

INTRODUCTION

PURPOSE AND ORGANIZATION OF REPORT

PURPOSE OF REPORT

This report has been prepared at the direction of Marty Irving and Tom Bisacquino in order to provide the Board of Directors and NAIOP with a foundation of information concerning the current state Smart Growth/Growth Management initiatives in this country. With this foundation, NAIOP can take the next step of defining policy positions and strategies, as appropriate, to address Smart Growth/Growth Management initiatives in the various states.

ORGANIZATION OF REPORT

The report has three components:

1. Overview of the American Planning Association (APA) Growing SmartSM Project
 - Project Objectives
 - Project Philosophy
 - Subjects of Model Legislation Produced by Project
2. Map of Smart Growth/Growth Management Legislation Adopted and Proposed Around the Country
 - States with Smart Growth/Growth Management Legislation Adopted
 - States with Smart Growth Legislation Adopted with APA Influence
 - States with Smart Growth Legislation Proposed with APA Influence
 - States with Smart Growth/Growth Management Legislation Proposed without APA Influence
3. Overview of Smart Growth/Growth Management Legislation in Specific States

APA GROWING SMARTSM PROJECT

Of particular interest to NAIOP is the project initiated by APA in 1994 entitled Growing SmartSM. The purpose of this project is to overhaul the state planning and zoning enabling legislation by providing analysis of various regulatory techniques and proposing model state legislation for planning and managing change. As part of this effort, growth management has taken center stage. Because APA is now in the process of approaching individual states and providing them with its *Legislative Guidebook* for implementing changes to existing legislation, its efforts are having an increasingly significant impact around the country. NAIOP needs to understand this effort, assess the quality and appropriateness of planning and land use policies

proposed in the Growing SmartSM materials and prepare appropriate responses and strategies to assist NAIOP chapters at the local level.

MAP OF STATE LEVEL SMART GROWTH/GROWTH MANAGEMENT INITIATIVES

The map provides a quick overview of the status of Smart Growth/Growth Management Legislation around the country. The map reflects through the status of these initiatives, organized into the four categories listed above.

For those states where it is indicated that APA had some influence on “smart growth” legislation that was either adopted or considered, this indication is based upon APA’s representation in its own materials of those states with which it has had contact. Lastly, there are states in which smart growth legislation has been proposed without the influence of APA but not necessarily adopted as of the current legislative session.

OVERVIEW OF SMART GROWTH/GROWTH MANAGEMENT INITIATIVES IN THE STATES

The final part of this report provides a state-by-state summary of Smart Growth/Growth Management initiatives organized into the same categories that are reflected on the map. The only exception is that this state-by-state summary does not include those states in which legislation was proposed either in the 1999 legislative session or in the current session, but not yet adopted, and where APA does not claim any influence. These states are indicated in *blue* on the map.

Behind the tab for each state is a chart that summarizes the existing or proposed Smart Growth/Growth Management Legislation. Each chart has the following common elements to assist the reader in understanding the information. In the left column is the basic structure of growth management legislation. This structure is divided into two parts: (1) Growth Management Legislation *Planning Structure* and (2) Growth Management Legislation *Implementation Techniques*, as follows:

Growth Management Legislation Planning Structure

State Level Growth Management and Planning

- State Commission/Department
- State Level Policies
- Review/Acceptance of Regional and Local Plans
- Required Relationship to Other Plan(s)
- Monitoring, Evaluation and Enforcement

Regional Level Planning and Growth Management

- Regional Growth Plans
- Review of Developments of Regional Impact
- Plan Review/Acceptance
- Required Relationship to Other Plan(s)

Local Level Planning and Growth Management

- Local Comprehensive or Growth Plans
- Goals for Growth Management
- Required Relationship to Other Plan(s)
- Required Relationship Between Local Plan and Local Regulations

Growth Management Legislation Implementation Techniques

Provisions Governing Location, Density and Rate of Growth

Urban Growth Boundaries (UGBs)
Infill/Redevelopment Incentives
Extra-Jurisdictional Controls
Growth Caps/Moratoria

Provisions to Protect Natural Resources and Environment

Open Space/Development Rights Acquisition
Planned Unit/Cluster Developments
Soil and Water Conservation
Critical Areas
Transferable Development Rights
Farm Land Protection
Forest Land/Mineral Resource/Tree Preservation

Provision of Public Facilities and Infrastructure

APF and Concurrency
Exactions, Impact Fees, Special Assessment Districts
Traffic Management/Multi-modal Transportation

Preservation of Community Character

Design Review/Standards
Incentives
Historic Preservation
Neighborhood Conservation/Revitalization
Scenic Districts/Easements

Affordable Housing

Incentives
Linkage/Related Programs

Economic Development

Development Permit Streamlining
Jobs/Business Attraction/Incentives

In some states, it appears that the current extent of APA's influence has been to persuade the state legislature or the governor to establish a Smart Growth Study "Commission" or "Task Force." For those states in which this occurred, the chart behind the tab for the particular state is organized to highlight aspects of the Study Commission such as (1) membership; (2) scope of study; (3) date for completion of study, and other relevant aspects.

NAIOP GROWTH ISSUES COMMITTEE (GIC)

This report will also be reviewed by NAIOP's Growth Issues Committee which will begin undertaking the tasks of defining appropriate NAIOP positions in response to certain of the APA Growth SmartSM materials, and helping to devise strategies for NAIOP chapters to utilize in addressing smart growth issues locally.



AMERICAN PLANNING ASSOCIATION GROWING SMARTSM PROJECT

In 1999, according to the American Planning Association, the 50 state legislatures saw an unprecedented 1,000 measures introduced—and 200 passed—to change planning laws to make U.S. development more orderly and conserving

—The Sacramento Bee (March 26, 2000)

PURPOSE OF THE GROWING SMARTSM PROJECT

BACKGROUND

According to its home page, the American Planning Association (“APA”) is

a non-profit public interest and research organization representing 30,000 practicing planners, officials, and citizens involved with urban and rural planning issues. Sixty-five percent of APA's members are employed by state and local government agencies. These members are involved, on a day-to-day basis, in formulating planning policies and preparing land use regulations. APA's objective is to encourage planning that will contribute to public well being by developing communities and environments that meet the needs of people and society more effectively.

In October 1994, the APA initiated the Growing SmartSM project in response to its members' perception that the planning approaches founded in the Standard City Planning and Zoning Enabling Acts (established in the 1920s) are incapable of meeting the challenges of twenty-first century land development issues, for at least four reasons:

- In the 1920s, government was simpler, and there were fewer governmental units;
- People no longer believe, as they did in the nineteenth century, that land is something merely to be bought and sold; it is now also regarded as a resource;
- In the 1920s, community plans tended to be prepared by consultants working for business elites who sought little broad-based public support or involvement. Citizens now expect to be engaged in community planning processes, and, when they participate, they expect to see results from their efforts; and
- The line between protecting the public from nuisances—the focus of the 1920s—and securing public benefits has blurred over the past 70 years. In response, courts have begun to require government to compensate landowners for regulations that result in either a permanent or temporary taking of private property, creating a more challenging legal environment for government.

The APA maintains that the present local land use regulatory regime is largely responsible for the creation of “a characterless blur” on the landscape, a pattern of disinvestment in central cities, a loss of community and civic life, environmental degradation, and economic imbalance. The Growing SmartSM, project is aimed at helping states *modernize* statutes affecting planning and the management of change. The project is intended to establish a long-term capacity within APA to assist states with statutory reform.

FUNDING FOR THE GROWING SMARTSM PROJECT

The funding for the Project comes from the following sources:

- Henry M. Jackson Foundation, Seattle, Washington
- U.S. Department of Housing and Urban Development (HUD) (lead federal agency)
- Federal Highway Administration (FHWA); U.S. Department of Transportation (DOT)
- U.S. Environmental Protection Agency (EPA)
- Federal Emergency Management Agency (FEMA)
- Federal Transit Administration (FTA, DOT)
- Rural Economic and Community Development Administration (RECED), U.S. Department of Agriculture
- Annie E. Casey Foundation, Baltimore, MD
- Siemens Corporation, Washington, D.C.
- American Planning Association

THE GROWING SMARTSM PROJECT DIRECTORATE

The Project has a “Directorate” that meets periodically to review and suggest changes in drafts of chapters of the Legislative Guidebook, described below. The membership of the Project Directorate consists of representatives from the organizations listed below. There is only one representative from the development industry (*See below*).

- The American Planning Association
- The Council of Governors Policy Advisors
- The Council of State Community Development Agencies
- The National Conference of State Legislatures
- The National Association of Counties
- The National Association of Regional Councils

- The National Association of Towns and Townships
- The National Governors Association
- The National League of Cities
- The U.S. Conference of Mayors
- **Member-at-Large for the Built Environment** (Paul Barru , chair of NAHB's Land Development Committee)
- Member-at-Large for Local Government Law
- Member-at-Large for the Natural Environment

PRODUCTS OF PROJECT

The Growing SmartSM Project will produce two major products: (1) a *Legislative Guidebook* with model legislation and commentary and (2) a national planning statute clearinghouse and database of state legislative materials.

THE LEGISLATIVE GUIDEBOOK

According to the APA, the funders, supporters, and participants of the Growing SmartSM project believe that the matter of statutory reform of planning laws is a serious contemporary concern that affects every state, region, and community in this nation. In order to facilitate this reform process, the APA prepared its *Legislative Guidebook*. This is the primary work product of the Growing SmartSM project to date. The *Legislative Guidebook*, currently in an interim edition, contains model statutes for planning and the management of change as well as commentary that highlights key issues in the use of the statutory tools by states, regional planning agencies, and local governments in their use. The APA intends that these model statutes will provide governors, state legislators, state legislative research bureaus, local elected and appointed officials, planners, citizens, and advocates for statutory change with ideas, principles, methods, procedures, phraseology, and alternative legislative approaches drawn from various states, regions, and local governments across the country.

THE GROWING SMARTSM PROJECT

GOALS AND CONSIDERATIONS FOR STATUTORY REFORM

In calling for wide spread statutory reform, the APA has adopted the following goals:

- The improvement of certainty and efficiency in the development review and approval process;
- The promotion of planning through a mix of carrots and sticks;
- The early involvement of people affected by the planning process;
- Plans that address the interrelationships of employment, housing, fiscal impacts, transportation, environment, and social equity;

- Empowering governments with a range of planning tools to manage growth and change locally to create quality communities;
- Linking the timing, location, and intensity of development to existing or planned infrastructure; and
- The creation of mechanisms to monitor the ongoing performance of planning systems.

The APA has also identified the following factors for government to consider in using the contents of the *Legislative Guidebook* to reform planning statutes:

- The political perspective that finds current regulations cumbersome and complex, and questions the need for new regulation;
- The fiscal impacts of development decisions on local government;
- The capacity of local government to design and implement planning systems;
- The ongoing problems of housing affordability, lack of housing diversity, traffic congestion, environmental degradation, and exposure of life and property to natural hazards;
- An increased sensitivity to the operation of the private market;
- The obligation to promote social equity—the expansion of opportunities for betterment, creating more choices for those who have few—in the face of economic and spatial separation;
- The encouragement of compact development patterns to conserve resources;
- The need to quantify and offset impacts of development that go beyond the borders of one jurisdiction; and
- The challenge of managing growth in undeveloped and developing areas while encouraging reinvestment in older areas that are not growing.

GROWING SMARTSM STATEMENTS OF PHILOSOPHY

- **There is no single “one-size-fits-all” model for planning statutes.** The APA discovered that States were increasingly shaping their statutes to address problems that were unique to their circumstances. Consequently, APA’s model statutes had to be drafted to give users alternative ways of approaching planning issues, be it planning that is permissive, encouraged with incentives, required with sanctions, or completely integrated.
- **Model statutes should provide for planning that goes beyond the shaping and guidance of physical development.** States, regional agencies, and local governments are engaging in a broader type of planning

that expressly deals with social and economic issues. For example, APA found that a number of states had developed plans to address job creation, natural disasters and hazards, education, tourism, emergency management, government efficiency, and public safety.

- **Model statutes should build on the strengths of existing organizations that undertake and implement planning, and not create new planning organizations.**
- **Planning statute reform should not look just at regulation but also at the provision of infrastructure and property taxation.**
- **Model statutes should account for the *intergovernmental* dimension of planning and development control.** The previous statement of philosophy acknowledges that planning and development decisions are affected by and affect a variety of governmental units. The planning system must therefore contain mechanisms to ensure that plans and policies that have intergovernmental consequences are reviewed and assessed in a manner that addresses their multi-jurisdictional impacts.
- **Model statutes should prescribe the substantive contents of plans.** Clear language on what constitutes a plan will eliminate any subsequent confusion over the plan's scope and purpose.
- **Model statutes should anticipate the potential for abuse of planning tools and correct for it.** Arbitrary Board and Commission decision-making, exclusionary zoning, interminable local delays in development decisions, imposition of exactions on new developments that bear little relationship to their impact, and failure or refusal to consult with adjoining jurisdictions when preparing plans are examples of questionable actions and abuses. Enabling legislation must clearly circumscribe the procedures and authority of governmental units in anticipation of the potential misuse of planning powers.
- **Model statutes should use familiar terminology.** The model statutes in the *Legislative Guidebook* use terms that most states, regions, and local governments will recognize and accept.
- **Model statutes should expressly provide for citizen involvement.**
- **Model statutes should allow flexibility in planning administration.** Statutes should not contain very specific language providing detailed guidance for administrative or managerial decisions, such as the contents of an application form or the precise composition of all the subcommittees of a regional planning agency. These are matters for which administrative rule making is particularly appropriate.
- **Model statutes should be based on an appraisal of what has worked.**

GROWING SMARTSM PROJECT PHASES

CONTENTS OF THE *LEGISLATIVE GUIDEBOOK*

The *Legislative Guidebook* is being produced in three phases and will ultimately have fifteen chapters. Phase I, completed in December 1996, focused on state and regional planning and the relationship and responsibilities that exist between state, regional and local planning efforts. Phase I includes model legislation in the following chapters:

- 1: *Initiating Planning Statute Reform***
- 2: *Purposes and Grant of Power***
- 3: *Definitions***
- 4: *State Planning***
- 5: *State Land-Use Control***
- 6: *Regional Planning***

- 14: *Tax Equity Devices and Tax Relief Programs (partially completed)***

In September 1998, the APA released Phase II of the *Legislative Guidebook*, offering model legislation dealing with local planning, including planning agency and planning commission structure, plan preparation, and the integration of state environmental policy acts with local planning. Phase II added two chapters:

- 7: *Local Planning***

- 12: *Integrating State Environmental Policy Acts with Local Planning***

The release of Phase II also included amended versions of chapters included in Phase I, to reflect changes from Phase II. The APA specifically added materials in Chapter 4 on a state telecommunications and information technology plan and to Chapter 6 on designation of urban growth areas.

Phase III is presently being completed. It will provide model legislation for the implementing tools communities need to manage change. APA has released draft version of the following chapters during the pendency of Phase III:

- 8: *Local Development Regulations***

- 10: *Administrative and Judicial Review of Land-Use Actions***

- 11: *Enforcement***

Chapter 9, *Special Environmental and Development Controls for Local Regulation*, is scheduled for an April 2000 release. There has been no word on the status of Chapters 13 and 15 or the balance of Chapter 14. At the conclusion of the Growing SmartSM project, APA will prepare a user's guide to show how to link the components of the model legislation together to achieve various policy alternatives.

According to the authors of the *Legislative Guidebook*, the highlights of the *Guidebook* include model statutes for:

- initiating **reform of planning and land-use statutes** (Chapter 1);
- establishing **state planning agencies and state comprehensive, transportation, economic development, and land development plans** as well as ensuring **state agency consistency with adopted state plans** (Chapter 4);
- authorizing **state and regional planning for affordable housing** and the removal of regulatory barriers to it (Chapter 4);
- establishing a **state telecommunications and information technology plan** (Chapter 4);
- establishing innovative **procedures for siting controversial state facilities** and for **reviewing developments of regional impact** (Chapter 5);
- designating **areas of critical state concern** that are crucial to the environmental health of the state or represent other critical resources (Chapter 5);
- creating **alternative organizational arrangements for regional planning agencies and describing regional comprehensive, infrastructure, housing, and transportation plans** and the manner in which they are adopted (Chapter 6);
- authorizing **agreements** for the purpose of **providing and coordinating urban services** (Chapter 6);
- creating **different organizational structures for local planning commissions and neighborhood planning entities** to ensure a broad spectrum of perspectives by citizens (Chapter 7);
- describing **local comprehensive plans** (including natural hazards, telecommunications, economic development, and agriculture and forest preservation elements), **transit-oriented development plans, redevelopment area plans, neighborhood plans**, and for ensuring early and continuous **citizen participation in plan preparation** (Chapter 7);
- authorizing the establishment of **urban growth areas on a regional or countywide basis** and **land market monitoring systems** to ensure an adequate supply of buildable land (Chapter 6);
- establishing **state review and approval of local and regional comprehensive plans** (Chapter 7);
- creating a **state comprehensive plan appeals board** to hear appeals of state reviews of local or regional plans and county or regional designation of urban growth areas (Chapter 7);

- authorizing **corridor maps to reserve land for future transportation improvements**, benchmarking, and implementation agreements to carry out local comprehensive plan proposals (Chapter 7);
 - integrating existing **state environmental policy acts into local planning** as well as providing for **non-binding environmental evaluations of key elements of a local comprehensive plan prior to its adoption** (Chapter 12); and
 - authorizing **regional tax-base sharing** and permitting voluntary intergovernmental agreements among two or more units of local government to create a joint economic development zone (Chapter 14).
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GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Arizona
<i>State Level Planning and Growth Management</i>	
State Commission/Department	State Land Department; Urban Land Planning Oversight Committee established in Department, appointed by governor
State Level Policies	State Land Department Conceptual Land Use Plans for “urban state trust lands” and other state trust lands
Review/Acceptance of Regional and Local Plans	General Plan of municipality and Comprehensive Plan of county must be submitted to State Department of Commerce or other designated state planning agency for review prior to adoption
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	General Plan of municipality must be submitted to Regional Planning Agency for review prior to adoption; Counties must transmit Comprehensive Plan for review prior to adoption
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory; Municipalities must prepare and adopt a comprehensive, long-range general plan; counties must prepare comprehensive plans
Goals for Growth Management	
Required Relationship to Other Plan(s)	Municipalities and counties must cooperate with State Land Department to integrate State Conceptual Land Use Plans into local plans
Required Relationship Between Local Plan and Local Regulations	Mandatory; Municipal zoning must be consistent with General and Specific plans of a municipality; County zoning must be consistent with county plan

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Arizona
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	Growth Area element of General Plan identifies areas suitable for infrastructure expansion and improvement to support concentrated uses; Specific plans and regulations may determine the location of infrastructure service area boundaries beyond which municipality may "limit or prescribe conditions on publicly financed extensions of water, sewer and street improvements that are necessary to service needs generated by new development"
Infill/Redevelopment Incentives	Land Use element of General Plan must identify specific programs or policies to promote infill or compact form development and locations where such development patterns should be encouraged; County (over 100,000 pop.) plan land use element must identify programs and locations for compact development
Extra-Jurisdictional Controls	Authorized; Municipality may exercise three mile jurisdiction if no county planning agency; Intergovernmental agreements authorized
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Open Space element of General Plan for certain municipalities (depending on size and growth rate) must include implementation strategy to meet open space needs; Open space element or growth area element of general plan may not designate private land or state trust land as open space, conservation or recreation unless landowner consents or zoning allows at least one residential unit per acre
Planned Unit/Cluster Development	Authorizes planned area development plans
Soil and Water Conservation	Water Resources element of General Plan for certain municipalities (depending on size and growth rate) must include implementation strategies to protect water resources
Critical Areas	
Transferable Development Rights (TDR)	Authorizes adoption of local ordinance that meets required standards
Farm Land Preservation	Authorizes formation of Natural Resource Conservation Areas; Open space element or growth area element of general plan may not designate private land or state trust land as agricultural unless landowner consents or zoning allows at least one residential unit per acre
Forest Land/Mineral Resource/Tree Preservation	

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Arizona
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Growth Area plans for certain municipalities and counties (depending on size and growth rates) must include implementation strategy to promote the “public and private construction of timely and financially sound infrastructure expansion through use of infrastructure funding and financing planning that is coordinated with development activity”
Exactions, Impact Fees, Special Assessment Districts	Authorizes development fees by municipalities; Cost of Development element of plans for certain municipalities and counties (depending on size and growth rate) must identify policies and strategies to require development to pay its “fair share toward the cost of additional public service needs generated by the new development” including “bonding special taxing districts, development fees, in-lieu fees, facility construction, dedications and service privatization”
Traffic Management/Multi-modal Transportation	Growth Area element of General Plan must identify areas suitable for planned multimodal transportation; County (over 100,000 pop.) plan must identify areas suitable for multimodal transportation
<i>Preservation of Community Character</i>	
Design Review/Standards	
Incentives	
Historic Preservation	Authorizes historic zoning districts if plan for preservation of district meets required standards
Neighborhood Conservation/Revitalization	Conservation, rehabilitation and redevelopment element (in cities over 50,000 pop.) must include programs for neighborhood preservation and revitalization
Scenic Districts/Easements	Authorizes conservation easements
<i>Affordable Housing</i>	
Incentives	Housing element (in cities over 50,000 pop.) must include programs for improving housing affordability and forecast needs
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	
Jobs/Business Attraction/Incentives	Authorizes municipal expenditures to fund economic development activities

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	California
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Office of Planning and Research (OPR)
State Level Policies	OPR develops long-range goals/policies re: growth, development, land use, and conservation; Rural economic growth strategy required
Review/Acceptance of Regional and Local Plans	Local plans must undergo California Environmental Quality Act (CEQA) analysis/review re: potential for significant environmental impact; Plans reviewed/accepted by OPR
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	OPR monitors compliance with local plan requirements
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; Regional planning districts are created by statute but do not operate unless 2/3 of legislative bodies within a district declare a need for district to function; May prepare a regional growth plan
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	If a Regional Planning District is operating, a Regional Planning Board is created, with which is filed all local general plans/regulations in order to "facilitate effective and harmonious planning"
Required Relationship to Other Plan(s)	Regional Growth Plans are advisory to local plans
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory; Counties/cities must prepare "general plans;" May prepare more focused "specific plans"
Goals for Growth Management	Mandatory; Local plans must be consistent with state-wide growth and planning goals
Required Relationship to Other Plan(s)	Local specific plans must be consistent with underlying general plans
Required Relationship Between Local Plan and Local Regulations	Mandatory; Local plans must be consistent with local regulations

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	California
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	
Infill/Redevelopment Incentives	Authorized re: redevelopment; Certain redevelopments are exempt from CEQA review
Extra-Jurisdictional Controls	
Growth Caps/Moratoria	Authorized for both
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Mandatory open space element in general plans
Planned Unit/Cluster Development	Authorized
Soil and Water Conservation	Mandatory soil and water conservation elements in general plans
Critical Areas	Mandatory; CEQA review requires analysis of project impact on biological resources
Transferable Development Rights (TDR)	Authorized
Farm Land Preservation	Authorized; Agricultural land inventories required from Dept. of Conservation
Forest Land/Mineral Resource/Tree Preservation	Mandatory forest/mineral/natural resource preservation elements in general plans; CEQA review requires analysis of project impact on biological/mineral resources
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Mandatory; CEQA review includes analysis of project impact on public facilities
Exactions, Impact Fees, Special Assessment Districts	Authorized exactions and impact fees within specified parameters
Traffic Management/Multi-modal Transportation	Mandatory; Regional transportation plans required of transportation planning agencies; Congestion management programs required at county level; Circulation element required in general plans; Mandatory density bonuses for housing developments within ½ mile of mass transit station
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized in local plans/regulations; CEQA review includes analysis of project impact on aesthetics
Incentives	
Historic Preservation	Mandatory; CEQA review includes analysis of project impact on cultural resources
Neighborhood Conservation/Revitalization	
Scenic Districts/Easements	Authorized

Affordable Housing

Incentives

Mandatory density bonuses; Low or moderate income housing projects must be approved absent specific findings

Linkage/Related Programs

Mandatory housing element in general plans with specified sub-elements/analysis re: meeting share of regional low income housing needs; General plans authorized to require fixed percentage of affordable housing units for a proposed housing development project

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Colorado
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Colorado Land Use Commission monitors growth/land use state-wide
State Level Policies	Colorado Land Use Commission must prepare "land use planning program"
Review/Acceptance of Regional and Local Plans	
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	Colorado Land Use Commission reviews development guidelines for areas/activities of state interest
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; Regional Planning Commissions authorized; Regional plans are advisory only
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory for counties and cities to prepare "master plans;" Plans are advisory only and not binding on zoning
Goals for Growth Management	
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Colorado
<i>Provisions Governing Location, Density And Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	
Infill/Redevelopment Incentives	Authorized; Urban Renewal Projects encouraged with financial incentives
Extra-Jurisdictional Controls	Authorized re: annexation
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources And Environment</i>	
Open Space/Development Rights Acquisition	Authorized/encouraged re: both
Planned Unit/Cluster Development	Authorized/encouraged re: both; Cluster development plans must include open space set asides for at least 40 years; Density bonuses authorized
Soil and Water Conservation	Authorized; State creates soil and water conservation districts empowered to fund conservation efforts
Critical Areas	Mandatory; Colorado Land Use Commission must designate; Local governments may designate areas/activities of "state interest" and adopt guidelines for development subject to review by Colorado Land Use Commission
Transferable Development Rights (TDR)	Authorized/Encouraged
Farm Land Preservation	Authorized
Forest Land/Mineral Resource/Tree Preservation	Authorized; Local governments may designate mineral/natural resource areas as areas of state interest; Master plan for extraction of mineral deposits required at county/city level
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	County and Regional Plans may designate "utility corridors" to facilitate provision of utilities to all developments in county or region
Exactions, Impact Fees, Special Assessment Districts	Authorized re: all
Traffic Management/Multi-modal Transportation	Mandatory transportation management and multi-modal transportation plans at state and regional levels
<i>Preservation of Community Character</i>	
Design Review/Standards	
Incentives	
Historic Preservation	Authorized; Local governments may designate historic resources as areas of state interest

Neighborhood Conservation/Revitalization	Authorized; Funding/tax credits available to developers in "Enterprise Zones;" Municipalities may create "Downtown Development Authorities"
Scenic Districts/Easements	Authorized; Tax incentives for conservation easements
<i>Affordable Housing</i>	
Incentives	Colorado Housing and Finance Authority Act provides funding for affordable housing projects
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	
Jobs/Business Attraction/Incentives	Colorado Housing and Finance Authority Act provides funding for projects creating employment opportunities in areas of underemployment

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	<i>Florida</i>
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Governor is Chief Planning Officer
State Level Policies	State Comprehensive Plan (includes growth management portion) prepared by Executive Office of Governor; State Agency Strategic Plans
Review/Acceptance of Regional and Local Plans	Mandatory; State land planning agency must adopt criteria for review and determination of compliance of local comprehensive plan elements with state act
Required Relationship to Other Plan(s)	State review criteria require local comprehensive plans to be consistent with state comprehensive plan
Monitoring, Evaluation, and Enforcement	Governor conducts biennial review and revision of State Comprehensive Plan
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized Strategic Regional Policy Plan prepared by Regional Planning Council
Review of Developments of Regional Impact	Authorizes statewide guidelines and standards for review of developments of regional impact
Review/Acceptance of Local Plans	Regional planning agency may prepare and adopt plan elements local governments fail to prepare
Required Relationship to Other Plan(s)	Cross-Acceptance process to resolve inconsistencies between local and regional plans
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory; Municipalities and counties required to adopt and implement comprehensive plans
Goals for Growth Management	
Required Relationship to Other Plan(s)	Mandatory policy statement in comprehensive plan indicating relationship of proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region and to the state comprehensive plan
Required Relationship Between Local Plan and Local Regulations	Mandatory internal consistency of plan elements and consistency with land development regulations

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

Legislation Element

Florida

Provisions Governing Location, Density and Rate of Growth

Urban Growth Boundaries (UGBs)

State urban policies “should guide” local governments in “preserving and redeveloping existing urban cores and promoting the adequate provision of infrastructure, human services, safe neighborhoods, educational facilities and economic development” to sustain urban cores

Infill/Redevelopment Incentives

Authorizes “Urban Infill and Redevelopment Area” designation and plan

Extra-Jurisdictional Controls

Growth Caps/Moratoria

Provisions to Protect Natural Resources and Environment

Open Space/Development Rights Acquisition

Conservation and Recreation Lands Trust Fund; Authorizes conservation easements, local land development regulations

Planned Unit/Cluster Development

Authorizes local regulations for planned unit development

Soil and Water Conservation

Authorizes local land development regulations to regulate use of land and water and to protect water resources

Critical Areas

Authorizes state land planning agency designation of “Areas of Critical State Concern”

Transferable Development Rights (TDR)

Authorizes local regulations for transfer of development rights

Farm Land Preservation

Authorizes tax exemptions for agricultural lands

Forest Land/Mineral Resource/Tree Preservation

Authorizes land development regulations to preserve natural resources; Conservation element includes forest and mineral resources

Provision of Public Facilities and Infrastructure

APF and Concurrency

Mandatory concurrency of public facilities to serve development; Capital improvement element requires standards to ensure availability of public facilities and adequacy of facilities, including acceptable levels of service

Exactions, Impact Fees, Special Assessment Districts

Authorizes county and municipal impact fee regulations

Traffic Management/Multi-modal Transportation

Transportation facilities subject to concurrency requirements; Level of service based on multiple modes of transportation

Preservation of Community Character

Design Review/Standards

Incentives

Historic Preservation	Authorizes historic preservation districts
Neighborhood Conservation/Revitalization	Authorizes neighborhood improvement districts
Scenic Districts/Easements	Authorizes conservation easements to include scenic resources
<i>Affordable Housing</i>	
Incentives	Authorizes incentive and inclusionary zoning for affordable housing
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	
Jobs/Business Attraction/Incentives	Authorizes local government to designate "brownfields" and sustainable community enterprise zones

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Georgia
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Department of Community Affairs coordinates comprehensive planning on the state level and throughout the state
State Level Policies	
Review/Acceptance of Regional and Local Plans	Department of Community Affairs authorized to review regional and local plans for consistency with state goals/policies
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Mandatory; Regional Development Centers prepare/adopt regional comprehensive plans
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	Mandatory; Local plan review by Regional Development Center for conflict between it and other local plans or the regional plan
Required Relationship to Other Plan(s)	Regional plans must "take into consideration" local plans in the region
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Authorized for counties and cities; Mandatory for Metropolitan Area Planning and Development Commissions created in areas of population > 1,000,000 to prepare comprehensive development guides and must review all area/local plans prepared for use in the area
Goals for Growth Management	
Required Relationship to Other Plan(s)	Local plans must not conflict with other local plans or the relevant regional plan
Required Relationship Between Local Plan and Local Regulations	

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Georgia
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	
Infill/Redevelopment Incentives	Authorized re: both
Extra-Jurisdictional Controls	
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	
Planned Unit/Cluster Development	Authorized re: PUDs
Soil and Water Conservation	Mandatory re: soil conservation/water protection in river drainage basins
Critical Areas	Mandatory re: coastal zones/marshlands/wetlands/mountains
Transferable Development Rights (TDR)	Authorized
Farm Land Preservation	Authorized; Agricultural development incentives available
Forest Land/Mineral Resource/Tree Preservation	Authorized re: natural resources in general
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Authorized; Counties/cities must prepare/execute/file with Department of Community Affairs an implementation agreement re: strategy for delivery of public services
Exactions, Impact Fees, Special Assessment Districts	Authorized re: impact fees, special assessment districts
Traffic Management/Multi-modal Transportation	Authorized re: transportation management generally; Mandatory traffic management plans in defined metropolitan areas
<i>Preservation of Community Character</i>	
Design Review/Standards Incentives	Authorized for City Business Improvement Districts
Historic Preservation	Mandatory; State-wide historic preservation plan
Neighborhood Conservation/Revitalization	Authorized
Scenic Districts/Easements	
<i>Affordable Housing</i>	
Incentives	Authorized; State tax incentives
Linkage/Related Programs	

Economic Development

Development Permit Streamlining

Jobs/Business Attraction/Incentives

Authorized; Rural economic development funding available; Rural rehabilitation incentives authorized; Incentives to stimulate/develop economic growth in underdeveloped areas authorized

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Maine
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Land and Water Resources Council reviews State's growth management program
State Level Policies	Set of ten state growth management goals
Review/Acceptance of Regional and Local Plans	State Planning Office certifies municipal growth management plans
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	Localities with state-certified plans receive preference in the awarding of state grants or assistance
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; cities/towns may join together to form Regional Planning Commissions and may prepare comprehensive regional plans; Governor may designate Regional Planning and Development Districts to coordinate plans, programs, and policies of various government levels affecting district
Review of Developments of Regional Impact	Governor may designate Regional Councils to receive, review, and comment on federal and "significant" local/state plans/projects affecting regional planning
Review/Acceptance of Local Plans	Authorized; subject to availability of funding, Regional Council shall review and comment on local plans
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Authorized; Municipalities may prepare growth management plans
Goals for Growth Management	Authorized; Municipal plans, if prepared, must reflect state growth management goals
Required Relationship to Other Plan(s)	Municipal growth management plans must be coordinated and consistent with other municipal plans in a region
Required Relationship Between Local Plan and Local Regulations	Mandatory consistency

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Maine
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	Authorized; Municipal growth management plans should identify "growth areas"
Infill/Redevelopment Incentives	Authorized re: redevelopment; funding available
Extra-Jurisdictional Controls	
Growth Caps/Moratoria	Authorized re: moratoria within defined parameters
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Authorized open space element of local plans
Planned Unit/Cluster Development	Authorized element of local plans
Soil and Water Conservation	Authorized element of local plans; water protection is a state goal
Critical Areas	Authorized element of local plans; protection of critical natural resources is a state goal
Transferable Development Rights (TDR)	
Farm Land Preservation	Authorized element of local plans
Forest Land/Mineral Resource/Tree Preservation	Authorized re: forest land management element of local plans; natural resource protection is a state goal
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Authorized re: APF; APF is a state goal
Exactions, Impact Fees, Special Assessment Districts	Authorized re: impact fees
Traffic Management/Multi-modal Transportation	Authorized transportation element of local plans
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized
Incentives	
Historic Preservation	Authorized element of local plans
Neighborhood Conservation/Revitalization	Authorized; funding available
Scenic Districts/Easements	Authorized re: scenic easements
<i>Affordable Housing</i>	
Incentives	Authorized; affordable housing is a state goal
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	

Jobs/Business Attraction/Incentives

Authorized

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	<i>Maryland</i>
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Commission and "Office of State Planning"
State Level Policies	"State Development Plan"; State Economic Growth, Resource Protection, and Planning Policy
Review/Acceptance of Regional and Local Plans	Office of State Planning reviews local and regional plans and provides assistance
Required Relationship to Other Plan(s)	Promotes coordination and "harmonizes" but not formal consistency determination
Monitoring, Evaluation, and Enforcement	Advisory Report by Commission to Governor
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Regional plans authorized in regions with established regional planning agencies
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory local comprehensive plan; municipalities may participate in countywide program
Goals for Growth Management	Seven growth management visions to be implemented by local comprehensive plan
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	Mandatory Consistency

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

Legislation Element

Maryland

Provisions Governing Location, Density and Rate of Growth

Urban Growth Boundaries (UGBs)

Authorizes "Priority Funding Areas"

Infill/Redevelopment Incentives

State Economic Growth, Resource Protection, and Planning Policy; "Infill Development Model"

Extra-Jurisdictional Controls

Annexation authorized

Growth Caps/Moratoria

Provisions to Protect Natural Resources and Environment

Open Space/Development Rights Acquisition

"Rural Legacy Program"

Planned Unit/Cluster Development

Authorizes cluster development, planned unit development, mixed use development

Soil and Water Conservation

Sensitive Area Element of local plan

Critical Areas

"Areas of Critical State Concern"; Chesapeake Bay Program

Transferable Development Rights (TDR)

Authorizes county or municipal programs

Farm Land Preservation

Agricultural Land Preservation Fund; "Rural Legacy Program"

Forest Land/Mineral Resource/Tree Preservation

"Forest Conservation Program"

Provision of Public Facilities and Infrastructure

APF and Concurrency

Authorizes municipal or county ordinances requiring staging of development or provision of adequate facilities

Exactions, Impact Fees, Special Assessment Districts

Authorized; off-site improvements, land dedication, impact fees in designated counties

Traffic Management/Multi-modal Transportation

Local comprehensive plan addresses

Preservation of Community Character

Design Review/Standards

"Smart Codes Program" encourages rehab of existing buildings

Incentives

Authorizes tax credits in neighborhood revitalization areas

Historic Preservation

Historic District Commissions, historic districts and easements authorized

Neighborhood Conservation/Revitalization

"Live Near Your Work Program"; Priority funding in designated neighborhoods

Scenic Districts/Easements

Scenic easements authorized

Affordable Housing

Incentives

Authorizes inclusionary zoning, density bonuses

Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	State Economic Growth, Resource Protection, and Planning Policy
Jobs/Business Attraction/Incentives	Brownfields Program; Job Creation Tax Credit; Smart Growth Economic Development Infrastructure Fund

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	<i>New Jersey</i>
<i>State Level Planning and Growth Management</i>	
State Commission/Department	“State Planning Commission” and “Office of State Planning”
State Level Policies	“State Development and Redevelopment Plan” prepared to meet six statutory objectives
Review/Acceptance of Regional and Local Plans	Office of State Planning advice and assistance to local/county planning units
Required Relationship to Other Plan(s)	Cross – Acceptance by State Commission with county planning boards
Monitoring, Evaluation, and Enforcement	State Commission evaluation and Office of State Planning Annual Report
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	State Plan policies promote regional planning
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory county and municipal master plans
Goals for Growth Management	State Plan sets goals and policies
Required Relationship to Other Plan(s)	Mandatory cross-acceptance by county and local planning boards
Required Relationship Between Local Plan and Local Regulations	Mandatory consistency or statement of reasons why inconsistent

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	<i>New Jersey</i>
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	State Plan policies for compact development/ "Urban Centers"
Infill/Redevelopment Incentives	State Plan policies promote revitalization of "Urban Centers"
Extra-Jurisdictional Controls	Annexation authorized
Growth Caps/Moratoria	Use of moratorium restricted
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Authorized
Planned Unit/Cluster Development	Authorizes planned developments and clustering of development
Soil and Water Conservation	Mandatory stormwater management plan part of Master Plan
Critical Areas	"Areas of Critical State Concern" ; "Critical Environmental/ Historic Sites"
Transferable Development Rights (TDR)	"State Transfer of Development Rights Bank"
Farm Land Preservation	"Farmland Preservation Planning Incentive Grants"; "Garden State Preservation Trust Act"
Forest Land/Mineral Resource/Tree Preservation	Authorized; Master Plan Conservation Element
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	State Plan "Infrastructure Needs Assessment"; Master Plan element on adequacy of facilities
Exactions, Impact Fees, Special Assessment Districts	County may assess "development fees" in "transportation development districts"
Traffic Management/Multi-modal Transportation	State Plan policies address: "New Jersey Urban Core" project
<i>Preservation of Community Character</i>	
Design Review/Standards	"Residential Site Improvement Standards"; Codes program
Incentives	Authorized
Historic Preservation	State Plan policies address; Master Plan Element
Neighborhood Conservation/Revitalization	"Communities of Place Municipality" program
Scenic Districts/Easements	Authorized
<i>Affordable Housing</i>	
Incentives	"Certified Housing Element" of Master Plan; "Council on Affordable Housing"

Linkage/Related Programs	Fair Share housing allocation
<i>Economic Development</i>	
Development Permit Streamlining	Mandatory State "Residential Site Improvement Standards" for defined Projects
Jobs/Business Attraction/Incentives	State Plan policies: Master Plan Element; "New Jersey Economic Development Authority" programs

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Oregon
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Land Conservation and Development Commission
State Level Policies	State agency actions must be consistent with state-level planning goals and with “acknowledged” local plans
Review/Acceptance of Regional and Local Plans	Commission reviews and “acknowledges” local comprehensive plans and implementing regulations for compliance with state planning goals
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	Commission may order local plan compliance with state-level planning goals; State grant funds may be withheld from counties/municipalities not in compliance
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; Counties and cities representing > 51% of population in an area may petition Commission to form a regional planning agency to perform planning duties in lieu of counties; Metro Regional Framework Plans mandatory in some Metropolitan Service Districts but do not constitute comprehensive plans
Review of Developments of Regional Impact	Authorized; Metropolitan Service Districts may review and apply planning procedures to activities/areas having significant impact on metropolitan areas
Review/Acceptance of Local Plans	Authorized; Metropolitan Service Districts may review local comprehensive plans and make recommendations for amendments to local plans to ensure that they conform to District’s goals and to state goals
Required Relationship to Other Plan(s)	Metro Regional Framework Plans must be consistent with Metropolitan Districts planning goals and with state goals
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory; Comprehensive plans required for both counties and municipalities
Goals for Growth Management	Mandatory; Local plans must be consistent with state-level planning goals
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	<i>Mandatory</i>
Required Relationship Between Local Plans/Regulations and State-Level Planning Goals	Mandatory; Local plans and local regulations must be consistent with state-level planning goals and, when required by Metropolitan Service Districts, with Metro Regional Framework Plans

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Oregon
<i>Provisions Governing Location, Density And Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	Mandatory; Density bonuses authorized
Infill/Redevelopment Incentives	Authorized re: both
Extra-Jurisdictional Controls	Authorized
Growth Caps/Moratoria	Authorized re: moratoria; Specific standards and time limits apply
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Mandatory; Open spaces must be identified/protected by local plans
Planned Unit/Cluster Development	Authorized re: PUDs
Soil and Water Conservation	Mandatory; Local plans must be protective of ground water resources
Critical Areas	Authorized; Designation at state level
Transferable Development Rights (TDR)	
Farm Land Preservation	Authorized element of local plans
Forest Land/Mineral Resource/Tree Preservation	Authorized re: forest land
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Authorized; Local governments may adopt public facility strategies
Exactions, Impact Fees, Special Assessment Districts	Authorized re: impact fees
Traffic Management/Multi-modal Transportation	Authorized; Coordination of local plans with transportation planning encouraged
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized
Incentives	
Historic Preservation	Mandatory; Local plans must address
Neighborhood Conservation/Revitalization	
Scenic Districts/Easements	
<i>Affordable Housing</i>	
Incentives	Mandatory that only clear/objective approval standards re: appearance/aesthetics be applied to needed affordable housing
Linkage/Related Programs	

Economic Development

Development Permit Streamlining

State commission to develop model permit streamlining procedures

Jobs/Business Attraction/Incentives

Mandatory; Local plans must address economic development opportunities

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Rhode Island
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Department of Administration Division of Planning; State Planning Council prepares State Guide Plan
State Level Policies	State level development/growth goals; Local plans must be consistent with state goals
Review/Acceptance of Regional and Local Plans	Department of Administration reviews/accepts local plans
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	Department of Administration must prepare/adopt comprehensive plans for any municipalities that fail to do so
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; Municipalities may conduct joint planning
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory comprehensive plans for cities and towns
Goals for Growth Management	Mandatory consistency with state development/growth goals
Required Relationship to Other Plan(s)	Mandatory consistency with State Guide Plan
Required Relationship Between Local Plan and Local Regulations	Mandatory consistency

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Rhode Island
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	
Infill/Redevelopment Incentives	Authorized; State funding available for redevelopment agency or municipal projects
Extra-Jurisdictional Controls	
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Authorized re: municipal purchase of open space and purchase by state of farm land development rights; State funding available for both
Planned Unit/Cluster Development	Authorized re: PUDs
Soil and Water Conservation	Mandatory; Local plans must include protection of soil and water resource areas
Critical Areas	
Transferable Development Rights (TDR)	
Farm Land Preservation	Mandatory; Local plans must include protection of farm land
Forest Land/Mineral Resource/Tree Preservation	Mandatory; Local plans must include protection of natural resources
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	
Exactions, Impact Fees, Special Assessment Districts	
Traffic Management/Multi-modal Transportation	Mandatory; Local plans must include implementation techniques for traffic management and multi-modal transportation
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized
Incentives	
Historic Preservation	Mandatory; State-wide historic preservation plan; State historic preservation fund available for grants/loans to public/private entities; Local plans must include protection of cultural/historic resources
Neighborhood Conservation/Revitalization	Authorized; State funding available for urban revitalization
Scenic Districts/Easements	Authorized re: municipal acquisition of scenic easements

Affordable Housing

Incentives

Rhode Island Housing & Conservation Trust Fund provides funding for residential projects incorporating affordable housing; Affordable housing element required in local plans

Linkage/Related Programs

Economic Development

Development Permit Streamlining

Expedited permit process for projects of "critical economic concern"

Jobs/Business Attraction/Incentives

Expedited permit process for projects of "critical economic concern"

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Tennessee
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Department of Economic and Community Development
State Level Policies	
Review/Acceptance of Regional and Local Plans	Regional Planning Commissions “certify” regional plans to Department
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	County comprehensive plans monitored at state level; Counties w/out plans are ineligible for certain state funds; Counties with approved plans are eligible for community development /infrastructure funding
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; Regional Planning Commissions may be created and if created must prepare regional plans
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	Regional plans are advisory
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory county-wide comprehensive growth plans, to be created by County Coordinating Committees; but growth management statute does not apply to counties with a metropolitan form of government
Goals for Growth Management	Specified goals for county-wide comprehensive plans
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	Mandatory consistency; All city and county land use decisions must be consistent with county growth plan

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Tennessee
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	Mandatory; New municipalities allowed only in "planned growth" areas
Infill/Redevelopment Incentives	Authorized re: redevelopment financing incentives
Extra-Jurisdictional Controls	Authorized; Statutory goal to provide incentives for annexation
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Authorized
Planned Unit/Cluster Development	Authorized re: PUDs
Soil and Water Conservation	Authorized
Critical Areas	
Transferable Development Rights (TDR)	Authorized for inclusion in local zoning regulations
Farm Land Preservation	Mandatory; Must allow continued farm use; Must reflect farm in plans
Forest Land/Mineral Resource/Tree Preservation	Mandatory; Forest land, wildlife management area preservation must be reflected in plans
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Authorized; Plans "should" address APF; State growth policy to time APF to development; Prohibits creation of new school systems
Exactions, Impact Fees, Special Assessment Districts	
Traffic Management/Multi-modal Transportation	Authorized; Plans may address
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized; Plans "should" address
Incentives	
Historic Preservation	Authorized; Plans "should" address
Neighborhood Conservation/Revitalization	
Scenic Districts/Easements	Authorized re: easements
<i>Affordable Housing</i>	
Incentives	Authorized; Plans "should" assure availability of affordable housing
Linkage/Related Programs	

Economic Development

Development Permit Streamlining

Jobs/Business Attraction/Incentives

Authorized; Plans "should" address; Development Districts authorized

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Utah
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Quality Growth Commission, which is advisory only
State Level Policies	Growth management policies articulated in Quality Growth Act
Review/Acceptance of Regional and Local Plans	
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory; Counties and cities must prepare comprehensive plans
Goals for Growth Management	
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	Local comprehensive plans used as advisory guides for land use decisions

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Utah
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	
Infill/Redevelopment Incentives	Authorized; Urban and rural development funding available in certain areas
Extra-Jurisdictional Controls	Authorized
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Authorized; Funding available for restoring/preserving open land
Planned Unit/Cluster Development	Authorized re: "inclusionary developments;" Density bonuses authorized
Soil and Water Conservation	Authorized element of local plans
Critical Areas	Authorized re: critical watersheds
Transferable Development Rights	
Farm Land Preservation	Authorized; Funding available
Forest Land/Mineral Resource/Tree Preservation	Authorized element of local plans
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Authorized element of local plans
Exactions, Impact Fees, Special Assessment Districts	Authorized re: impact fees within certain parameters and re: special assessment districts
Traffic Management/Multi-modal Transportation	Authorized transportation element in local plans
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized element of local plans
Incentives	
Historic Preservation	Authorized element of local plans
Neighborhood Conservation/Revitalization	Authorized element of local plans
Scenic Districts/Easements	
<i>Affordable Housing</i>	
Incentives	Mandatory county and municipal plans for provision of affordable housing; Financing/tax incentives available for developers of low or moderate income housing; Local governments encouraged to waive construction related fees for affordable housing projects
Linkage/Related Programs	

Economic Development

Development Permit Streamlining

Authorized; Counties/cities encouraged to allow simplified permit procedures in "Enterprise Zones"

Jobs/Business Attraction/Incentives

Authorized; Financial incentives available to businesses in "Enterprise Zones;" Community Economic Development Project Fund available to certain rural and urban communities

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Vermont
<i>State Level Planning and Growth Management</i>	
State Commission/Department	State Agency Planning Implementation Committee coordinates implementation of state planning process pursuant to Growth Management Act of 1988 (Act 200)
State Level Policies	State agencies with programs affecting land use are required to engage in continuing planning process and develop plans consistent with: goals of Act 200, adopted regional/approved local plans, and plans of other state agencies
Review/Acceptance of Regional and Local Plans	
Required Relationship to Other Plan(s)	State agency plans should be consistent with regional/local plans and other state agency plans; Agency plans reviewed by State Agency Planning Implementation Committee and by Council of Regional Commissions
Monitoring, Evaluation, and Enforcement	
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; Regional Planning Commissions may be created; If created must develop regional plans that are consistent with state planning goals; Regional plans reviewed by Council of Regional Commissions
Review of Developments of Regional Impact	Regional Plans must identify areas for proposed developments with potential for regional impact
Review/Acceptance of Local Plans	Authorized; Regional Planning Commission reviews local plans upon formal requests challenging plan approvals
Required Relationship to Other Plan(s)	Regional plan must be consistent with local plans
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Authorized; Municipalities may prepare local plan
Goals for Growth Management	Mandatory consistency of local plans with state goals
Required Relationship to Other Plan(s)	Mandatory consistency of local plans with approved plans of other municipalities in the region and with regional plan
Required Relationship Between Local Plan and Local Regulations	Mandatory consistency

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Vermont
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	Authorized; Encouraged
Infill/Redevelopment Incentives	Authorized; Financial/tax incentives for urban renewal projects
Extra-Jurisdictional Controls	
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Authorized re: both
Planned Unit/Cluster Development	Authorized re: PUDs; Density bonuses authorized
Soil and Water Conservation	Authorized; Regional/local plans must address; Protection is a state goal
Critical Areas	
Transferable Development Rights (TDR)	Authorized
Farm Land Preservation	Authorized; Regional/local plans must address; Preservation is a state goal; Economic incentives available for projects promoting sustainable agriculture; Local planning/zoning may not restrict farming practices
Forest Land/Mineral Resource/Tree Preservation	Authorized re: forest/minerals; Sustainable development of natural resources is a state goal; Regional/local plans must address
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Mandatory; Certain developments/subdivisions may not be approved absent a showing by applicant that proposal "will not cause an unreasonable burden on the ability of a municipality to provide" educational/municipal services; Local/regional plans must address APF/concurrency; Concurrency is a state goal
Exactions, Impact Fees, Special Assessment Districts	Authorized re: special assessment districts
Traffic Management/Multi-modal Transportation	Authorized; Local/regional plans must address; Multi-modal transportation is a state goal
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized
Incentives	
Historic Preservation	Authorized; Regional/local plans must address
Neighborhood Conservation/Revitalization	Authorized; Financial/tax incentives for urban renewal projects

Scenic Districts/Easements	Authorized; Regional/local plans must address scenic areas preservation
<i>Affordable Housing</i>	
Incentives	Authorized; Encouraged; Affordable housing is a state goal
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	
Jobs/Business Attraction/Incentives	Vermont Sustainable Jobs Strategy provides financial assistance and incentives for eligible projects that promote sustainable economic development; Economic incentives for diversification of forest products industry

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Washington
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Growth Strategy Commission created by Executive Order
State Level Policies	State agency actions must be consistent with local comprehensive plans; Commission must identify/protect lands/resources of "state-wide significance"
Review/Acceptance of Regional and Local Plans	Commission reviews local plans to ensure they are coordinated
Required Relationship to Other Plan(s)	Commission reviews consistency of local plans with statutory planning goals
Monitoring, Evaluation, and Enforcement	Growth Management Hearings Boards consider petitions alleging non-compliance with Growth Management Statute and otherwise monitor compliance by agencies, counties, and cities
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Creation of Regional Planning Commissions is authorized; May develop regional plans
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Mandatory Comprehensive Plans for certain counties/cities meeting population growth thresholds; Mandatory elements specified; County-wide planning policies required
Goals for Growth Management	Specified goals for county/city comprehensive plans
Required Relationship to Other Plan(s)	Bordering counties/cities must coordinate to create consistent plans; County-wide planning policies required
Required Relationship Between Local Plan and Local Regulations	Mandatory consistency between regulations and implementing plans

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Washington
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	Mandatory; No "urban growth" outside UGB
Infill/Redevelopment Incentives	Authorized; Statutorily imposed goal for local plans
Extra-Jurisdictional Controls	Authorized; Cities may enter into development agreements outside city boundaries as part of annexation
Growth Caps/Moratoria	Authorized
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Mandatory; Local plans must identify open space corridors within and between urban growth areas; May purchase open space or development rights
Planned Unit/Cluster Development	Authorized; Local plans "should" include both; "Fully contained communities" and "master planned resorts;" May be established outside urban growth areas; Density bonuses authorized
Soil and Water Conservation	Mandatory for water; Local plans must protect quality/quantity of ground water
Critical Areas	Mandatory; Local plans must designate
Transferable Development Rights (TDR)	Authorized; Statute states local plans "should" include
Farm Land Preservation	Mandatory; Local plans must designate/protect
Forest Land/Mineral Resource/Tree Preservation	Mandatory; Local plans must designate/protect forest/mineral resource lands
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Planning goal: develop in areas with APF or where APF can be efficiently provided
Exactions, Impact Fees, Special Assessment Districts	Impact fees authorized; Ad valorem property taxes in Public Facilities Districts
Traffic Management/Multi-modal Transportation	Mandatory element of local comprehensive plans; Collaborative review of major transportation projects across affected cities/counties
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorized element of local comprehensive plans
Incentives	Authorized; Statute states local plans "should" include density bonuses
Historic Preservation	Authorized; A goal for local plans: to identify/preserve historic sites/structures
Neighborhood Conservation/Revitalization	Mandatory element of local comprehensive plans: ensure vitality/character of established neighborhoods

Scenic Districts/Easements	
<i>Affordable Housing</i>	
Incentives	Authorized; Statute states local plans “should” include density bonuses
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	
Jobs/Business Attraction/Incentives	Authorized; Local plan goals include encouraging economic growth, especially in disadvantaged areas

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	Wisconsin
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Department of Development must coordinate its planning with local/regional planning/development agencies
State Level Policies	State agencies to prepare comprehensive plans
Review/Acceptance of Regional and Local Plans	
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	Authorized; Regional Planning Commissions may be created and if created must prepare "master plans" for regional development; Municipalities may act jointly to establish regional planning programs
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	Regional plans are advisory only
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Authorized; Cities may create City Plan Commissions and, if created, must prepare "master plans;" Counties may create Planning and Zoning Commissions and, if created, must prepare county development plans
Goals for Growth Management	Authorized; Planning grants available for local governments that propose to incorporate state listed "smart growth" elements
Required Relationship to Other Plan(s)	County plans must incorporate city plans
Required Relationship Between Local Plan and Local Regulations	Local plans are advisory only

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Wisconsin
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	
Infill/Redevelopment Incentives	Authorized; Priority for planning grants given to local governments that promote infill/redevelopment and that identify "smart growth areas;" Redevelopment funding/tax incentives available
Extra-Jurisdictional Controls	Authorized; Cities that have created plan commissions and adopted zoning may exercise extraterritorial zoning within specified parameters
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Authorized re: open space
Planned Unit/Cluster Development	Authorized re: planned development districts
Soil and Water Conservation	<i>Mandatory that counties/cities implement soil/water conservation programs</i>
Critical Areas	
Transferable Development Rights (TDR)	
Farm Land Preservation	Authorized; Priority for planning grants given to local governments that promote farm land preservation
Forest Land/Mineral Resource/Tree Preservation	Authorized re: forest land/natural resources; Priority for planning grants given to local governments that promote forest land/natural resource protection
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Mandatory; Local zoning regulations must be designed to facilitate APF; Priority for planning grants given to local governments that provide for APF
Exactions, Impact Fees, Special Assessment Districts	Authorized re: all
Traffic Management/Multi-modal Transportation	Mandatory; Local zoning regulations must be designed to lessen traffic congestion; Priority for planning grants given to local governments that promote multi-modal transportation
<i>Preservation of Community Character</i>	
Design Review/Standards	Priority for planning grants given to local governments that promote community identity through design standards
Incentives	

Historic Preservation	Authorized in general; Mandatory for sites listed on state register; Priority for planning grants given to local governments that promote historic/cultural/archaeological site preservation
Neighborhood Conservation/Revitalization	Authorized; Cities may designate "reinvestment neighborhoods;" Financial incentives available to developers
Scenic Districts/Easements	Authorized re: scenic easements
<i>Affordable Housing</i>	
Incentives	Authorized exemption from impact fees for projects providing low-cost housing; Priority for planning grants given to local governments that provide for adequate supply of affordable housing
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	
Jobs/Business Attraction/Incentives	Authorized; Municipalities may designate "development zones" in which qualified businesses are eligible for tax incentives; Priority for planning grants given to local governments that promote expansion of economic opportunities

PROPOSED GROWTH MANAGEMENT LEGISLATION STRUCTURE

<i>Legislation Element</i>	Delaware (Pending H.B. 160 "Intergovernmental Coordination Zone Act")
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State Level Planning and Growth Management

State Commission/Department	
State Level Policies	
Review/Acceptance of Regional and Local Plans	
Required Relationship to Other Plan(s)	
Monitoring, Evaluation, and Enforcement	Mandatory for counties to annually report progress on planning in intergovernmental coordination zone to Office of State Planning Coordination

Regional Level Planning and Growth Management

Regional Growth Plans	Mandatory for counties to establish intergovernmental coordination zone around each municipality within a county and engage in joint planning effort in zone
Review of Developments of Regional Impact/ Review of Other Land Use Actions	To promote actions consistent with joint plans: municipality may recommend additional land use or development requirements on county actions (rezoning, major subdivisions or land development projects) in intergovernmental coordination zone; and county may recommend additional requirements of municipal actions in zone.
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	

LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT

Local Comprehensive or Growth Plans	Municipalities must adopt comprehensive plan or municipal development strategy in order to be eligible to receive notice of and comment upon county land use actions in a intergovernmental coordination zone
Goals for Growth Management	
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	

STATE SMART GROWTH STUDY INITIATIVES

<i>Legislation Element</i>	Hawaii (Pending H.B. 178)
<i>State Level Committee or Task Force</i>	
State Legislative Study Committee or Task Force	Land Use Planning Task Force established within the Department of Business, Economic Development and Tourism
Permanent Joint Legislative Committee	
Governor Initiated by Executive Order	
Participation of Interest Groups	Representatives from environmental community; private business with experience in land use; county planning departments; and other state agency/commission representatives
Staff/ Consultant Support	Funding of task force proposed
Prepare Study/Report	Report to be submitted to legislature
Date for Termination of Study Committee or Task Force	June 30, 2000
<i>State Growth Management /Planning</i>	
Evaluate Effectiveness of Current State Laws/Policies	Task: study and recommend structural changes to land use regulatory system
Review /Propose State Growth Management Legislation	
Survey State Agencies	
Propose Permanent State Agency/Commission	
Identify Training and Technical Assistance Needs	
Identify/Propose State Level Incentives	
Evaluate/Propose State Level Planning/Regulatory Measures	
Evaluate/Propose State Agency Coordination	
<i>Regional Growth Management /Planning</i>	
Evaluate Effectiveness of Current Regional Planning	
Survey Regional Agencies	
Identify Training and Technical Assistance Needs	
Identify/Propose Regional Incentives	
Evaluate/Propose Regional Level Planning/Regulatory Measures	
Evaluate/Propose Regional Coordination	
LOCAL GROWTH MANAGEMENT/PLANNING	
Evaluate Effectiveness of Current Local Planning	

Survey Local Governments and Other Interest Groups (developers, builders, planners, others)	
Identify Training and Technical Assistance Needs	
Identify/Propose Local Incentives	
Evaluate/Propose Local Level Planning/Regulatory Measures	
Evaluate/Propose Changes in Local Land Use Decision Making System	Task: to eliminate "costly and unnecessary duplication and inefficiency" that exists in current land use regulatory system

STATE SMART GROWTH STUDY INITIATIVES

<i>Legislation Element</i>	Illinois (1999 Adopted House Joint Resolution 10)
<i>State Level Committee or Task Force</i>	
State Legislative Study Committee or Task Force	Smart Growth Task Force
Permanent Joint Legislative Committee	
Governor Initiated by Executive Order	
Participation of Interest Groups	Task force members include legislative members and individuals representing "pertinent" disciplines, including; agriculture, environment, academia, county or municipal government, construction or development, planning, others legislative members deem necessary
Staff/ Consultant Support	Authorized
Prepare Study/Report	Report of findings to legislature
Date for Termination of Study Committee or Task Force	December 31, 2000
<i>State Growth Management /Planning</i>	
Evaluate Effectiveness of Current State Laws/Policies	Task: to review state budget to see how fiscal policy affects land use and farmland preservation
Review/Propose State Growth Management Legislation	Task: to recommend enabling legislation to "enhance continued viability of farming" and "retain land in agricultural use"; to develop legislative proposals to implement smart growth policies and change policies that foster "suburban sprawl and undermine farm preservation"
Survey State Agencies	
Propose Permanent State Agency/Commission	Task: to propose permanent working group/commission and designate lead state agency to oversee "farmland preservation and smart growth initiatives"
Identify Training and Technical Assistance Needs	
Identify/Propose State Level Incentives	Task: to identify funding and revenue sources to implement farmland preservation and land conservation initiatives
Evaluate/Propose State Level Planning/Regulatory Measures	Task: to recommend action steps to create "statewide smart growth land use plan"
Evaluate/Propose State Agency Coordination	
<i>Regional Growth Management /Planning</i>	
Evaluate Effectiveness of Current Regional Planning	Task: to review transportation policies and projects to determine impact on land use and farmland preservation
Survey Regional Agencies	
Identify Training and Technical Assistance Needs	
Identify/Propose Regional Level Incentives	Task: to identify incentives for preserving land for agricultural production and open space
Evaluate/Propose Regional Level Planning/Regulatory Measures	Task: to discuss visions and plans for farmland preservation, land use and transportation needs for different state regions

Evaluate/Propose Regional Coordination	
LOCAL GROWTH MANAGEMENT/PLANNING	
Evaluate Effectiveness of Current Local Planning	
Survey Local Governments and Other Interest Groups (developers, builders, planners, others)	
Identify Training and Technical Assistance Needs	
Identify/Propose Local Level Incentives	Task: to identify incentives for preserving land for agricultural production and open space
Evaluate/Propose Local Level Planning/Regulatory Measures	
Evaluate/Propose Changes in Local Land Use Decision Making System	

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

Legislation Element

Kentucky

(Pending H.B. 524)

State Level Planning and Growth Management

State Commission/Department

State Level Policies

Review/Acceptance of Regional and Local Plans

State Planning Committee reviews Regional Plans and receives local comprehensive plans and Regional Planning Council 's recommended local plan changes

Required Relationship to Other Plan(s)

Coordinate review of comprehensive plans to ensure plans "work in concert with" state development plans; State plans to meet goals similar to those applicable to local and regional plans

Monitoring, Evaluation, and Enforcement

Regional Level Planning and Growth Management

Regional Growth Plans

Mandatory; Regional Planning Council must develop a regional , transportation, infrastructure and land use plans

Review of Developments of Regional Impact

Review/Acceptance of Local Plans

Mandatory; Local comprehensive plans must be submitted to Regional Planning Council for review for compatibility with regional plans

Required Relationship to Other Plan(s)

Regional plans must be consistent with many of the same goals applicable to local comprehensive plans, plus regional development goals to direct development to facilitate alternative transportation modes

LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT

Local Comprehensive or Growth Plans

Comprehensive plans must include: comprehensive growth policy element; designation of one or more coordinated service areas where urban development exists or is expected to occur that are delineated based on probability of growth over 20 year period and considering environmental compatibility

Goals for Growth Management

Growth policy element of comprehensive plan must meet goals for: efficient, appropriate use of land; limiting unnecessary growth; mix of uses; efficient use of services; preservation of community identity, open space, historic, environmental resources

Required Relationship to Other Plan(s)

Local comprehensive plans must be prepared "with a view toward carrying out" local goals and objectives and regional planning council and state transportation, infrastructure and land use plans

Required Relationship Between Local Plan and Local Regulations

Mandatory; Zoning and subdivision regulations must be revised to assure conformity with local comprehensive plan

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Kentucky (Pending H.B. 524)
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	Mandatory designation of coordinated service areas; utilities, infrastructure and services may be created, maintained and extended in these service areas
Infill/Redevelopment Incentives	
Extra-Jurisdictional Controls	
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	Prohibition against state acquisition or use of property that is "in contravention to use" designated under local comprehensive plan
Planned Unit/Cluster Development	
Soil and Water Conservation	
Critical Areas	
Transferable Development Rights (TDR)	
Farm Land Preservation Forest Land/Mineral Resource/Tree Preservation	
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	Mandatory for planning commissions to adopt plan identifying level of utility services consistent with designated level of service; Public Service Commission must consider plan and may not approve request for service or extension or expansion of service inconsistent with designated level of service
Exactions, Impact Fees, Special Assessment Districts	
Traffic Management/Multi-modal Transportation	Growth policy element of comprehensive plan addresses
<i>Preservation of Community Character</i>	
Design Review/Standards	Neotraditional neighborhood planning and regulatory provisions authorized to promote proposed neighborhood design standards
Incentives	
Historic Preservation	Growth policy element of comprehensive plan addresses
Neighborhood Conservation/Revitalization	Growth policy element of comprehensive plan addresses
Scenic Districts/Easements	

Affordable Housing

Incentives

Linkage/Related Programs

Economic Development

Development Permit Streamlining

Jobs/Business Attraction/Incentives

PROPOSED GROWTH MANAGEMENT LEGISLATION STRUCTURE

<i>Legislation Element</i>	New York (AO 8386 "Smart Growth for a New Century Act")
<i>State Level Planning and Growth Management</i>	
State Commission/Department	Establishes "Smart Growth Review Board;" Proposes coordination with "Smart Growth Task Force" proposed in separate bill
State Level Policies	Establishes "Smart Growth Principles"
Review/Acceptance of Regional and Local Plans	Smart Growth Review Board authorized to certify "Smart Growth Plans"
Required Relationship to Other Plan(s)	Mandatory; State agency actions must be consistent with Smart Growth Principles
Monitoring, Evaluation, and Enforcement	
<i>Regional Level Planning and Growth Management</i>	
Regional Growth Plans	
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s) and Regulations	
LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT	
Local Comprehensive or Growth Plans	Authorizes "Certified Smart Growth Plans" that may consist of elements of a local comprehensive plan; Incentives for local certified 'Smart Growth Plans'
Goals for Growth Management	
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	Local governments with certified "Smart Growth Plan" are authorized to enact regulations consistent with plan related to: mixed use zoning districts; certain shoreline uses; and business investment tax exemptions

PROPOSED GROWTH MANAGEMENT LEGISLATION STRUCTURE

Legislation Element

New York
(AB 130 "N.Y. State Planning Compact Act")

State Level Planning and Growth Management

State Commission/Department

State Level Policies

Review/Acceptance of Regional and Local Plans

Required Relationship to Other Plan(s)

Monitoring, Evaluation, and Enforcement

Regional Level Planning and Growth Management

Regional Growth Plans

Authorizes designation of "Smart Growth Compact Areas" and preparation, adoption and implementation of "Smart Growth Compact Plans," that include a "Generic Environmental Impact Statement"

Review of Developments of Regional Impact

Compact Council authorized to review and approve all proposed development outside of areas designated in the Compact Plan for growth or redevelopment and, upon petition by member, developments of regional significance

Review/Acceptance of Local Plans

Authorizes technical assistance to municipalities in compact area for revisions to local comprehensive plans and land use regulations.

Required Relationship to Other Plan(s) and Regulations

Mandatory; Local land use regulations must be adopted or amended to conform to the "Compact Plan"

LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT

Local Comprehensive or Growth Plans

Goals for Growth Management

Required Relationship to Other Plan(s)

Required Relationship Between Local Plan and Local Regulations

PROPOSED GROWTH MANAGEMENT LEGISLATION STRUCTURE

Legislation Element

New York

(AO 1969 & SO1367 proposing "Smart Growth Commissions")

State Level Planning and Growth Management

State Commission/Department	Establishes Task Force on Smart Growth consisting of Commissioners of several state departments; Delegates Secretary of State as chair of Task Force and assigns other duties in connection with smart growth
State Level Policies	Establishes land use planning policies
Review/Acceptance of Regional and Local Plans	Delegates to Secretary of State responsibility to review and approve local comprehensive plans and amendments to determine eligibility for proposed benefits of bill
Required Relationship to Other Plan(s)/Regulation(s)	State level policies encourage state regulations and regulatory actions consistent with state policies and local comprehensive plans
Monitoring, Evaluation, and Enforcement	State departments required to submit annual reports to task force describing extent to which capital investments and permitting are consistent with state level policies

Regional Level Planning and Growth Management

Regional Growth Plans	
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans/Technical Assistance	Secretary of State may contract with regional entities for regional planning activities
Required Relationship to Other Plan(s) and Regulations	State level policies promote coordination and consistency between regional and state and local entities to implement common goals

LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT

Local Comprehensive or Growth Plans	Local governments may form "Smart Growth Commission" or may act alone to submit a comprehensive land use plan for approval by Secretary of State in order to be eligible for proposed benefits of bill
Goals for Growth Management	
Required Relationship to Other Plan(s)	State level policies encourage municipal regulations and regulatory actions consistent with state policies and local comprehensive plans
Required Relationship Between Local Plan and Local Regulations	

PROPOSED GROWTH MANAGEMENT LEGISLATION STRUCTURE

Legislation Element

New York

(AO 9080 & SO5893 "Smart Growth Planning Demonstration Program Act")

State Level Planning and Growth Management

State Commission/Department

Establishes "Smart Growth Planning Council" to operate until 12/31/2002; to be chaired by Secretary of State; members to have expertise in specifically listed areas and to be appointed by governor and designated members of Assembly

State Level Policies

Establishes smart growth objectives

Review/Acceptance of Regional and Local Plans

Required Relationship to Other Plan(s)/Regulation(s)

Establishes Smart Growth Planning Funds; Provides incentives grants to municipalities for local smart growth planning

Monitoring, Evaluation, and Enforcement

Council required to report to legislature annually

Regional Level Planning and Growth Management

Regional Growth Plans

Review of Developments of Regional Impact

Review/Acceptance of Local Plans/Technical Assistance

Required Relationship to Other Plan(s)/Regulations

LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT

Local Comprehensive or Growth Plans

Municipalities authorized to collaborate on smart growth plan

Goals for Growth Management

Required Relationship to Other Plan(s)

Required Relationship Between Local Plan and Local Regulations

STATE SMART GROWTH STUDY INITIATIVES

<i>Legislation Element</i>	New York (Pending A.O. 8387)
<i>State Level Committee or Task Force</i>	
State Legislative Study Committee or Task Force	Smart Growth Task Force
Permanent Joint Legislative Committee	
Governor Initiated by Executive Order	
Participation of Interest Groups	Members from “pertinent fields or disciplines” to be appointed by legislature, in addition to state agency representatives
Staff/ Consultant Support	
Prepare Study/Report	Report to legislature and governor
Date for Termination of Study Committee or Task Force	
<i>State Growth Management /Planning</i>	
Evaluate Effectiveness of Current State Laws/Policies	Required task
Review/Propose State Growth Management Legislation	Task: review other state legislation on smart growth, public infrastructure development, costs of scattered development, farmland/open space preservation; discuss “Smart Growth Economic Competitiveness Strategy”
Survey State Agencies	Required task
Propose Permanent State Agency/Commission	Smart Growth Local Assistance Office with the Department of State
Identify Training and Technical Assistance Needs	Required task
Identify/Propose State Level Incentives	Task: to identify additional priority funding sources to expand incentives
Evaluate/Propose State Level Planning/Regulatory Measures	Task: to propose state regulatory and statutory changes to conform with smart growth principles
Evaluate/Propose State Agency Coordination	Task: to evaluate methods for coordinating activities of legislature and state agencies; expedite state agency permitting and funding to achieve development “detailed in a smart growth plan”
<i>Regional Growth Management /Planning</i>	
Evaluate Effectiveness of Current Regional Planning	Required task
Survey Regional Agencies	Required task
Identify Training and Technical Assistance Needs	Required task
Identify/Propose Regional Incentives	Task: to identify incentives for sharing benefits of economic growth and reducing fiscal competition among local governments
Evaluate/Propose Regional Level Planning/Regulatory Measures	Task: to discuss “Regional Smart Growth Compacts”
Evaluate/Propose Regional Coordination	Task: to encourage establishment of regional compacts

LOCAL GROWTH MANAGEMENT/PLANNING	
Evaluate Effectiveness of Current Local Planning	Required task
Survey Local Governments and Other Interest Groups (developers, builders, planners, others)	Required task
Identify Training and Technical Assistance Needs	Required task; Smart Growth Local Assistance Office to provide advice on revisions to local comprehensive plans to conform with smart growth plan or compact
Identify/Propose Local Incentives	Task: to identify incentives for sharing benefits of economic growth and reducing fiscal competition among local governments
Evaluate/Propose Local Level Planning/Regulatory Measures	Smart Growth Local Assistance Office to provide advice on revisions to local ordinances to conform with smart growth plan or compact
Evaluate/Propose Changes in Local Land Use Decision Making System	Task: propose innovative land use approaches to “accommodate and guide growth and development” and “ensure planning and construction of adequate supporting service and infrastructure”

STATE SMART GROWTH STUDY INITIATIVES

<i>Legislation Element</i>	New York (Pending A.O. 8829)
<i>State Level Committee or Task Force</i>	
State Legislative Study Committee or Task Force	Smart Growth Task Force
Permanent Joint Legislative Committee	
Governor Initiated by Executive Order	
Participation of Interest Groups	Representatives of local governments, state agency and legislature/governor appointees
Staff/ Consultant Support	
Prepare Study/Report	Report to legislature and governor by 3/1/2000
Date for Termination of Study Committee or Task Force	June 1, 2000
<i>State Growth Management /Planning</i>	
Evaluate Effectiveness of Current State Laws/Policies	Task: to analyze effects of statutes, regulations, state agency actions on land use planning, infrastructure, economic development, environmental protection, to determine whether consistent with smart growth principles
Review/Propose State Growth Management Legislation	Establishes smart growth principles
Survey State Agencies	Task: to survey funding and financial assistance by state agencies related to land use planning, infrastructure, economic development, environmental conservation
Propose Permanent State Agency/Commission	
Identify Training and Technical Assistance Needs	
Identify/Propose State Level Incentives	Task: to identify source of state funds to be used as incentive to encourage local government consistency with smart growth principles
Evaluate/Propose State Level Planning/Regulatory Measures	
Evaluate/Propose State Agency Coordination	
<i>Regional Growth Management /Planning</i>	
Evaluate Effectiveness of Current Regional Planning	
Survey Regional Agencies	
Identify Training and Technical Assistance Needs	
Identify/Propose Regional Incentives	
Evaluate/Propose Regional Level Planning/Regulatory Measures	
Evaluate/Propose Regional Coordination	

LOCAL GROWTH MANAGEMENT/PLANNING

Evaluate Effectiveness of Current Local Planning	
Survey Local Governments and Other Interest Groups (developers, builders, planners, others)	
Identify Training and Technical Assistance Needs	
Identify/Propose Local Incentives	
Evaluate/Propose Local Level Planning/Regulatory Measures	
Evaluate/Propose Changes in Local Land Use Decision Making System	

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

<i>Legislation Element</i>	North Carolina (H.B. 1468 Not Carried Over to 1999 General Assembly)
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State Level Planning and Growth Management

State Commission/Department	"Blue Ribbon Commission" formed
State Level Policies	
Review/Acceptance of Regional and Local Plans	
Required Relationship to Other Plan(s)	"Local Government Commission" to resolve disputes between local governments
Monitoring, Evaluation, and Enforcement	

Regional Level Planning and Growth Management

Regional Growth Plans	
Review of Developments of Regional Impact	
Review/Acceptance of Local Plans	
Required Relationship to Other Plan(s)	

LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT

Local Comprehensive or Growth Plans	Mandatory "Recommended Growth Plan"
Goals for Growth Management	
Required Relationship to Other Plan(s)	
Required Relationship Between Local Plan and Local Regulations	Mandatory Consistency

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	North Carolina (H.B. 1468 Not Carried Over to 1999 General Assembly)
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Provisions Governing Location, Density and Rate of Growth

Urban Growth Boundaries (UGB)	<i>Mandatory</i>
Infill/Redevelopment Incentives	
Extra-Jurisdictional Controls	
Growth Caps/Moratoria	

Provisions to Protect Natural Resources and Environment

Open Space/Development Rights Acquisition	Authorized
Planned Unit/Cluster Development	
Soil and Water Conservation	■
Critical Areas	
Transferable Development Rights (TDR)	Authorized
Farm Land Preservation	
Forest Land/Mineral Resource/Tree Preservation	Authorizes "Use Value Taxation"

Provision of Public Facilities and Infrastructure

APF and Concurrency	
Exactions, Impact Fees, Special Assessment Districts	Authorizes "Impact Tax"
Traffic Management/Multi-modal Transportation	

Preservation of Community Character

Design Review/Standards	
Incentives	
Historic Preservation	
Neighborhood Conservation/Revitalization	
Scenic Districts/Easements	

Affordable Housing

Incentives	
Linkage/Related Programs	

Economic Development

Development Permit Streamlining

Jobs/Business Attraction/Incentives

Mandatory that counties form "Joint Economic and Community Development

STATE SMART GROWTH STUDY INITIATIVES

<i>Legislation Element</i>	Oklahoma (Pending S.B. 1151)
<i>State Level Committee or Task Force</i>	
State Legislative Study Committee or Task Force	Planning and Land Use Legislative Study Task Force
Permanent Joint Legislative Committee	
Governor Initiated by Executive Order	
Participation of Interest Groups	Representatives of Development, Planning and Local Government interests included among task force members
Staff/ Consultant Support	Authorized
Prepare Study/Report	Report of findings and recommendation to legislature
Date for Termination of Study Committee or Task Force	December 1, 2000
<i>State Growth Management /Planning</i>	
Evaluate Effectiveness of Current State Laws/Policies	Required task
Review/Propose State Growth Management Legislation	Task: to review other state growth management legislation
Survey State Agencies	Task: to investigate issues with current system
Propose Permanent State Agency/Commission	
Identify Training and Technical Assistance needs	Required task
Identify/Propose State Level Incentives	
Evaluate/Propose State Level Planning/Regulatory Measures	Task: to propose innovative and cooperative approaches to accommodate and guide growth and development
Evaluate/Propose State Agency Coordination	Task: to evaluate methods of "coordinating activities of legislature and state agencies" related to growth and development
<i>Regional Growth Management /Planning</i>	
Evaluate Effectiveness of Current Regional Planning	Required task
Survey Regional Agencies	Task: to investigate issues with current system
Identify Training and Technical Assistance Needs	Required task
Identify/Propose Regional Level Incentives	Task: to identify incentives for "sharing benefits of economic growth" and "reducing fiscal competition"
Evaluate/Propose Regional Level Planning/Regulatory Measures	Task: to propose "innovative and cooperative planning and land-use approaches to accommodate and guide growth and development"
Evaluate/Propose Regional Coordination	Task: to "identify alternative planning, regulatory and capital investment solutions"

LOCAL GROWTH MANAGEMENT/PLANNING	
Evaluate Effectiveness of Current Local Planning	Required task
Survey Local Governments and Private sector interests (developers, builders, planners, others)	Task: to investigate issues and problems with current system
Identify Training and Technical Assistance Needs	Required task
Identify/Propose Local Level Incentives	Task: to identify incentives for “sharing benefits of economic growth” and “reducing fiscal competition”
Evaluate/Propose Local Level Planning/Regulatory Measures	Task: to propose “innovative and cooperative planning and land–use approaches to accommodate and guide growth and development”
Evaluate/Propose Changes in Local Land Use Decision Making System	Task: to “evaluate and recommend approaches to balance public interest and private property rights” and improve certainty, efficiency and streamline system

GROWTH MANAGEMENT PLANNING LEGISLATION STRUCTURE

Legislation Element

Pennsylvania

(Pending S.B. 300)

State Level Planning and Growth Management

State Commission/Department

State Level Policies

“State Land Use and Growth Management Report” to be prepared by Governor’s Center for Local Government Services

Review/Acceptance of Regional and Local Plans

Required Relationship to Other Plan(s)

Monitoring, Evaluation, and Enforcement

Regional Level Planning and Growth Management

Regional Growth Plans

Authorizes multi-municipal comprehensive plans; Authorizes county and inter-municipal cooperative agreements

Review of Developments of Regional Impact

Requires county comprehensive plans to identify current and proposed land uses that have a regional impact and significance; Authorizes implementation agreements for county and multi-municipal comprehensive plans that includes process for review and approval of developments of regional significance and impact

Review/Acceptance of Local Plans

County planning commission reviews municipal or multi-municipal plans

Required Relationship to Other Plan(s)

County planning commission must certify whether municipal or multi-municipal plan is “generally consistent” with county comprehensive plan

LOCAL LEVEL PLANNING AND GROWTH MANAGEMENT

Local Comprehensive or Growth Plans

Requires new mandatory element to comprehensive plan to require a plan for protection of natural and historic resources

Goals for Growth Management

Required Relationship to Other Plan(s)

Priority for state planning grants given to municipalities that agree to adopt plans consistent with county comprehensive plan

Required Relationship Between Local Plan and Local Regulations

Mandatory consistency between zoning and comprehensive plan

GROWTH MANAGEMENT PLANNING LEGISLATION IMPLEMENTATION TECHNIQUES

<i>Legislation Element</i>	Pennsylvania (Pending S.B. 300)
<i>Provisions Governing Location, Density and Rate of Growth</i>	
Urban Growth Boundaries (UGBs)	County and multi-municipal plans may delineate a growth boundary around designated growth areas to separate areas from designated future growth reserve areas or rural resource areas; Cooperative implementation agreements may establish growth boundaries and urban service areas
Infill/Redevelopment Incentives	
Extra-Jurisdictional Controls	Municipal authority, water company or other municipality that plans to expand new water main to proposed development that has not received municipal approvals must notify municipality of expansion so municipality may comment on consistency with land use planning
Growth Caps/Moratoria	
<i>Provisions to Protect Natural Resources and Environment</i>	
Open Space/Development Rights Acquisition	
Planned Unit/Cluster Development	
Soil and Water Conservation	Mandatory zoning provisions to protect wetland, aquifers, flood plains other resources
Critical Areas	
Transferable Development Rights (TDR)	Provides for reciprocal agreements among municipalities for TDRs on a multi-municipal or countywide basis
Farm Land Preservation	County comprehensive plans must include plan for prime agricultural land preservation; Provides for density increases to preserve prime agricultural land; Mandatory zoning provisions to protect prime agricultural land, promote establishment of "agricultural security areas", facilitate economic integrity of agricultural operations
Forest Land/Mineral Resource/Tree Preservation	Mandatory zoning provisions to protect woodlands, other resources
<i>Provision of Public Facilities and Infrastructure</i>	
APF and Concurrency	
Exactions, Impact Fees, Special Assessment Districts	
Traffic Management/Multi-modal Transportation	
<i>Preservation of Community Character</i>	
Design Review/Standards	Authorizes municipalities to adopt Traditional Neighborhood Development (TND) zoning provisions

Incentives	
Historic Preservation	County comprehensive plans must include plan for historic preservation; Mandatory zoning provisions to protect historic resources
Neighborhood Conservation/Revitalization	
Scenic Districts/Easements	County and multi-municipal plans may plan for conservation and enhancement of scenic resources and scenic vistas
<i>Affordable Housing</i>	
Incentives	County and multi-municipal plans may plan to accommodate all categories of uses within the region of the plan to include range of housing opportunities
Linkage/Related Programs	
<i>Economic Development</i>	
Development Permit Streamlining	Authorizes one stop approval process plans by county and participating municipalities that have entered into implementation agreements
Jobs/Business Attraction/Incentives	