *Id.* at 456.

125. *Id.* at 483 (noting that previous explorations have indicated that when the "promotion of sustainable, transit-oriented development options and plans to increase social equity through low-income housing construction in suburbia are placed on the table, suburbanites . . . [tend] to balk and withdrawal their support to protect subsidized preferences and to avoid what they perceive to be urban problems.").

development, efforts to increase social awareness and inspire action is imperative in light of the rapidly increasing population all over the world.<sup>126</sup>

In short, the preservation of farmland needs to become a priority on the national agenda. Controlling urban sprawl is the keystone to the process of minimizing, and eventually (ideally) eliminating the devastation of bucolic landscapes and agricultural communities which is threatening the nation's food security, erasing our agricultural heritage, and altering the economic and cultural composition of the nation. As Edward Abbey once so poignantly said, "growth for the sake of growth is the ideology of the cancer cell." Let the chemotherapy begin!

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126. Sierra Club, *Sprawl*, *supra* note 8.