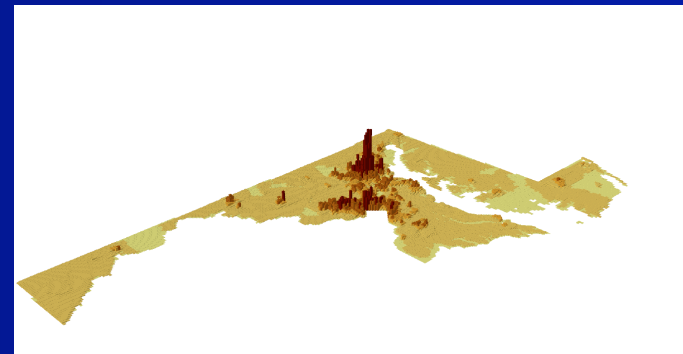


Advancing the Land Use Agenda in Maryland: Analysis, Policy, and Public Participation

Gerrit-Jan Knaap

Executive Director and Professor
National Center for Smart Growth

www.smartgrowth.umd.edu



Land Use Governance in the United States

- US Constitution gives federal government no explicit land use authority;
- Land use regulation is deemed a legitimate power of state governments;
- Almost every state government delegates land use authority to local governments
- Local government view land use authority as God-given right

History and Structure of Land Use Governance in Maryland

Milestones in Maryland Land Use Policy

- 1935 – State Planning Commission
- 1969 - Program Open Space
- 1974 - State Development Plan
- 1977 - Maryland Agriculture Land Foundation
- 1983 – Chesapeake Bay Agreement
- 1984 – Critical Areas Program
- 1988 – Year 2020 Panel
- 1992 – Economic Growth, Resource Protection and Planning Act
- 1997 – Forest Conservation Act
- 1997 – Smart Growth Initiative
- 2000 – National Center for Smart Growth
- 2001 – Office of Smart Growth
- 2003 - Development Capacity Task Force
- 2006 - House Bill 1141 and House Bill 2



Structure of Land Use Governance in Maryland

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

1997 Smart Growth Legislative Package

- Priority Funding Areas
- Rural Legacy
- Brownfields Cleanup
- Job Creation Tax Credit
- Live Near Your Work

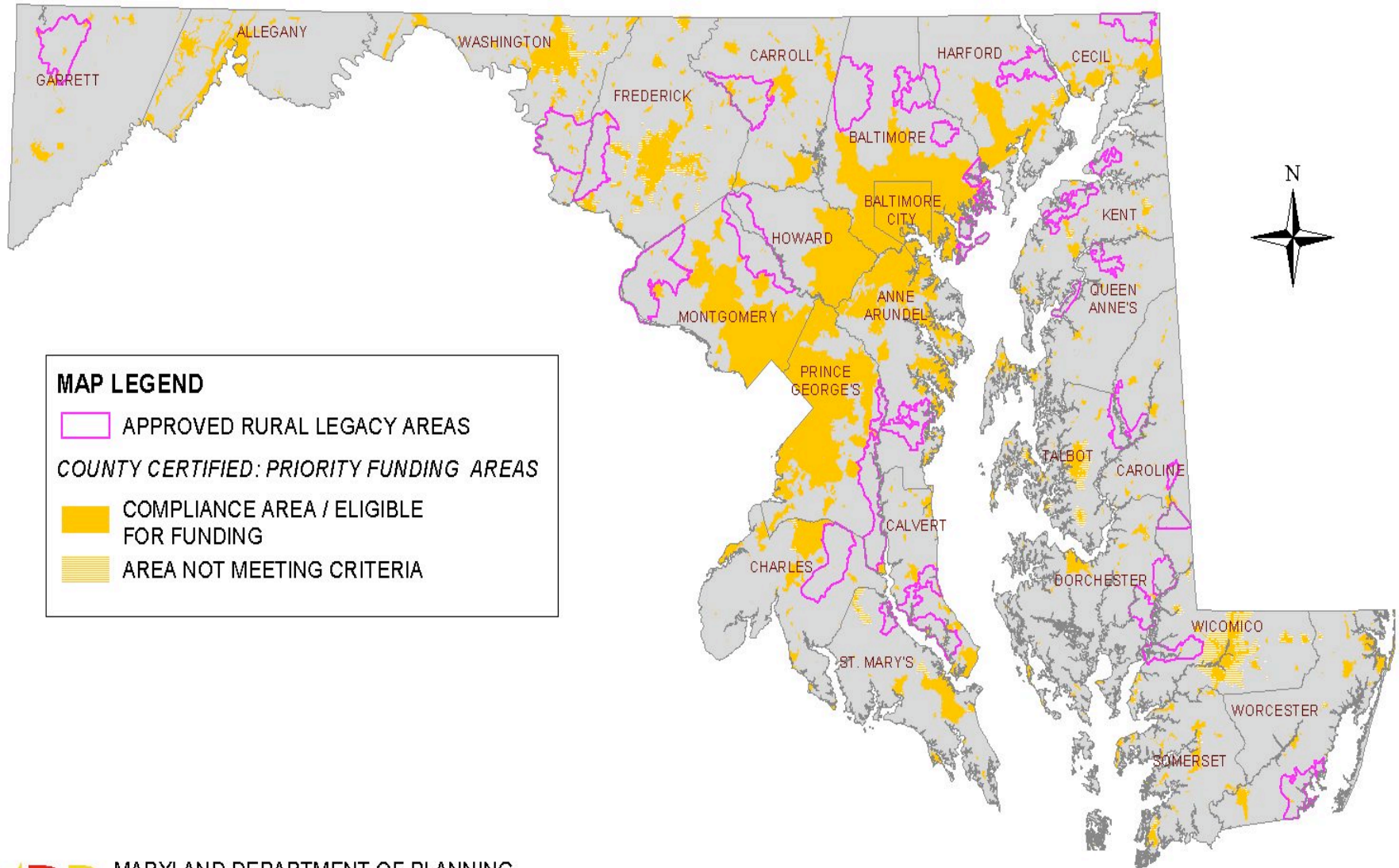


**INCENTIVES, NOT
REGULATIONS!**




Instant Accolades

- World Wildlife Fund (1/98):
"Gift to the Earth"
- Keith Schnieder (3/98):
"the most promising new tool for managing growth in a generation"
- Harvard University's Kennedy School of Government and Ford Foundation (2000)
"one of the 10 most innovative new programs in the country."

STATEWIDE PRIORITY FUNDING AND 2003 RURAL LEGACY AREAS



MAP LEGEND

-  APPROVED RURAL LEGACY AREAS
- COUNTY CERTIFIED: PRIORITY FUNDING AREAS*
-  COMPLIANCE AREA / ELIGIBLE FOR FUNDING
-  AREA NOT MEETING CRITERIA



MARYLAND DEPARTMENT OF PLANNING
COMPREHENSIVE PLANNING DIVISION
JANUARY 2003

30 0 30 Miles

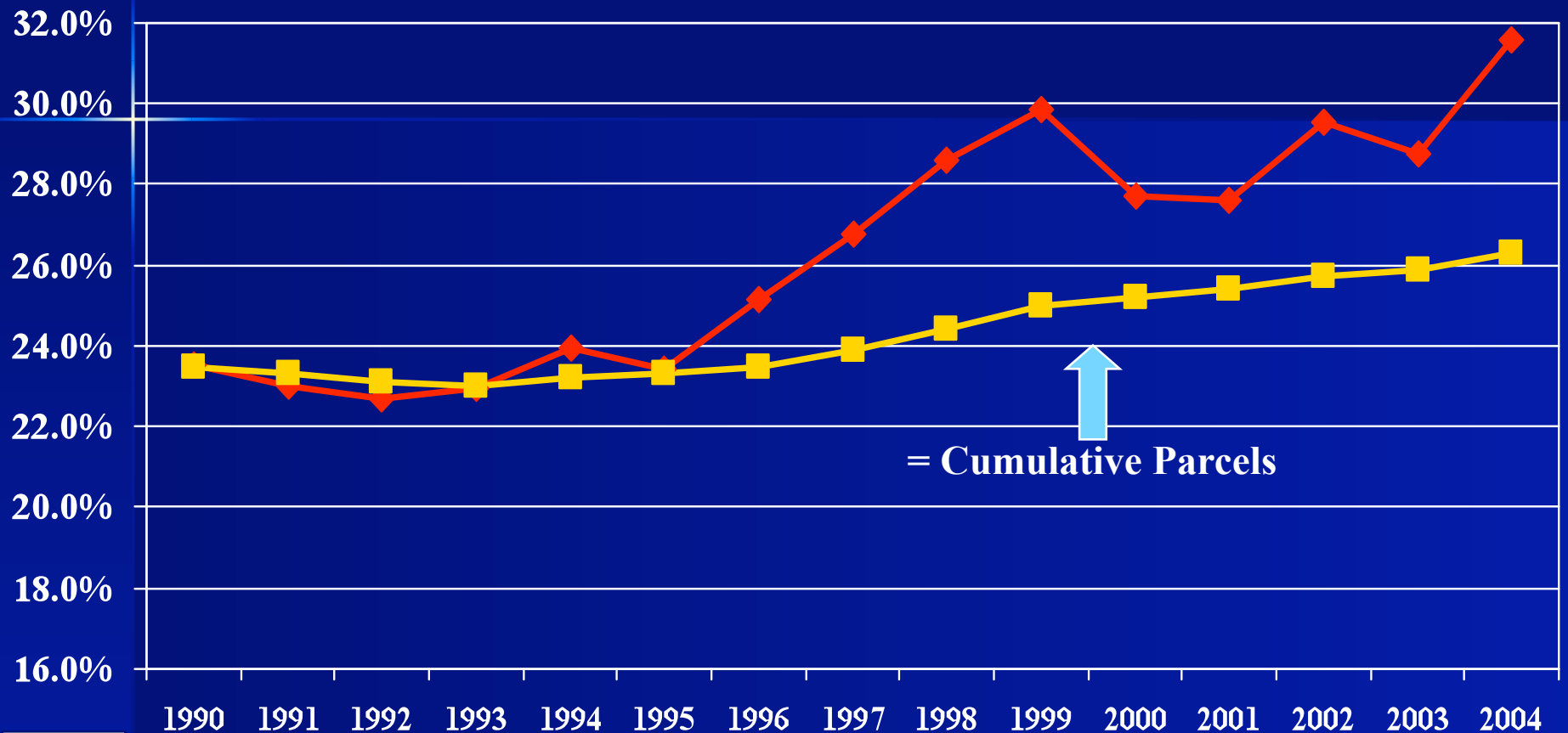
Recent research on..

- Development trends,
- Development capacity,
- Development probability

ITS NOT WORKING!

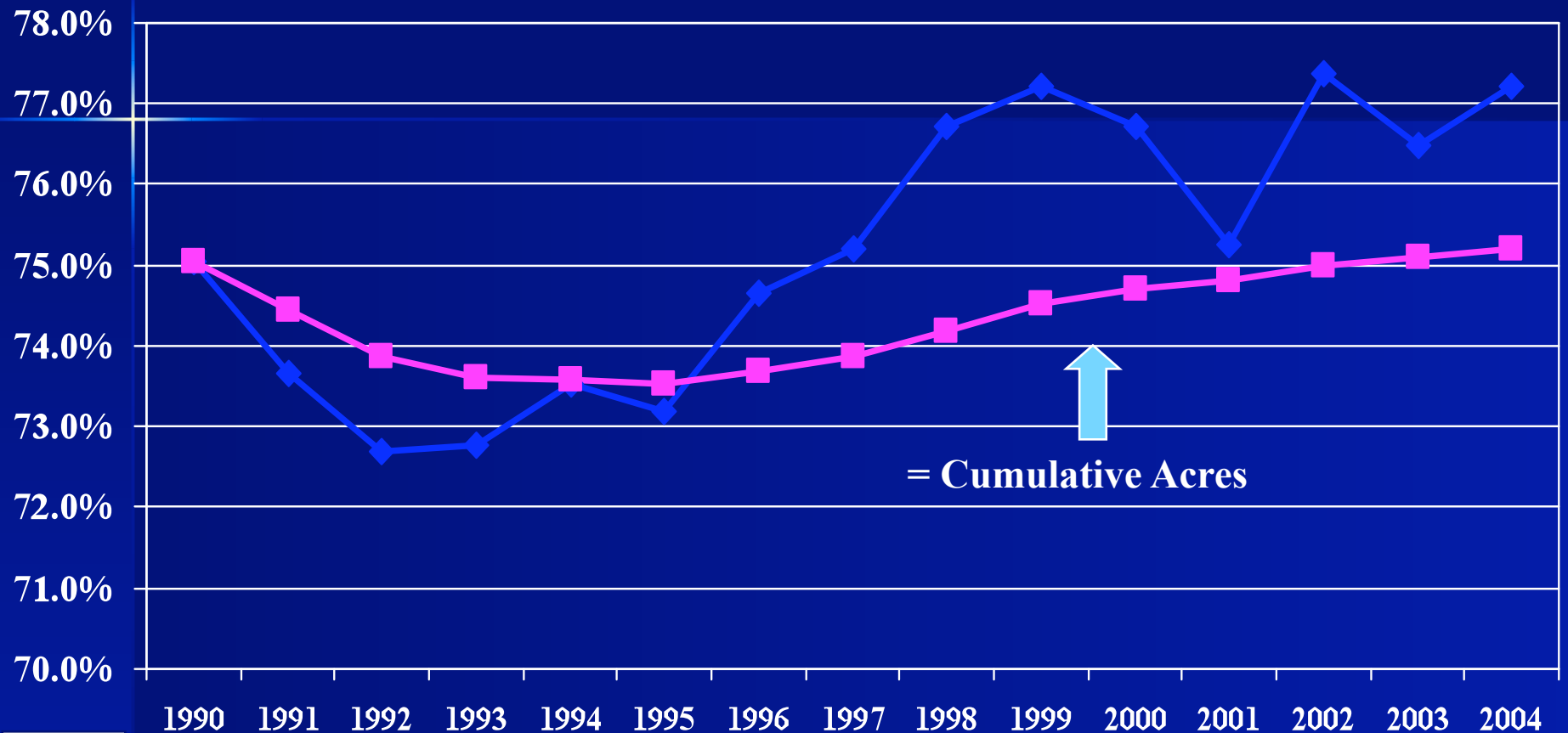
- Brownfield redevelopment,
- Job creation tax credit,
- Adequate public facilities ordinances,
- State agency spending.

Improved Residential **Parcels** Outside of PFAs as a Pct. of Total Residential Parcels in Maryland, 1990 - 2004



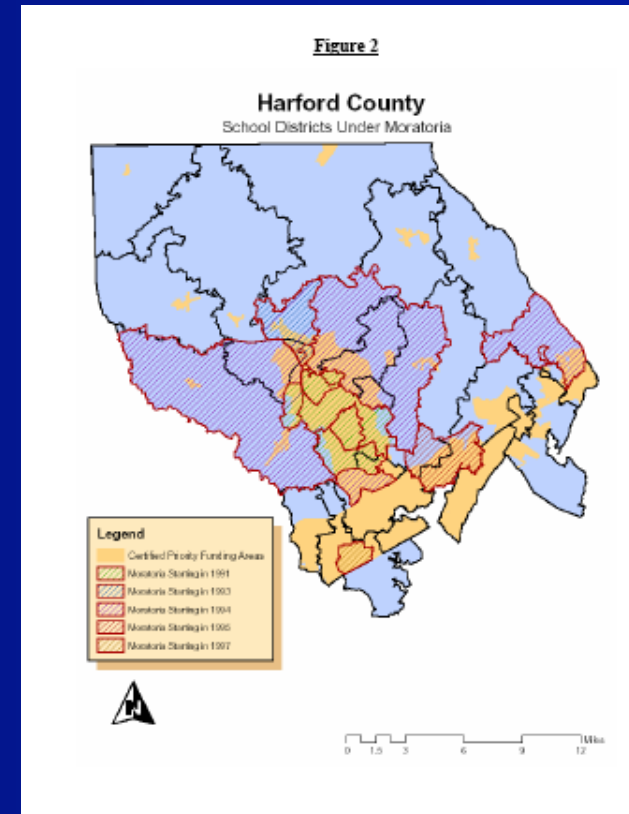
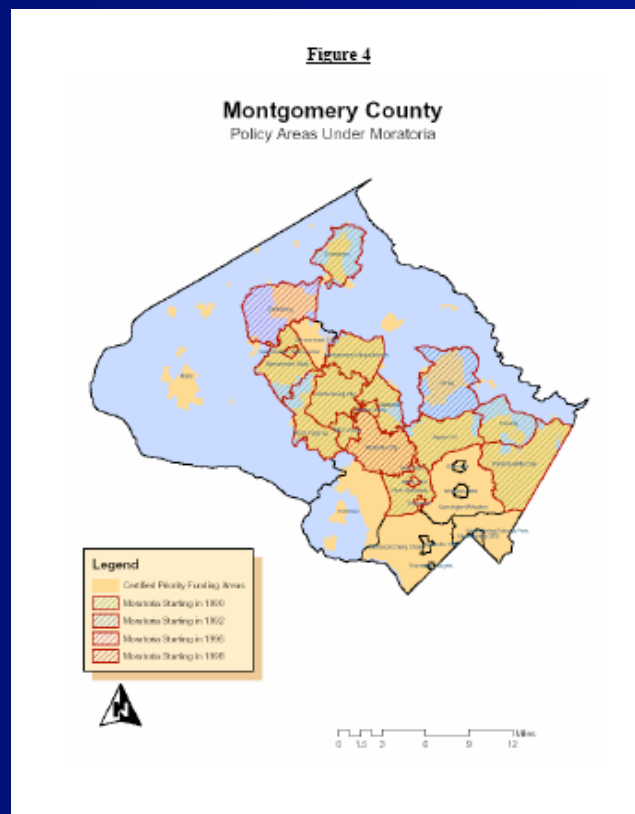
Prepared by the Maryland Department of Planning, Planning Data Services, November 2006. Source of data is MDProperty View. Data is for improved residential single-family parcels of \$1,000 or more on parcels of 20 acres or less.

Improved Residential Acres Outside of PFAs as a Pct. of Total Residential Acres in Maryland, 1990 - 2004



Prepared by the Maryland Department of Planning, Planning Data Services, November 2006.
Source of data is MDProperty View. Data is for improved residential single-family parcels of \$1,000 or more on parcels of 20 acres or less.

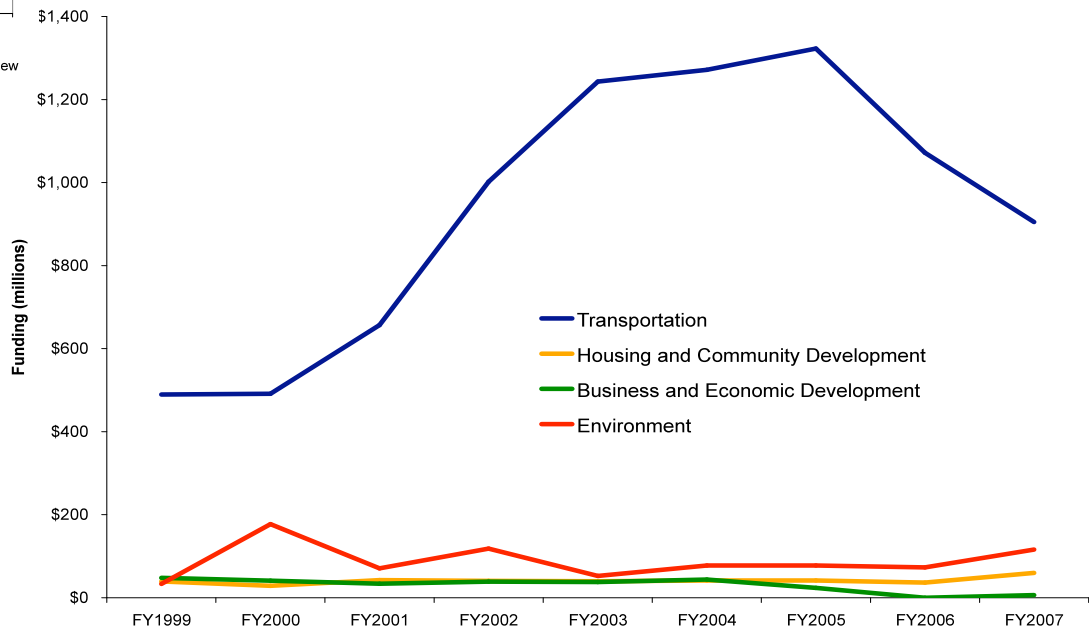
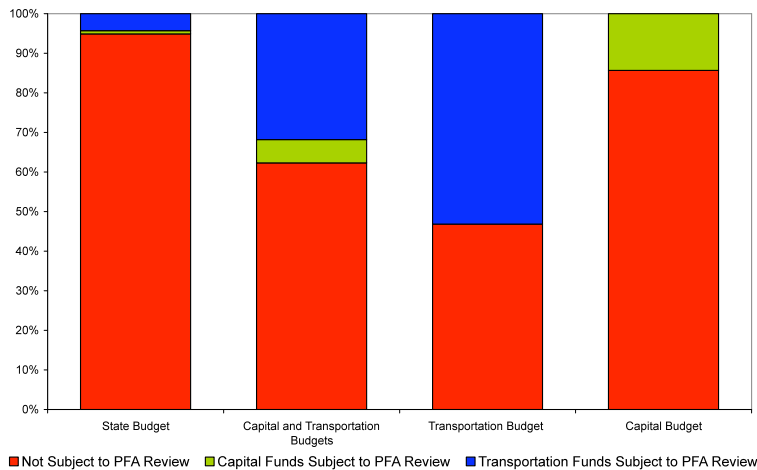
Priority Funding Areas and Adequate Public Facilities Ordinances



Treatment/
Control
research
design

10%
Deflection
outside
PFAs

“Growth-Related” Spending by State Agencies



Bohm and Russell (1985) on regulations v. effluent fees..

- no general statements can be made about the relative desirability of alternative policy instruments once we consider such practical complications as that location matters, that monitoring is costly, and that exogenous change occurs in technology, regional economies, and natural environmental systems.
- There is no substitute for careful analysis of the available alternatives in the specific policy context at issue.

Towards a new paradigm





Today's **VISION...** Tomorrow's **REALITY**



Cambridge Hyatt



St. Mary's College



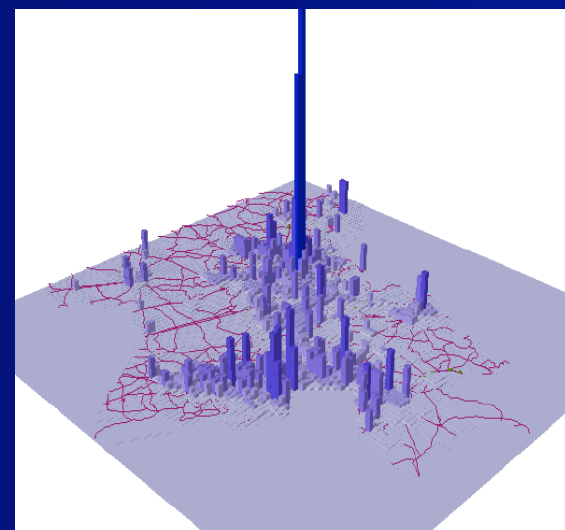
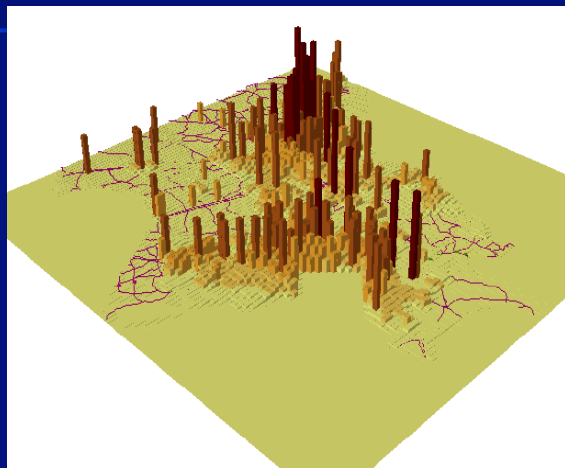
Hagerstown Community College



Baltimore Convention Center



TABLE 1: Households and Jobs



<u>INDICATORS</u>	<u>EXISTING</u>	<u>2030</u>
JOBS NEAR TRANSIT	34	37
HH NEAR TRANSIT	21	26
JOBS IN PFA	84	85
HH IN PFA	80	83
AFFR. HH IN PFA	-	94
JOBS IN BELTWAY	45	46
HH IN BELTWAY	42	42

Alternative statewide allocations of households

FIGURE 2: Density of Existing Households (2000)

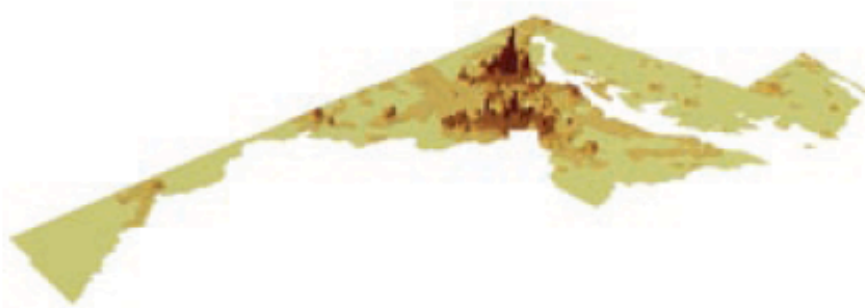


FIGURE 3: Density of Households – Reality Check Scenario (2030)

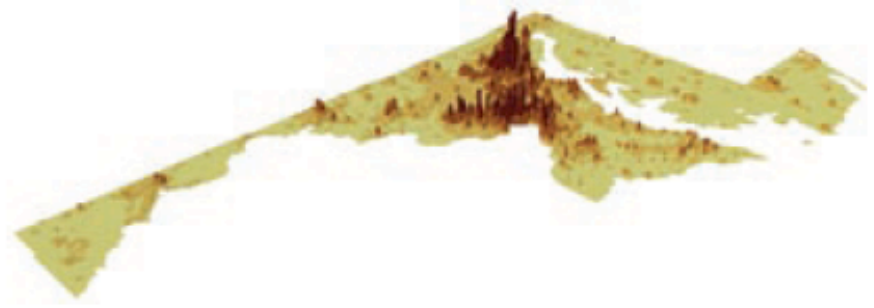


FIGURE 4: Density of Housing –
Regional Planning Council Cooperative Forecasts



FIGURE 5: Density of Households – Build-Out Scenario



Compared with Buildout and COG forecasts, RCP results would have..

- More jobs and housing close to transit;
- More jobs and housing inside priority funding areas;
- Less development on green infrastructure; and
- Less new impervious surfaces;
- Fewer vehicle miles traveled.

Washington Post, 7/5/08

Urging A Plan for Growth

O'Malley Officials Push State Initiative

By [Miranda S. Spivack](#)

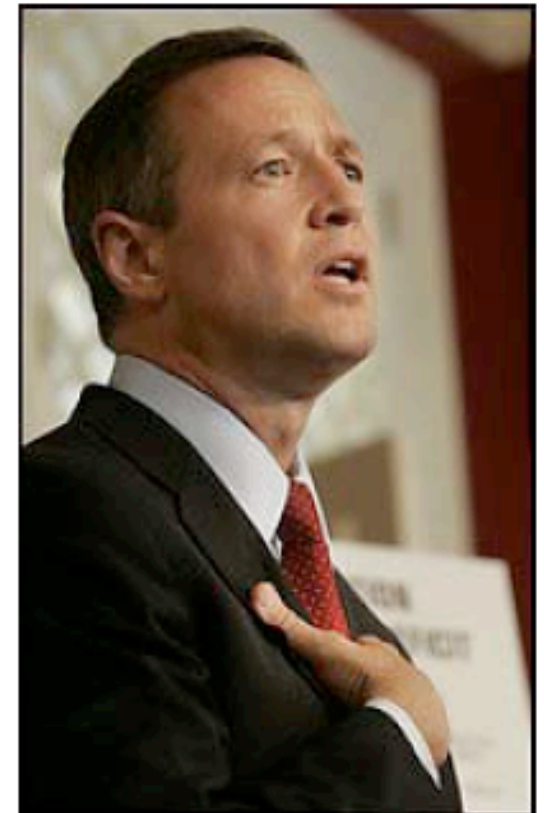
Washington Post Staff Writer

Saturday, July 5, 2008; Page B01

For more than 30 years, Maryland has had a law on the books requiring officials to write a plan describing how the state should grow and develop. But with most land-use decisions made locally, and with little public pressure to create a wider vision for Maryland, no one sat down to write it.

This year, that could change.

The administration of Gov. [Martin O'Malley](#) (D), concerned about the potential effect of unchecked growth on the water supply, greenhouse gases and the [Chesapeake Bay](#), has been quietly setting the stage for the creation of a statewide plan to guide development.



O'Malley officials are worried about effects of growth. (Toni L. Sandys - The Washington Post)

The Logic of State Plans

- Scope of natural and human systems
 - Environmental
 - Transportation
 - Economic
 - Equity and social justice
- Administrative efficiency
 - MDP, MDOT, DHCD, DNR, MDE, MDA,...

The Parameters of State Plans

- Spatially explicit?
- Oversight?
- Role of state plan in agency decision making?
- Relationship of state plan to climate change plan?
- Relationship of state plan to local plans?



UNIVERSITY OF
MARYLAND

The National Center for Smart Growth
Research and Education

Suite 1112, Preinkert Field House
College Park, Maryland 20742
301.405.6788

www.smartgrowth.umd.edu

