6-21-1989

Growth Management in the 1980s: A New Consensus and a Change of Strategy

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After a decade of relative silence on the issue of land use planning, legislatures in several states are reassessing the relative roles of state and local governments in the management of growth and development. When state governments first addressed the land use issue in the late 1960s and the early 1970s, environmental concerns dominated the debate. During this period a number of states established regulatory mechanisms for bringing certain kinds of development under state review. During the late 1970s and early 1980s there was a hiatus in state-level activity on land use issues. Since 1985, however, the issue has re-emerged at the top of the public policy agenda in Florida, Maine, New Jersey, Rhode Island, and Vermont. This resurgence has been fueled by broad-based public concern over the effect of rapid growth on quality of life and economic well-being. The result has been a new generation of growth management legislation that employs comprehensive planning at all levels of government as its primary strategy.

Land use planning has traditionally been a function of local rather than state government. Under home rule, state governments have delegated the authority to plan and regulate development to local governments. Over the course of the past two decades, however, this traditional relation of state delegation and local control has undergone periods of change and realignment. During the 1960s and 1970s a number of states, motivated by the effects of uncontrolled development and rapid growth on the environment, established land use regulation programs on a regional or statewide basis. The Florida Developments of Regional Impact program, the California Coastal Commission, and the New Jersey Pinelands Commission are examples of land use control programs put in place during this period. Oregon’s statewide comprehensive land use program was also established during the 1970s.

The trend toward state land use initiatives slowed considerably during the late 1970s and early 1980s and for almost a decade there was little further activity. In the mid-eighties, however, land use and development issues again dominated the public policy agenda in several states. Since 1985, five states — Florida, Maine, New Jersey, Rhode Island, and
Vermont — have enacted legislation that establishes statewide programs for managing growth. Georgia is considering a similar change.

This second generation of state initiatives differs in focus and strategy from the legislation of the seventies. Whereas environmental issues dominated the debate a decade ago, states are now addressing a broader range of growth-related problems. Rapid growth and development have brought unanticipated and unplanned-for consequences such as lack of affordable housing, infrastructure deficits, and loss of community character. These problems threaten to erode the states’ quality of life and jeopardize future economic development. The call to begin managing the consequences of growth has come from all quarters — developers, environmentalists, municipal officials, and citizens.

The recent initiatives are more accurately described as “growth management” rather than “land use control” programs. Growth management encompasses the range of policy areas affected by development and employs both regulatory and nonregulatory strategies. The programs in the six states share a number of key characteristics:

- Comprehensive planning, the primary strategy, is the foundation of land use regulation, infrastructure spending, and economic development strategies at all levels of government.
- The programs are applied statewide to all types of development.
- Planning at each level of government must comply with state goals and be integrated with planning at other levels. Planning must also be integrated with the implementation process.
- The states are committing significant resources to planning and to the development and support of the local planning process.

Within this framework each state has fashioned a program to meet the unique needs and interests of its citizens and its system of governance.

These programs represent a new direction for state government. The legislation does not necessarily increase state control over development but does establish growth management as an interest of state government. This report discusses the development of state involvement in growth management since the 1970s and examines the recent initiatives in Florida, Georgia, Maine, New Jersey, Rhode Island, and Vermont.

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**Growth Management in the 1970s**

In the late 1960s and the early 1970s there was a “quiet revolution in land-use control” during which a number of states asserted their interest in managing growth and established centralized regulatory programs.¹

State involvement in land and growth management coincided with, and was heavily influenced by, the environmental movement and federal pollution and environmental protection legislation. The National Environmental Policy Act and the Coastal Zone Management Act were particularly helpful in encouraging states to assume a more active role in planning for and regulating land uses.² In 1974 a National Land Use Policy Act, which would have authorized $100 million for state land use programs, was narrowly defeated in Congress.³

During this quiet seventies revolution states approached land use regulation in a number of ways. The approaches varied in the type of development or area brought under regula-
tory control and by their application to specific regions or to the state as a whole. John DeGrove categorizes these approaches as being selective, coastal, comprehensive/selective, or comprehensive/general in nature. The **selective** approach includes those programs which established state control over selected types of development or regions. Examples of this approach include the programs established for the Pinelands in New Jersey and the Adirondack region of New York. In both cases the state created a planning and regulating entity, the Pinelands Commission and the Adirondack Park agency, respectively, to manage land uses in the region. The Maine Land Use Regulation Commission is also an example of selective control in which the state became the planning and permitting agent for Maine's 10 million acres of unorganized land.

The **coastal** approach is best illustrated by the coastal programs in North Carolina and California. Both states established coastal commissions that coordinate state and local planning and permitting of coastal areas. This approach is similar to the selective approach, but merits its own category because the programs are specialized and highly developed.

States that adopted a **comprehensive/selective** approach asserted control over selected types of development but on a statewide basis. Vermont's Act 250 and Florida's programs for Developments of Regional Impact and Areas of Critical Concern establish state guidelines for large development proposals or those in environmentally sensitive areas. Until 1984 the only examples of the **comprehensive/general** approach to state growth management were Hawaii and Oregon. In this model, the state government's planning and permitting authority apply to the state as a whole. Hawaii's program preceded the revolution of the seventies and was triggered by pressure to democratize land holdings and protect agriculture. It divided the state into four land use districts, all governed by the Hawaii Land Use Commission. The original enthusiasm for state land use control has waned somewhat, eroded by state-local tensions.

Oregon's system has served as a reference point for states contemplating comprehensive growth management systems. In 1973 Oregon enacted Senate Bill 100, which established the Land Conservation and Development Commission with the authority to establish state goals and review and approve municipal and county comprehensive plans. This bill created the first integrated system in which all planning in the state is guided by, and must comply with, state goals. Although there have been serious threats and resistance to the program during the past fifteen years, it has survived and all local comprehensive plans have now been approved.

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**Changes in the 1980s**

The "revolution" subsided in the mid-1970s, and for nearly a decade there was little further change in the balance between local and state control of land use. The state programs put in place during the early seventies were implemented and amended, but the momentum for further innovation was lost.

In 1984, however, legislation in Florida introduced a second generation of state growth management programs. Over the next four years, five states joined Florida in establishing or proposing new growth management systems: in 1986 New Jersey passed the State Planning Act; in 1987 Georgia established the Growth Strategies Commission; and in 1988 the legislatures of Maine, Vermont, and Rhode Island passed growth management acts almost simultaneously. All six states enacted or proposed a comprehensive/general
growth management approach that applies to growth and development statewide. Furthermore, each state has chosen comprehensive planning as the key element of the growth management strategy and created or proposed a system that integrates planning at all levels of governments.

The six states are a diverse group. They range in size from a population of over 11 million in Florida to under 600,000 in Vermont; in density of population from 38 people per square mile in Maine to 1,020 in New Jersey; and in rate of population growth (1980–1986) from 2.9 percent in Rhode Island to 19.8 percent in Florida. Despite these variations, however, each state has experienced the shock of unprecedented and unexpected growth by virtue of its proximity to a metropolitan center or its attractiveness as a recreation and retirement area. These changes created unplanned-for problems that stressed and exceeded the capacity of the existing land use control systems. The states needed new strategies for managing growth that would enable them to maintain their economic growth while preserving their quality of life.

**Growth Management Redefined**

In the the late 1960s and the early 1970s, state growth management initiatives were driven by environmental issues and focused primarily on land use policies. In the 1980s, however, the issues addressed by growth management include a broader range of problems that affect the quality of life in a community. DeGrove and Stroud observe that growth management has been redefined and that its new definition has assumed a more accurate description of a broadly based concern for balancing growth to protect natural systems, to ensure that needed infrastructure such as roads is in place at the time growth has its impact, and to improve the regulatory process to ensure certainty and reasonable timeliness in permitting and related processes.

Within this broad definition the problem of infrastructure, housing, economic development, and community character have dominated much of the debate.

**Infrastructure.** The adequacy of public works has become a nationwide crisis. The National Council on Public Works Improvement reported the results of its two-year study in February 1988, stating that there is “convincing evidence that the quality of America’s infrastructure is barely adequate to fulfill current requirements, and insufficient to meet the demands of future economic growth and development.” In the six states examined in this report, infrastructure problems, from traffic congestion to overcrowded schools, have been a driving force behind the growth management legislation. Particularly in Florida and New Jersey the magnitude of the infrastructure deficit has become the primary focus of the new growth management system.

- In Florida the infrastructure crisis consists not only of providing services to meet future demand, but of financing the $30–$40 billion infrastructure backlog that has accumulated during the decades of rapid growth.
- In New Jersey the State Planning Commission found that statewide infrastructure needs to support projected population and employment growth to the year 2010 will be 1.65 times the revenues projected to pay those costs.

In states in which the problems are less acute, local communities are nonetheless alarmed by the effect growth has had on municipal services and town budgets. The fol-
lowing are excerpts from testimony before the legislative growth management committee in Maine:

Unplanned growth is overwhelming the abilities of some municipalities to provide needed services and infrastructure to their residents.... Increasingly, towns are being forced to raise taxes to pay for the increased demands placed on municipal services by new development. In some communities, there are serious questions of whether infrastructure needed for future residential, commercial, and industrial growth will be available in a timely fashion.

**Housing.** Many communities are increasingly caught in the squeeze between rising land values and increasing numbers of household:

- In Vermont housing prices have climbed by 48 percent in the past two years.\(^\text{15}\)
- In 1986 Providence experienced a 36 percent increase in housing prices, the largest in New England.\(^\text{16}\)
- In Portland, Maine, the median household income rose 60 percent between 1979 and 1986, but the average selling price of a home jumped 110 percent during the same period. In 1987 only about 20 percent of Portland households could afford to buy a house in the area (based on current banking practices and a 90 percent mortgage at 10.5 percent).\(^\text{17}\)

The economic boom that brought new businesses and new workers to communities is now threatened by the lack of affordable housing available for those workers. As the federal role in housing has diminished, state governments are having to address this critical problem. Although states have not traditionally been heavily involved in housing issues, the link between affordable housing and the other public policy objectives such as economic development and community revitalization compels state involvement.\(^\text{18}\)

**Economic Development.** Although economic development and growth management traditionally have led very separate policy lives in state government, these interests have merged to some extent in the new legislation. Good growth policy is being viewed as a prerequisite for economic development, as in this statement by John Epling, the director of the Office of State Planning in New Jersey:

While many people view environmental protection and economic growth as competing objectives — as antagonistic concerns — they are, in fact, inextricably linked. Given other options, desirable businesses will not locate in a state where the rural landscape has been destroyed, where the water and air are polluted, where the cities are rundown and dangerous, and where the major commuter routes of the State become its largest parking lots at rush hour.\(^\text{19}\)

The link between economic development and growth management is relevant not only to areas of rapid growth but also to those areas in need of development or redevelopment. Far from its old connotation as a "stop growth" measure, growth management now means fostering appropriate growth in depressed as well as booming areas: rural Georgia, the Florida Panhandle, northern and eastern Maine, the inner cities of New Jersey, and the Northeast Kingdom of Vermont.
Community Character. This illusive concept is certainly not new to the growth management debate. Citizens have been raising alarms about strip development and suburbanization since the 1970s. In the 1980s, however, communities are feeling an increasing sense of loss of control as open space is devoured by development, historic and natural resources are destroyed, and sprawling development obliterates the boundaries between towns and homogenizes their distinctive characteristics. In the extreme, this means that in twenty years, if the current trend continues, there will be no farmland left in New Jersey. Less dramatic, but equally important for residents, are the changes in community character resulting from increased commercial and residential development, new people, and more cars. In Vermont a citizen wrote to the growth management commission expressing the fear that development would “obscure the soul of Vermont by covering her with parking lots, highways, and condominiums.”

A Broader Constituency
As the scope of growth management has broadened to address the problems of the 1980s, the constituency for these initiatives has similarly broadened. Whereas in the seventies environmental groups were the most visible advocates for growth management, support for this recent round of growth management legislation comes from a wide variety of interest groups in both the public and private sectors. In Vermont, Rhode Island, and Georgia this wide-reaching support was reflected in the membership of the commissions established to examine growth issues and recommend legislation.

In Maine special interest groups participated in the legislative process through their vigorous lobbying efforts rather than as members of the commission, which was made up of legislators. Significantly, however, the lobbying efforts were not directed toward defeat of the growth management bill, for there was virtual agreement on the nature and seriousness of the problems, but toward modifying specific provisions. This consensus placed such groups as the Maine Real Estate Development Association, the Natural Resources Council of Maine, the Maine Municipal Association, as well as the McKernan administration, on virtually the same side of the issue (despite differences of opinion regarding the nature of state involvement). In testimony before the growth management commission in Maine, the president of the Maine Real Estate Development Association offered this support:

What is needed is a set of clearer ground rules that all can understand — developers and communities alike. I can’t emphasize this last point enough; that our members are more willing to play by the rules; just make them fair, clear, predictable and consistently applied.

In New Jersey advocates for the state plan legislation also included a variety of groups not generally found on the same side of development issues — environmentalists, corporate leaders, and municipal officials.

In Florida the state plan, which serves as the foundation of the growth management system, was adopted in 1985 with broad-based support following a rigorous program of public hearings and meetings with special interest groups.

Although support for state-level growth management has been broad, it has certainly not been unanimous. The most difficult hurdle has been the issue of local control. Citing the tradition of state delegation of land use planning and zoning authority to local governments and the equally strong tradition of little or no state resources dedicated to this proc-
ess, local officials have often been reluctant to endorse state involvement in growth management. The states’ argument has been that a comprehensive growth management system would strengthen, rather than diminish, local capacity, as in John DeGrove’s explanation of the Florida system:

Policymakers saw the need for state goals, objectives and policies to provide the framework for an effective growth management system. This expanded state role, however, did not mean that local governments were to be shunted aside or their growth policing powers weakened. Rather, since local governments were viewed as the key to effective growth management throughout the state, their capacity to play a role would have to be strengthened substantially.25

The final version of the growth management bill in each state reflected a compromise between increasing the state’s role and maintaining local control. The most significant inducement offered to local governments was the pledge of state funds to the local planning process. The four states that have passed the legislation — Florida, Maine, Rhode Island, and Vermont — have all committed substantial resources to growth management for at least the coming year.

Comprehensive Planning
The most remarkable characteristic of the second generation of growth management legislation is that all six states that have considered or enacted changes have elected to move away from the regulatory approach that dominated the legislation of the 1970s to an approach based on comprehensive planning. To quote an official from the state of New Jersey, “Planning for the future is once again a respectable, even urgent activity.”26

A major reason for the choice of comprehensive planning as the primary growth management strategy of the 1980s was the legacy of the regulatory programs of the 1970s. These programs, although effective in managing certain types of development in certain areas, offer limited help with the broad range of problems facing states in the eighties. The major limitations of growth management systems that relied on regulation programs without strong planning components include:

1. A case-by-case review process that deals with development proposals individually and does not consider the cumulative impact of development over time.

2. The reactive nature of the process that limits review to projects submitted by developers rather than providing a mechanism to anticipate or affect the pattern of development.

3. The threshold mechanism that prevents review of small- and medium-size projects or projects not in protected areas such as shoreland, wetlands, or mountaintops.

4. The inability of the regulatory process to acknowledge or accommodate potential conflicts among state or community objectives, e.g., affordable housing and open space.27

Faced with these limitations, the six states have turned to comprehensive planning. This change of focus does not replace regulation. Indeed, in some cases the growth management bill strengthened existing regulatory programs. Comprehensive planning is now
intended to be, however, the foundation of the entire growth management system. This approach offers the means for state and local governments to prospectively influence the quality, location, timing, and type of development.

Although the components of comprehensive plans vary from state to state, the basic elements include assessments or inventories of current conditions, analysis of future trends and needs, goal setting, and strategies for meeting those goals. Within this framework all relevant areas of growth are considered.

Comprehensive planning is not a new strategy. The six states under consideration have had legislation enabling local planning and zoning for at least two decades. In fact, Florida has mandated local comprehensive planning since 1975. Enabling legislation, however, has proved to be a weak stimulus for effective planning for a number of reasons:

1. The enabling statutes have not been accompanied by any inducements, financial or otherwise, that would encourage or compel local participation. Without support from the state, comprehensive planning has been subject to the political and budgetary decisions of each local government. As a result there has been much variation and inconsistency in local planning.

2. The role of comprehensive planning in land and growth management has been somewhat unclear. Although the enabling legislation has generally required some level of consistency between planning and subsequent ordinances, the degree to which comprehensive planning influences or guides action has been largely a local decision.

3. Planning at the local level has had little connection to planning beyond municipal or county borders. Each local comprehensive plan has, for the most part, been an isolated effort, without relation to other local governments in the region or to state agencies. Whereas such growth management problems of the 1980s as transportation or housing call for region- or statewide attention, planning has been constrained by municipal or county borders.

The six states have responded to these weaknesses by establishing systems in which comprehensive planning is integrated with ordinances and local planning is integrated with state and regional planning. These systems are supported by state funds and by an array of financial and regulatory incentives. Although the language varies from state to state, this statement from the recommendations of the growth commission in Georgia typifies this approach:

The Growth Strategies Commission affirms the critical importance of planning for Georgia's economic future and quality of life. Comprehensive, integrated, and coordinated planning must take place at the state, regional, and local levels and address issues of land use, natural resource protection, infrastructure development, economic development, and human services. 28

Although the six states have responded with surprising unanimity by selecting integrated planning as the foundation of their growth management strategies, each state has responded to the exigencies of its own unique political, demographic, and economic conditions in drafting its legislation. The next section of this article examines the evolution of
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Evolution of State Growth Management Programs from the 1970s to the 1980s: Case Studies

**Florida**
In the decades since the 1950s, Florida has experienced phenomenal growth: in 1950 there were fewer than 3 million people in the state, and by 1970 there were almost 7 million.29 In 1971 and 1972 a devastating drought exacerbated these staggering growth management problems, prompting the legislature, with Governor Reuben Askew’s leadership, to pass a sweeping package of bills that addressed water resource management issues and established two statewide regulatory systems to manage growth. The Areas of Critical
State Concern program regulates local management of areas designated by the state as having special environmental, historical, or other significance; the Developments of Regional Impact process involves regional review (following statutory review criteria) of developments that have greater than local impact.

In 1972 the Florida legislature recognized the need for coordinated planning as well as regulation. Among the bills passed during that session was the Comprehensive Planning Act, which called for the development of a state plan to manage growth. Although this plan was never successfully implemented, the Florida legislature continued to take a planning approach to growth management. Local comprehensive planning was mandated in 1975, regional policy plans in 1980.

Despite the state’s commitment to the planning process, it was clear by the early 1980s that the system was not working. In 1982 the Environmental Land Management Study Committee reviewed the state’s planning system and assessed the status of local comprehensive planning. The study indicated that the local planning process was inconsistent in quality and effectiveness and attributed the weaknesses to the following problems:

A primary reason for ineffective local plans . . . was the absence of strong state and regional plans. Other significant factors were found to contribute to the overall ineffectiveness of local plans: the absence of adequate funding for the preparation and implementation of local plans; the lack of a state requirement that local plans be consistent with state and regional plans; the failure of the LGCPA [Local Government Comprehensive Planning Act] to clearly require that local plans meet some minimum quality standards; and the absence of other effective implementation requirements, including citizen enforcement mechanisms.  

During the 1984 and 1985 sessions the legislature responded to this litany of faults by enacting two bills that pulled the pieces of the growth management system into an integrated planning framework. The State and Regional Planning Act of 1984 called for the development of a state comprehensive plan, state agency plans, and regional policy plans that comply with the state plan. In 1985 the Local Government Comprehensive Planning Act was amended to integrate local planning into this system. Perhaps most important, the legislature, for the first time, appropriated the resources to fund the planning effort.

During the thirteen years from the first growth management legislation to the integration of the system, there was a dramatic shift in the nature of the problems confronting state and local governments. The environmental concerns of the 1970s still plague Florida, and there is a renewed effort in the recent legislation to deal with the issues of coastal development. The most serious problem driving the growth management process, however, is infrastructure.

The most powerful new policy [of the local comprehensive planning act] was a provision that it would be unlawful for a local government to approve new development unless the infrastructure was in place concurrent with the development. Put simply, the state and all participants must stop the deficit financing of growth caused by the buildup of large infrastructure backlogs and begin paying the cost of growth as it occurs.

In addition to coastal management and infrastructure finance, the growth management process has a third major objective, which is to encourage more compact development, thereby increasing the efficiency of infrastructure growth and protecting open space.
Georgia

Georgia is in a unique position among the six states because there is currently virtually no state involvement in land use control. There is no mechanism for state review of developments of any size or in any area (an exception is very limited state involvement around the Chattahoochee River in Atlanta). Furthermore, the status of local planning and zoning is uncertain because of a Georgia Supreme Court case that has brought into question the validity of the 1959 planning and zoning enabling act.\(^\text{32}\)

The state’s most pressing growth management problems include the uneven distribution of economic development — rapid growth in some areas, rapid decline in others — and water resources. In 1987 Governor Joe Frank Harris established the Governor’s Growth Strategies Commission, with thirty-five members representing the public and private sectors. The commission has been charged with studying the issues of growth, developing strategies, and implementing specific actions for both the short and long term. The commission has held fifteen public hearings across the state and produced an interim report that charts a course for Georgia which, to a great degree, resembles the growth management initiatives described above. Planning is a fundamental theme of the report’s recommendations:

Georgia should establish a process of comprehensive, continuous, and coordinated planning and management that clearly establishes the responsibilities of the state, the regional planning bodies, and the local governments in achieving quality physical, social, and economic growth in Georgia.\(^\text{33}\)

The report recommends a “three-tier process (state, regional, and local) that calls for horizontal and vertical planning, coordination, and implementation among and between all three tiers.”\(^\text{34}\)

A unique element of the Georgia process is the manner in which state agencies are being brought into it as it develops. The agencies have been asked to comment in detail on the commission’s recommendations and to prepare budgetary statements that indicate the potential impact of the recommendations on agency budgets. This provides an opportunity for state agencies to disagree with or challenge the content of the report. Agency heads will also meet in a retreat to hash out their reactions to the recommendations.

The commission’s next step was to prepare a bill to be submitted to the legislature in January 1989; the bill was subsequently passed.

Maine

During the 1980s Maine, particularly southern and coastal Maine, has experienced rapid growth. Although, compared to Florida, Maine’s population growth has been modest, 4.3 percent from 1980 to 1986, the negative consequences of that growth — spiraling housing costs, loss of open land, increasing traffic, land speculation — are perceived as a serious threat to the quality of life in the state.

Most permitting in Maine occurs at the local level. Although towns and cities have the authority to plan and zone, they were not required to do so before the 1988 legislation. The only exceptions were established in the 1970s by the Mandatory Shoreland Zoning and Subdivision Control Act, which requires municipalities with shoreland to have an ordinance regulating its use, and the Subdivision Review Enabling Act, which requires local governments to follow minimum state guidelines when reviewing subdivisions.

In 1970 the Site Location of Development Act established state review by the State Board of Environmental Protection for certain development activities and for subdivisions of greater than twenty acres or structures occupying more than 60,000 feet.
In 1987 a comprehensive growth management bill was introduced in the Maine legislature but did not pass. The momentum had begun, however, and the legislature established a commission of nine legislators from the Energy and Natural Resources and Taxation committee to study the growth management issue and report to the legislature in January 1988.

The bill introduced in January was the product of public hearings held around the state and the testimony of many interest groups. Although there was strong disagreement over the issue of local control and opposition to state oversight of local decision making, there was general consensus over the need for state government to support the local comprehensive planning process. Governor John McKernan’s State of the State Address at the start of the session reflected this sentiment:

I do not believe that Augusta should be telling local communities how they ought to look. I believe the citizens of those communities ought to make those decisions. However, I also deeply believe this state and our towns must do more to plan ahead if we are to preserve our environment and our quality of life.\textsuperscript{35}

The final bill contained compromises but established a planning system that is guided by general state goals and involves planning at the state, regional, and local levels. Local planning is mandatory, but state certification of those plans is voluntary.

\textbf{New Jersey}

New Jersey has had a remarkable planning history. The Pinelands Commission and the Mount Laurel fair share housing cases have guaranteed New Jersey permanent recognition in the annals of planning.

The Pinelands Commission is widely recognized as an exemplary regional planning process.\textsuperscript{36} Established in 1979, the commission is responsible for planning and regulating approximately one million acres in southern New Jersey. The commission is a separate state agency and operates independently of other state planning activities. Within the Pinelands area local comprehensive plans must comply with the regional master plan.

New Jersey has two other regional programs: the Hackensack Meadowlands, established in 1968, and the Coastal Area Facility Review Act, created in 1971, which plans for and controls large developments along the coast.

The Mount Laurel cases document the less successful aspects of local planning in New Jersey. From the Mount Laurel I decisions handed down in 1975 to Mount Laurel III in 1986, the New Jersey Supreme Court has ruled that local governments must not prohibit the development of affordable housing in their communities and must provide their fair share of housing opportunities.\textsuperscript{37} In 1985 the New Jersey Council on Affordable Housing was created and has assumed responsibility for the low- and moderate-income housing allocation system.

In 1986 Governor Thomas Kean also signed into law the State Planning Act, which established a State Planning Commission and an Office of State Planning within the Department of the Treasury. The commission, with the planning office as staff, will produce a state development and redevelopment plan.

Housing is not the only issue driving the planning agenda. A number of other development trends are concerning New Jerseyites: disappearance of farmland at a rate that will leave none in twenty years; depletion of water resources; economic deterioration of urban centers; unacceptable ozone levels; sprawl and traffic congestion. In the face of this growth, New Jersey is unable to keep up with service and infrastructure demands.\textsuperscript{38}
The state plan must address these and other issues and put in place an integrated statewide planning system that is coordinated with regional and local planning. A draft state plan has been written which divides the state into seven tiers (redeveloping cities and suburbs to environmentally sensitive areas), with planning policies and standards for each. The main thrusts of the plan are to encourage development in areas that already have, or have plans for, appropriate infrastructure; to encourage revitalization of urban centers; to limit sprawl by encouraging development in centers; and to protect rural land.39

New Jersey has developed a unique process for developing the plan, called "cross-acceptance," defined in the legislation as "a process of comparison of planning policies among governmental levels with the purpose of attaining compatibility between local, county, and state plans."40 The draft plan is being distributed to counties around the state. The counties will act as the negotiating entities for the process and will hold public hearings, document the public and local government comments, and draft a written report that will detail the findings, objections, and recommendations resulting from this process. The state plan will be revised accordingly. By following a process that encourages so much input from the public and other levels of government, officials hope that the plan will become an effective basis for coordinated planning.

**Rhode Island**

In the 1970s Rhode Island established a coastal management program and strengthened its statewide planning program. The Coastal Resources Management Council oversees coastal development and has a management plan, first adopted in 1978, that zones coastal waters and defines permitted uses. The seventeen-member management council establishes policy and has permit authority within two hundred feet of the high-water mark.41 The effectiveness of the coastal plan has been somewhat limited by the fact that local comprehensive plans have not had to be consistent with its policies.

The Statewide Planning Program, which had been established by interagency agreement in 1963, was made law in 1978. This program includes a Division of State Planning, within the Department of Administration, which is responsible for developing the State Guide Plan and a State Planning Council charged with providing policy advice and guidance in state planning activities. Some state agency activities are required to be consistent with the State Guide Plan, but no comprehensive state-agency cooperation is mandated. Local plans were required as of 1972 and had to be "in general conformity" with state plans. In 1975 a State Land Use Policies and Plan was adopted, and in 1976 a state-local land management bill passed the state’s House but not its Senate. In the next few years successor bills were referred to committees.42

Since the mid-1980s Rhode Island has been experiencing a construction and real estate boom. The intensity of the development rush raised concerns about the loss of open space, inundation of municipal services, and the scarcity of affordable housing. Disputes arose between developers and municipal officials and environmentalists over who was to blame for the increasing problems. The divisiveness carried over to the 1987 session of the General Assembly, when a bill was introduced to withhold state aid from towns that did not make provisions for quarter-acre house lots. The bill met with overwhelming opposition by small towns.43

What did emerge from the session was a land use commission, which was assembled to represent the many factions involved in the land use controversies. Chairman Robert Weygand attributes the passage of the legislation recommended by the commission to the
diversity of the group and the willingness of the members to develop some consensus about what ought to be done. The bill called for an integrated planning system but stopped short of requiring local compliance.

Growth management is a priority of Governor Edward DiPrete’s administration. He did not support the recent bill, and his administration continues to examine the problems and alternative strategies. He views Rhode Island’s continued economic development as dependent on the adequacy of its infrastructure and the quality of its environment.

Vermont
In the late 1960s Vermont was experiencing growth that was sprawling over the countryside, eating up farmland, and obliterating village centers with strip development. In 1970 the Vermont legislature responded with a radical solution — Act 250 — which created a regional review process for development proposals of ten or more acres or ten or more residential units. This process strikes a balance between local and state control. The regional reviewing bodies, as well as the state regional commission, are made up of lay members. Although Act 250 preempts local permitting of large projects, it does not create another layer of professional bureaucracy. The original Act 250 bill called for the development of a state plan to guide the review process. The plan never achieved popular or political support and the provision was eventually repealed.

After a relatively slow period during the energy crisis years of the late 1970s Vermont is again facing development pressure. In August 1987 Governor Madeleine Kunin appointed a Commission on Vermont’s Future to assess the reaction of Vermont citizens to the state’s growth and to recommend mechanisms for coping with that growth. This twelve-member panel, representing environmental, agricultural, tourism, business, education, and municipal and state government interests, traveled the state, holding eleven public hearings. Their report in December 1987 offered the following assessment and recommendations:

Since 1970, Act 250 has been relied on to control the environmental and fiscal impacts of major developments. At the time of the law’s adoption the General Assembly anticipated that land-use planning at the state, regional, and local levels would eventually form the overall guide for the regulatory process. However, a planning system was never adopted. While regional and local plans have been written, they are generally brief, incomplete, and inconsistent. The Commission believes that comprehensive plans must be developed at the local, regional, and state levels and that the plans should be integrated with each other.*

These recommendations formed the basis of legislation introduced in the 1988 session. Governor Kunin launched the legislation by devoting her entire State of the State Address to the issue of growth management and advocating a comprehensive planning approach. The measure passed and, after a year of preparation and further study, implementation began on July 1, 1989.

Integrated Planning in the 1980s
The six states have all adopted or proposed comprehensive growth management systems, the hallmark of which is integration. Each level of government has specific roles and responsibilities in the planning process but no level plans independently.
Table 2 outlines the state, regional, and local responsibilities under the new growth management laws.

**State Planning**
The state plays the pivotal role in each of the systems. The state goals form the backbone of the planning process with which all other planning in the state must be consistent.

In Maine, Rhode Island, and Vermont the state goals were included in the growth management legislation. These goals and policies are broadly stated and do not contain quantitative standards of review.

The Florida State Plan was authorized in 1984, drafted by the Governor’s Office, and approved by the legislature (with changes) in 1985. Like the goals in the other three states, Florida’s State Plan is a general direction-setting document; unlike other state goals, the plan contains goals and policies for education, health, the elderly, and children. An additional distinguishing feature of the Florida plan is that it was subsequently supported by Rule 9J-5 of the Florida Administrative Code, which establishes minimum review criteria for local plans. These criteria will form the basis for the review of local plans by the Office of Community Affairs. No other state has as yet established substantive rules to guide state review (Maine and Vermont are currently developing standards). Rule 9J-5 adds the muscle to the State Plan and makes the Florida model the most top-down of the four states.

The New Jersey Development and Redevelopment Plan takes a different direction and serves a purpose different from the goals of the other four states. This plan, in draft form, is intended to affect the pattern of growth throughout the state to “make the most efficient use of existing and planned public services.” The plan divides the state into seven development tiers on the basis of existing or planned infrastructure and establishes goals and policies for each.

A unique element of the growth management systems outlined in Table 2 is the requirement that state agencies be integrated into the planning system. In all the states, those agencies with responsibilities related in any way to the provisions of the growth management bill must develop plans that are consistent with the state goals. State infrastructure and capital expenditure planning are the primary targets of this requirement. Maine and Rhode Island require that state agencies submit plans to the appropriate planning office biennially; state agencies in Vermont submit their plans to the Council of Regional Planning Commissions for review; and in Florida, plans are submitted to the Governor’s Office. In Vermont this provision goes further by providing the regional planning agencies the opportunity to review proposals for state capital expenditures to determine their consistency with regional and municipal comprehensive plans.

**Regional Planning**
The responsibilities and, to some extent, the authority of the regional planning commissions (RPCs) have been increased (except in Rhode Island, which has no regional level). The legislation maintains the traditional RPC roles as a provider of technical assistance to municipalities and the agent of regional cooperation and increases the responsibility for regional planning. This added responsibility has been accompanied by increased funding.

The Vermont legislation has the greatest impact on the regional level. Consistent with traditional public sentiment in Vermont, which resists concentrating power at the state level (the same sentiment that inspired the regional Act 250 process), the state has given
### Integrated Planning: Roles and Responsibilities

<table>
<thead>
<tr>
<th>State</th>
<th>Regional</th>
<th>Local</th>
</tr>
</thead>
</table>
| **Florida** | • State Plan — broad range of goals, e.g., education, health, land use, economic development | • Comprehensive plans  
- mandatory  
- consistent with the State Plan  
- Review and comment on local plans |
|             | • Review and approval of local plans; minimum criteria established by Rule 9J-5 |                                                                       |
|             | • State agencies:  
- Biennial functional plans reviewed by Governor’s Office of Planning and Budgeting  
- May comment on regional and local plans |                                                                       |
| **Maine**   | • State goals — broad policies and guidelines  
- Review of local plans  
- Certification of local plans in voluntary program  
- State agencies:  
- plans consistent with state goals  
- comment on local plans  
- Planning Advisory Council  
- advises Office of Comprehensive Land Use Planning | • Comprehensive plans  
- mandatory  
- consistent with state goals  
- May comment on plans of contiguous municipalities |
| **Rhode Island** | • State goals — broad statement of goals and policies  
- Review and approval of local plans  
- State Guide Plan  
- developed by Division of Planning  
- consistent with state goals  
- State agency plans  
- consistent with state goals  
- State Appeals Board — hears appeals from local governments | No regional level  
- Regional policies and assessments  
- encouraged but not mandatory  
- consistent with state goals  
- Comment on local plans  
- Comprehensive plans  
- consistent with state goals  
- submit for state review  
- voluntary certification program |
| **Vermont** | • State goals — set general direction for planning at all levels  
- State agency plans  
- consistent with state goals  
- compatible with regional plans  
- reviewed by Council of Regional Commissions  
- State agencies must participate in the local and regional planning process.  
- Department of Community Affairs will develop affordable housing guidelines and review the housing elements of towns which adopt nonapproved plans | • Regional plans  
- mandatory  
- consistent with state goals  
- Review and confirm the local planning process and approve local plans  
- Comment on state agency plans  
- Review proposed state capital expenditures  
- Comprehensive plans  
- not mandatory but tied to financial and regulatory incentives  
- consistent with state goals  
- compatible with regional goals  
- compatible with other local plans in region  
- Planning process must be continuous.  
- Local government must allocate funds to support planning.  
- May comment on regional plans. A majority of towns in a region may veto a regional plan. |
The regional planning commissions the bulk of the responsibility under the new legislation. RPCs, rather than the state, have the authority to review and confirm local plans. The regional councils are also required to prepare regional plans, which must be approved by 60 percent of their membership. The legislation establishes a Council of Regional Commissions, made up of representatives from all the RPCs, which is responsible for reviewing state agency plans, regional plans, and appointing a three-member review panel to hear appeals on local comprehensive plans.

In Florida regional councils must develop regional policy plans (RPPs), which serve a coordinating function. Whereas the state plan defines the growth issues for the entire state, the regional plans assign priorities for specific issues for their regions. Local plans must be consistent with the RPPs. The regional councils do not have the authority to review local plans but may submit comments to the Department of Community Affairs.

The regional planning commissions in Maine are not required to develop regional plans but are encouraged to do regional assessments and inventories that support the local planning effort. The RPCs may comment on local comprehensive plans in relation to regional priorities.

**Local Planning**

Consistent, effective local planning is the ultimate goal of the growth management legislation. In each state the greatest challenge facing the legislature was how to improve the**

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**Table 2 (continued)**

<table>
<thead>
<tr>
<th>State</th>
<th>Regional</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jersey</td>
<td>• State Planning Commission has drafted the State Development and Redevelopment Plan.</td>
<td>• Participate in hearings on the plan</td>
</tr>
<tr>
<td>(Cross-Acceptance Process)</td>
<td>• Following adoption of the plan, state agencies will notify the commission in writing of the procedures and schedule the agency will use in implementing the plan.</td>
<td>• May submit a report disagreeing with the county report</td>
</tr>
<tr>
<td></td>
<td>• Each year a state capital improvement plan will be prepared in accordance with the State Development and Redevelopment Plan.</td>
<td></td>
</tr>
<tr>
<td>Georgia</td>
<td>• Develop a statewide comprehensive plan for state-owned and state-funded lands</td>
<td></td>
</tr>
<tr>
<td>(As proposed in the Interim Report of the Governor's Growth Strategies Commission)</td>
<td>• Develop regional comprehensive plans consistent with state planning standards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Set minimum standards for regional and local planning</td>
<td>• Coordinate and review local plans</td>
</tr>
<tr>
<td></td>
<td>• Ensure consistency among state and regional plans</td>
<td>• Review plans for development with significant interjurisdictional impacts</td>
</tr>
<tr>
<td></td>
<td>• Establish minimum standards for public health and safety as they relate to land use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Prepare and implement educational programs on planning</td>
<td>• Establish a local planning commission</td>
</tr>
</tbody>
</table>

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The table continues with additional details on state and regional planning requirements.
Table 3

<table>
<thead>
<tr>
<th>Key Plan Elements</th>
<th>Implementation</th>
<th>Intergovernmental Coordination</th>
<th>Carrots and Sticks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Florida</strong></td>
<td>• Must adopt implementing regulations within one year</td>
<td>• Local governments have standing to challenge the plans of adjacent communities.</td>
<td>• Penalties for noncompliance:</td>
</tr>
<tr>
<td></td>
<td>• All development orders must be consistent with plan</td>
<td>• Must describe process for identifying and resolving intergovernmental conflicts in comprehensive plan</td>
<td>- State will direct the RPC to develop plan; local government must pay the bill.</td>
</tr>
<tr>
<td></td>
<td>• New requirements of plan:</td>
<td>• Implementation strategy includes a coordination program for resources shared with other municipalities, e.g., rivers, aquifers, transportation systems.</td>
<td>- ineligible for state revenue-sharing and transportation funds</td>
</tr>
<tr>
<td></td>
<td>– land use map</td>
<td></td>
<td>- vulnerable to challenge from any citizen</td>
</tr>
<tr>
<td></td>
<td>– current and projected water needs</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>– coastal management element</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maine</strong></td>
<td>• Zoning ordinance consistent with plan must be completed within one year and submitted to the state for review.</td>
<td>• Penalties for noncompliance:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• loss of local land use authority</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>• loss of eligibility for state aid (excluding education funding)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>• Certified plans eligible for:</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>– CDBG funds</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>– implementation grants</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>– competition for open space funding</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>– impact fee ordinance</td>
<td></td>
</tr>
<tr>
<td><strong>Rhode Island</strong></td>
<td>• Local zoning codes must be brought into conformance within one year.</td>
<td>• Plans must demonstrate consistency with adjacent communities.</td>
<td>• Penalty for noncompliance:</td>
</tr>
<tr>
<td></td>
<td>• Plans must demonstrate consistency with adjacent communities.</td>
<td></td>
<td>- state will write the comprehensive plan</td>
</tr>
<tr>
<td></td>
<td>• Land use plan — must designate areas for specific uses and specify intensity of development allowed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Housing — must provide a balance of housing choices</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• CIP</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Economic development</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Circulation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Local planning process while maintaining the home rule authority of local governments. Table 3 describes the features of each local planning process. Only those states which had substantially completed their process were included in the table.

Carrots and Sticks. Each state had to craft carefully a balance of mandates and incentives acceptable to local governments.

Vermont achieved this balance by not mandating local planning and by increasing the planning and review authority of regional agencies rather than the state bureaucracy. Local governments that engage in a continuous planning process, i.e., develop a plan and
locate local funds to the process, have access to the Municipal and Regional Planning Fund. Local plans that have been reviewed and approved by the Regional Planning Commission are used in the Act 250 process and are considered by state agencies in their planning activities. Regional approval also enables a municipality to establish an impact fee system.

The Rhode Island bill stipulates that the state will write plans for those municipalities which fail to produce their own.

In Florida local plans are mandated. If municipalities do not plan, the state will direct the RPC to develop the plan, charging the municipality for the work. Local governments without approved comprehensive plans also lose access to state revenue sharing and transportation funds. The most serious penalty for noncompliant local governments is their vulnerability to challenge by any affected party.

Maine offers local governments a two-step process whereby plans are mandatory and must be reviewed by the state, but “certification” is voluntary. The first step involves only review and comment by the state; the second involves approval. Those municipalities which do not adopt comprehensive plans are ineligible for state aid (not including education funds) related to land use and growth. In addition, existing land use ordinances and regulations will no longer be valid. Those municipalities which chose to submit their plans for certification voluntarily are eligible for a number of benefits: to compete for Community Development Block Grant (CDBG) funds and state assistance for acquisition of open space; authority to enact impact fees; and state assistance in implementing and enforcing their plans.

**Plan Elements.** In every state the legislation has upgraded the requirements for the elements of the comprehensive plan. In general there is increased emphasis on supporting the plan with inventories and appropriate data bases. There are also provisions for assuring and improving public participation in plan development.

The plans have a number of common elements, such as requiring inventories of and strategies for preservation of historic, cultural, and scenic resources and preservation of

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**Table 3 (continued)**

<table>
<thead>
<tr>
<th>Key Plan Elements</th>
<th>Implementation</th>
<th>Intergovernmental Coordination</th>
<th>Carrots and Sticks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vermont</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Housing plan, including a recommended program for addressing low- and moderate-income needs as identified in the regional plan</td>
<td>• Plan must include an element with a recommended program for implementing its objectives.</td>
<td>• Plans must be compatible with adjacent community plans.</td>
<td>• A municipality that adopts a disapproved plan: no longer receives funds from the Municipal and Regional Planning Fund; plan is not considered in Act 250 review; state agency plans need not be consistent with the local plan; may not enact an impact fee ordinance.</td>
</tr>
<tr>
<td>• Utility and public facility plan</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>• Energy plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Land use plan, specifying current and prospective uses and intensity and sequence of development</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>• Transportation plan</td>
<td></td>
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</tbody>
</table>
natural resources, open space, and farm and forest land. Several elements are given special emphasis.

**Capital Improvement Plans** — This required element reflects the concern over the growing deficit in infrastructure financing. It is carried to its fullest extent in Florida with the “concurrency” provision, which mandates that the infrastructure demanded by new growth be put in place concurrently with the development.

Maine, Vermont, and Rhode Island require local governments to assess existing facilities and services, forecast future needs, and identify costs and revenue sources.

**Designating Growth Areas** — This element appears in all the states in some form and is a major objective of the comprehensive planning process. It requires local governments to designate, on land use maps, the type, amount, location, and intensity of current and prospective land uses. The goal is to encourage a compact pattern of development that minimizes the unsightliness and inefficiencies of sprawl development. New Jersey’s plan clearly takes the lead in this effort, but all the states have some provision that requires local governments to make prospective decisions about land use and infrastructure expansion.

**Housing** — Concern for the rising cost of housing was one of the driving forces behind the growth legislation in Vermont, Maine, and Rhode Island. In Vermont, if a municipality adopts a disapproved plan, that plan is reviewed by the Department of Community Affairs for compliance with the state affordable housing goals.

In Maine the state guideline for housing contains the only quantitative goal in the legislation, i.e., “The municipality shall seek to achieve a level of 10% of new residential development, based on a five-year historical average of residential development in the municipality, meeting the definition of affordable housing.” In Vermont the RPCs must inventory regional housing needs, and local plans must be compatible with this assessment.

Rhode Island requires local governments to provide a balance of housing choices for all income levels and age groups in the context of local, regional, and state needs.

In New Jersey the Council on Affordable Housing, which is responsible for determining housing allocations, will begin incorporating the goals of the developing tiers as defined by the State Redevelopment and Development Plan in 1993.

**Intergovernmental Coordination.** The lack of cooperation among municipalities on common problems such as housing and transportation was considered by all the states to be a critical fault in the planning process. The legislation, however, had difficulty addressing this issue. All the states enable and encourage cooperative planning among adjacent municipalities but have stopped short of requiring it. In all the states local governments must address regional and interjurisdictional issues. The regional planning commissions are generally expected to play a coordinating and/or mediating role in interjurisdictional issues.

**Implementation.** Integrated planning strives to achieve not only vertical integration among levels of government but horizontal integration in which implementation is consistent with planning.

Maine, Rhode Island, and Florida require that within one year of the adoption of the comprehensive plan, local governments must have adopted implementing ordinances and regulation consistent with that plan.
Table 4

State Resources

<table>
<thead>
<tr>
<th></th>
<th>Funding</th>
<th>Technical Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>1985 $10 million</td>
<td>No new provisions</td>
</tr>
<tr>
<td></td>
<td>$2.3 million for local comprehensive planning</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1986 $8.8 million</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1987 $9 million</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1988 $2.5 million</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Appropriation from General Fund</td>
<td></td>
</tr>
</tbody>
</table>

Maine

- Total appropriation from General Fund = $3,467,050
- Planning assistance — municipalities do not pay more than 25% of planning costs
- Implementation assistance
- Enforcement assistance — state pays cost of training code enforcement officers for one year
- Municipal Legal Defense Fund
- Impact fees
- RPCs will prepare regional assessments including inventories, e.g., infrastructure, housing. State will ensure consistent methodology among regions.
- State will develop model ordinances.
- State will inventory and collect all data from other state agencies.
- State will develop a geographic information system.

Rhode Island

- $1.5 million appropriated from General Fund ($2 million for next 1 ½ years)
- Each municipality will receive not more than $125,000 for developing the comprehensive plan.
- State will develop a statewide data base and establish a geographic information system.
- State will establish a program of technical assistance utilizing own staff. Will "validate" data used by municipalities.
- RPCs will develop a regional data base compatible and useful to the Geographic Information System (GIS).
- GIS to be developed at University of Vermont.

Vermont

- Increase in the property transfer tax from 0.5% to 1.25% as of July 1, 1988, will yield $7.5 million per year. Funds will be divided among:
  - Municipal and Regional Planning Fund
  - Housing and Land Conservation Trust Fund
  - Geographic Information System
- Florida further requires that all subsequent development orders, e.g., permits and subdivision approvals, be consistent with the provisions of the comprehensive plan. Although Vermont does not have the one-year requirement, the comprehensive plan must contain implementation strategies.

State Resources: Funding and Technical Assistance

Between 1975 and 1985 Florida learned a hard lesson: mandating local plans without
allocating the state resources to fund the process results in inconsistent, ineffective compliance. Florida rectified this situation in 1985. The other three states, either by benefit of Florida’s example or through the efforts of the municipal lobby, have also provided substantial funds for local and regional planning. Table 4 lists the amounts and sources of funds appropriated for growth management. In Florida, Maine, and Rhode Island the money comes from the general fund; Vermont added 0.5 percent to the property transfer tax to provide an ongoing source of planning funds.

Table 4 also outlines the states’ commitment to technical assistance for local governments. Comprehensive planning stresses not only the financial capacity, but also the technical capacity of local governments. Recognizing that local governments, many of them very small and with little or no professional planning support, would need help collecting the technical information required in the plan inventories, the legislation mandates a stronger role for state agencies and RPCs in providing and coordinating data. This assistance takes several forms:

- funding geographic information systems (included in the Maine, Vermont, and Rhode Island bills)
- coordinating the data collected at the state level and distributing it to local governments as appropriate
- providing model ordinances
- increasing funding of regional planning commissions to improve their capacity to provide technical assistance to local governments
- establishing or improving educational programs for municipal officials and the public

In order to fulfill this mission, the states have generally increased the staffing or funding of the state agency responsible for implementing the bill or have created new agencies.

In Maine a new Office of Comprehensive Land Use Planning was established within the Department of Economic and Community Development; in Vermont nine new positions were authorized for the Department of Community Affairs, including an attorney; in Florida the staff of the State Land Planning agency increased from twenty-two to one hundred members from 1983 to 1987; and in New Jersey the legislation that mandated the State Development and Redevelopment Plan created an Office of State Planning within the Department of the Treasury.

Program Evaluation
Each state requires monitoring of the implementation process and provides some kind of procedure for recommending amendments to the bills to accommodate the realities of implementation.

In Maine the Office of Comprehensive Land Use Planning is required to produce a biennial report on the status of the growth management process. This report is to assess the effectiveness of the technical and financial assistance programs, and the growth management activities of state agencies and municipalities, and to make recommendations for statutory changes.

In Rhode Island the General Assembly will appoint, three years from enactment, a special commission to review the implementation process.
In Florida a twenty-two-member Growth Management Advisory Committee monitored the initial implementation phase, completing its charge in 1986. Subsequently a citizen watchdog organization, 1000 Friends of Florida, was formed. It is modeled after the organization that has effectively monitored the Oregon system since its enactment. The Florida group is made up of a cross section of Floridians, and its efforts are focused narrowly on assuring effective implementation of the growth management laws.

In Vermont assessment is beginning before the process is launched. Implementation of the planning system has been delayed one year to allow time for state agencies, regional planning commissions, and local governments to prepare. During the year the state will study a number of issues, including review criteria, incentive programs, and the regulatory process.

Sustaining the Momentum

The legislation in these states has launched a new generation of growth management. There are great expectations that the initiatives will help the states regain control over their growth, protecting their quality of life and enhancing their economic well-being. Very few, if any, of the supporters of these bills, however, view them as the ultimate solution to their growth-related problems. The initiatives are considered by most to be only a first step in the right direction. The difficult business of implementing the process and sustaining the momentum lies ahead.

During the implementation process the responsibility for these two tasks is shared by the legislature, the administration, and local governments. State legislatures will have to continue to appropriate funds for local planning for at least three to five years to support an entire statewide cycle of local comprehensive planning. During that time there may be changes of administration and, most certainly, changes in legislative priorities. As the current sense of urgency about managing growth is preempted by other crises, it will become more difficult to commit state dollars to planning.

The legislation increases the planning responsibilities of state government. Not only are those state agencies involved with land use required to incorporate planning into their operations, but they are required to coordinate their plans and supporting data with other agencies and with local governments. The ability and willingness of state agencies to meet this challenge will depend on political and administrative leadership as well as sufficient funds to fulfill their responsibilities.

On the local level, financial incentives alone do not guarantee a consistent and thorough planning effort. In the words of Governor Kunin of Vermont, “I believe it may be easier to create the financial resources to make this process work than it will be to galvanize political consensus, and to maintain that consensus, through good times and bad.” Local governments may be willing to forgo the carrots and suffer the sticks to avoid comprehensive planning because of the incumbent costs or a disinclination toward government control of land use. States and regional planning councils will have to encourage and support local participation with an extensive educational program.

New England Update

As of fall 1989, the movement toward integrated growth management systems continues in four of the six New England states: in Maine and Vermont the implementation process
appears to be directly on target after one year; in Rhode Island the program has encountered funding problems but is still moving forward; and in Massachusetts a special legislative commission is recommending adoption of a statewide system.

Maine’s program has survived a year that brought significant budget reductions in other areas. The state agency responsible for implementing the growth management bill, the Office of Comprehensive Land Use Planning, remained intact while other programs within the same department were cut. The substance of the bill also remained unchanged, with only minor alterations to clarify language and amend timetables. Compliance among towns in the first round of the planning cycle has been excellent, and the program is progressing to second-round towns. The regional councils have been very active during the process, both as providers of planning assistance to round-one towns, and as the agents responsible for the regional planning process.53 One question still remaining is the degree to which state agencies will participate in and contribute to this planning process.

In Vermont the program passed a critical test this year when a new legislator, a strong opponent of the measure in 1988, led an unsuccessful attempt to change the law. On the state level, agencies with land use responsibilities are working under an executive order from Governor Kunin to develop draft agency plans. Municipal-level compliance has been excellent (though there has been active resistance by two towns) and 239 of the state’s 246 municipalities have had their planning process confirmed by regional councils.54

A budget crunch in Rhode Island resulted in a change in the program’s funding. Instead of appropriating the full amount, the General Assembly sent the voters a referendum question, to be decided in November, proposing a $2.5 million bond issue. This diversion of funding responsibility, as well as lack of gubernatorial support, are potential threats to the program. The land use commission, which was instrumental in drafting the growth management legislation, has been extended, however, and will have the task of revising the state’s zoning enabling statute. Plans for a statewide, coordinated geographic information system are progressing.55

During the past year the Commonwealth of Massachusetts made considerable progress in the debate over a statewide growth management system. Since May 1988 the Special Legislative Commission on Growth and Change in Massachusetts has been studying the issues, holding public hearings and focus group sessions, and developing consensus on growth management goals and objectives. The commission was to issue its consensus report in the fall of 1989 and plan to draft legislation for the 1990 session. Although the final details and implementation strategies have yet to be worked out, the commission’s recommendations will involve a system of mandatory local planning, regional certification of plans, regional planning, regional impact review, and state agency coordination. The commission has legislative authority to continue through December 1989 (although its funding expired in September) and a bill has been submitted to extend its life through June of 1990.56

In New Hampshire and Connecticut growth management has not become a state-level issue. New Hampshire does support the local planning process with targeted block grants, which have increased from $124,00, in 1986 to $350,00 for 1990.57 In Connecticut local governments are required to develop comprehensive plans, but no state funds are dedicated to the process. On the state level, the Department of Environmental Protection has engaged in a long-range planning program called Environment/2000, which guides the state’s environmental policies and programs. Although this process does not encompass the entire range of growth management issues, it does affect local government planning in such areas as water quality and solid waste.58••
Notes


20. Ibid.


34. Ibid., 10.


39. Ibid.

40. 52 New Jersey Statutes Annotated 18A-202b.


42. Correspondence with Susan P. Morrison, chief, Office of Systems Planning, Rhode Island Division of Planning, September 1988.


46. Ibid.


48. 30 Maine Revised Statutes Annotated 4960-c.


56. Conversation with Kathy Bartolini, director, Massachusetts Office of Local and Regional Planning, August 1989.

