Best practices in state growth management: Lessons from Oregon and Maryland

Presented to North Carolina Growth Task Force
Raleigh, NC
Dec. 2, 2009

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Key Features of State Land Use Policy

- Structure of Land Use Governance
- Structure of Local Public Finance
- Pattern of State Spending

Oliver Williamson
Institutions of Land Use Governance in Oregon

- Land Conservation and Development Commission
- Department of Land Conservation and Development
- Land Use Board of Appeals
- 240 Municipalities
- 36 Counties
- Metro
Key Elements of Oregon Land Use Program

- Mandatory Local Land Use Planning
- State “Acknowledgement”
- Urban Growth Boundaries
- Exclusive Farm and Forest Use Zoning
- Required Housing Element
- Transportation-Land Use Rule
Statewide Planning Goals

1. Citizen Involvement
2. Land Use Planning
3. Agricultural Lands
4. Forest Lands
5. Open Spaces, Scenic and Historical Areas, and Natural Resources
6. Air, Water, and Land Resources
Statewide Planning Goals (Cont)

7. Natural Hazards
8. Recreation needs
9. Economy of the state
10. Housing
11. Public Facilities and services
12. Transportation
13. Energy
14. Urbanization
15. Willamette Greenway
16. Estuarine Resource
17. Coastal Shorelands
18. Beaches and Dunes
19. Ocean Resources
Key Policy Instrument: Urban Growth Boundaries

- Established by local governments, approved by LCDC
- Required element of comprehensive plans
- Must contain 20-year supply of land for housing and employment
- Must be reviewed every 5-7 years
- Always contain 13-20-year supply
- Development restricted outside UGB
- Growth managed within UGB
State of Oregon Urban Growth Boundaries

Urban Areas
(Surrounded by Urban Growth Boundaries)

Data are from the DLCD zoning and land use coverage based on County comprehensive plans from 1986 to 1987. This coverage generalizes zoning categories so some area may not appear with the expected classification. Zoning changes since the creation of this coverage are not included.
Urban Growth Boundary and Vacant Land in Portland Metropolitan Area, Oregon
Smart Growth In Maryland
Institutions of Land Use Governance in Maryland

- Maryland Department of Planning
- Office of Smart Growth
- Smart Growth Cabinet
- 23 Counties
- 157 Municipalities
12 visions

1. Quality of Life and Sustainability
2. Public Participation
3. Growth Areas
4. Community Design
5. Infrastructure
6. Transportation
12 visions

7. Housing
8. Economic Development
9. Environmental Protection
10. Resource Conservation
11. Stewardship
12. Implementation
Elements of Maryland’s 1997 Smart Growth Initiative

- Priority Funding Areas
- Rural Legacy
- Brownfield Redevelopment
- Live-Near-Your-Work
- Job-Creation Tax Credit
Incentive Based – Not Regulatory
Priority Funding Areas

- Limiting most state infrastructure funding related to development to:
  - Municipalities;
  - Baltimore City;
  - Areas inside the Baltimore and Washington beltways;
  - Neighborhoods for revitalization (Designated by HUD);
  - Enterprise Zones;
  - Heritage Areas; and
  - Areas designated by state and local governments for growth based on zoned density and sewer service areas.
Rural Legacy

- A grant program to create greenbelts to protect large rural areas from sprawl through the purchase of easements and development rights.
- Local governments and private land trusts can identify RLAs and competitively apply for funds to complement existing or new conservation efforts.
- For FY 1998 through 2002: $71.3 million.
Priority Funding Areas and Rural Legacy Areas

Legend
- County Border
- State Roads
- Pink: 1999 and FY 2001 Rural Legacy Areas
- Orange: County Certified Priority Funding Areas

The Maryland Office of Planning has not yet completed its analysis of some of the Priority Funding Areas shown.

Maryland Office of Planning
Planning Coordination and Resource Management
May 2000
Oregon v. Maryland

- Mandatory planning
- State acknowledgement
- Urban growth bound.
- EFU zoning
- Transportation rule
- Metropolitan housing rule
- Metro, and others

- Mandatory Planning
- State comment
- Priority funding areas
- Rural legacy
- Live near your work
- Brownfield redevelopment
- Counties, and others
Developed Land Per Person

Growth Management States:

Non-Growth Management States:

Developed Land (in square miles)/Population

Florida  Maryland  New  Oregon  Colorado  Indiana  Texas  Virginia

Percentage of Population Growth By Category
MARYLAND

Urban 11%
Always Rural 39%
New Urban 50%

Percentage of Population Growth By Category
OREGON

Urban 48%
Always Rural 33%
New Urban 19%

Percentage of Population Growth By Category
VIRGINIA

Urban 17%
Always Rural 48%
New Urban 35%
Five Challenges for Maryland

- Pragmatic Balance
  - Bias against infill and redevelopment
- Urban Containment
  - PFAs are inherently weak tools
- Infrastructure Finance
  - Little financial support for development within growth areas;
- Land Conservation
  - Fragmented and unsupported by local zoning;
- Statutory Framework
  - Not integrated with existing planning statutes.
New Regime; New Direction; New Priorities.
Smart, Green, and Growing, 2009

- New “visions”
- Smart Growth Indicators
  - Inc. APFOs, PFA goals
- Terrapin Run (consistency)
  - Plan commission training
- Transit Oriented Development
- Task Force Continuation
Administrative Actions

- BayStat
- StateStat
- GreenPrint
- AgPrint
- GrowthPrint
- BRAC zones
- State Development Plan
Six Ideas for Reform

- Improve local comprehensive planning process;
- Revisit the concept of Priority Funding Areas and “growth areas;”
- Make land preservation efforts contingent on supportive zoning;
- Create an infrastructure financing fund and link capital spending with APFOs;
- Integrate Smart Growth policy with local planning law; and,
- Set goals and establish methods to measure progress.
What about North Carolina?

- Build on CAMA;
- Enhance state planning capacity
- Coordinate state spending and investments
- Increase technical assistance to local governments
- Mandate local planning and zoning
- Establish priority funding areas or urban growth boundaries
- Establish research center at UNC