

CHAPTER 8

SURVEY OF
OPINION
LEADERS

In chapter 2, the eight case study states are ranked in terms of the comprehensiveness and integrity of their regulatory systems. Not surprisingly, all of the smart growth states scored higher than the other selected states on those dimensions. In theory, higher-scoring states should be more effective in achieving smart growth goals. That chapter also compared state smart growth programs with the degree of local regulation of residential development, including the effects of state regulations implemented at the local level. Again, smart growth states clustered at the high end of the chart. The other selected states ranked below them in strength, but were significantly spread out, reflecting different degrees of local regulation.

Based on this analysis, New Jersey should be the strongest performer in achieving smart growth goals while Florida should be the weakest. Among the other selected states, Colorado should be the best performer and Indiana the worst. Colorado might even surpass Florida on overall attainment of smart growth goals.

As chapters 3 through 7 make clear, however, ranking the states' effectiveness on thematic issues is much less straightforward. Although the smart growth states generally do outperform the other selected states, individual states excel in areas where they focus most directly on a goal through regulation, administration, and a combination of sanctions and incentives. In fact, some states without smart growth programs perform better on certain goals by virtue of concerted local regulation and collaborative regional efforts that may inadvertently benefit from weak state support.

This mixed picture of performance suggests a complex interaction between state and local initiatives. On the one hand, the presence of strong state mandates may reduce local smart growth initiatives (which may be the case in Florida). On the other, the absence of strong state mandates may stimulate stronger local initiatives including voluntary regional collaboration (which may be the case in both Colorado and Texas). In short, reality on the ground is more nuanced than the initial

dichotomy between states with and without smart growth programs would suggest.

To provide additional perspective on the effectiveness of state smart growth programs versus local initiatives, knowledgeable opinion leaders were surveyed in each of the eight case study states. Although surveys have distinct limitations, especially given sampling constraints, the findings provide a more multidimensional picture of the impacts of land use regulation in relation to other analyses presented in this volume.

DATA SOURCES

For the purposes of this survey, opinion leaders were defined as senior professionals within organizations whose work should make them informed about and interested in land development regulations in their states. Since organizations in the public, private, and nonprofit sectors might have different perceptions about the effectiveness of smart growth regulations, the survey sample drew from each of these sectors. Selected organizations include those with chapters in all or most of the eight case study states, such as statewide municipal leagues, the American Planning Association, the Urban Land Institute, and the Urban League. Key individuals in those organizations were identified through Web-based information as well as personal contacts.

Two-thirds of the opinion leaders who were contacted completed the survey, with individuals from smart growth and other selected states responding at an equal rate. The final sample pool ranged from 17 to 27 valid contacts per state, and the average number of responses was about 15 (see table 8.1). About 45 percent of responses were from the public sector, almost 30 percent from the nonprofit sector, and 18 percent from the private sector. While the final sample may appear relatively modest, it is important to recognize that respondents had to possess significant expertise on land regulation in their respective states to be invited to participate.

Results from two other surveys also are considered here. The first is by the Zell/Lurie Real Estate Center at the Wharton School at the University of Pennsylvania (Gyourko, Saiz, and Summers 2006). That survey measured the effects of the local

Table 8.1 Survey Responses by State

	Number of Responses	Percent of Responses
SMART GROWTH STATES	57	48.7
Florida	15	12.8
Maryland	17	14.5
New Jersey	14	12.0
Oregon	11	9.4
Average	14	12.0
OTHER SELECTED STATES	60	51.3
Colorado	14	12.0
Indiana	20	17.1
Texas	15	12.8
Virginia	11	9.4
Average	15	13.0

Note: Because some respondents did not answer every question, the number of respondents by state may be lower than the total number of respondents in that category. This is especially true for questions about sanctions and incentives.

regulatory environment on residential development, based on responses from municipal planning officials in more than 2,600 communities across the United States. The results were used to construct the Wharton Residential Land Use Regulatory Index, which measures the relative degree of regulation of housing development. The second survey is the so-called Millennium study conducted by Lake Snell Perry and Associates (2000) for the American Planning Association and the American Institute of Certified Planners. That survey was designed to measure citizen attitudes toward growth management policies. The sample included 1,000 randomly selected voters from the 48 contiguous states.

ISSUES SURVEYED

The survey questions developed for this volume were structured to capture the impacts of regulations at different scales: state, metropolitan region, and local. Although this structure results in considerable redundancy, it allows a better comparison between what is happening in states with and without smart growth programs.

The questions were divided into five areas of inquiry.

1. *Effectiveness in achieving smart growth goals.* Goals included those analyzed in the preceding chapters, as well as some additional goals identified by the smart growth movement (Smart Growth Online n.d.).
2. *Public participation.* Smart growth advocates generally agree that public participation is important in gaining support for and belief in the credibility of the regulatory system.
3. *Costs of regulatory compliance.* Critics of land use regulation argue that excessive regulation adds significantly to the cost of development. Costs can take the form of delays (time needed to achieve project approval) as well as process (related to studies that must be conducted and submitted with applications).
4. *Effectiveness of sanctions and incentives.* The smart growth states presumably employ both sanctions and incentives, whereas the other selected states are more likely to offer only incentives to encourage voluntary use of local planning powers.
5. *Government role in guiding land development decisions.* These questions look broadly at core values guiding the development of regulatory systems, such as attitudes toward private property versus public rights, and views on state versus local control over land use decisions.

For all questions, the survey asked respondents to focus on the period from 2000 to the present rather than the 1980s and 1990s (the decades of interest elsewhere in this volume), given that they would have better recall of more recent conditions. In addition, many respondents may not have been with their organizations or even in their current locations before 2000. Although this temporal shift could raise issues about the comparability of actual and perceived measures of performance, none of the case study states implemented significant smart growth legislation during the 2000s or experienced other major changes that might be expected to bias results.

Responses were structured on a five-point Likert scale, where one is the low end (i.e., low effectiveness, low agreement) and five is the high end. Responses were compared in various groupings: by smart growth versus other selected states; by states within each group; and by sectors within each group. (See Appendix 8 for the complete questionnaire.)

SURVEY RESULTS

In general, the survey results show that the smart growth states are perceived to be more effective than the other selected states in achieving smart growth goals. Local governments in some other states, however, have become more active in trying to manage their own growth. While smart growth states seem to be achieving their goals through the effective use of regulation, sanctions, and incentives, they are also perceived to have higher development costs.

EFFECTIVENESS IN ACHIEVING SMART GROWTH GOALS: STATE AND LOCAL LEVELS

As table 8.2 indicates, respondents in smart growth states perceive their states to be significantly more effective in achieving smart growth goals. Nevertheless, in three goal areas—compact development, revitalization of existing urban centers, and mix of transportation alternatives—the perceived performance of the smart growth states at the state level is only in the moderate range (around 2.5). Scores were even lower on the goals of providing adequate public facilities and infrastructure, along with an adequate supply of affordable housing. The weak perceived performance on public facilities is surprising given that legislation in smart growth states would presumably try to assure that “growth pays its own way.”

At the local level, in contrast, the other selected states were perceived to be significantly more effective than the smart growth states in providing adequate public facilities and supplies of affordable housing, and in revitalizing existing urban areas. These findings suggest that in the absence of strong state regulations, local governments may actively manage their own growth. Conversely, if states impose requirements on growth, they may dampen the motivation for additional local regulation.

Table 8.2 Effectiveness in Achieving Smart Growth Goals Since 2000 (Average)

SMART GROWTH GOALS	SMART GROWTH STATES		OTHER SELECTED STATES	
	State	Local	State	Local
Compact Development	2.5***	2.7	1.5***	2.6
Preservation of Open Space	3.6***	3.3	2.3***	2.9
Clean Air and Water	3.1***	2.9	2.4***	2.6
Adequate Public Facilities and Infrastructure	2.3	2.3***	2.3	2.9***
Revitalization of Existing Urban Centers	2.6***	2.8**	2.1***	3.2**
Mix of Transportation Alternatives	2.3***	2.3	1.7***	2.5
Adequate Supply of Affordable Housing	1.9	2.0***	1.9	2.5***
Average	2.6	2.6	2.0	2.7

Note: Effectiveness is rated on a 1–5 scale, where 1 indicates “not effective” and 5 indicates “very effective.”
 *** = p<.001
 ** = p<.01
 * = p<.05

As the state-by-state comparisons in table 8.3 show, Virginia and Texas are perceived at the state level as the least effective in achieving smart growth goals, with means below 2.0, although Texas is seen as a strong performer at the local level. At both the state and local levels, the smart growth states (and Colorado among the other selected states) have some of their greatest perceived effectiveness in preserving open space and providing for clean air and water. Higher scores for these goals, especially clean air and water, may reflect the impacts of federal regulation. Part of the difference here may be explained by the fact that all four smart growth states have significant coastal areas and adjoining wetlands which tend to be highly regulated, while two of the other selected states are essentially without coastal lands.

Table 8.3 Effectiveness in Achieving Smart Growth Goals Since 2000, by State

	FLORIDA		MARYLAND		NEW JERSEY		OREGON	
	State	Local	State	Local	State	Local	State	Local
Compact Development	1.9	2.1	2.4	2.7	2.2	2.4	3.8	4.1
Preservation of Open Space	3.2	2.7	3.2	2.9	4.1	3.9	4.0	3.8
Clean Air and Water	2.8	2.6	2.6	2.5	3.6	3.1	3.6	3.4
Adequate Public Facilities and Infrastructure	2.3	1.8	2.4	2.5	2.1	2.2	2.6	2.6
Revitalization of Existing Urban Centers	2.5	2.9	2.5	2.7	2.6	2.4	3.0	3.6
Mix of Transportation Alternatives	1.9	2.0	2.2	2.1	2.1	2.0	3.4	3.5
Adequate Supply of Affordable Housing	1.8	1.9	2.0	1.8	1.8	1.9	2.2	2.6
Average	2.3	2.3	2.5	2.5	2.6	2.6	3.2	3.4
	COLORADO		INDIANA		TEXAS		VIRGINIA	
	State	Local	State	Local	State	Local	State	Local
Compact Development	1.7	2.7	1.6	2.5	1.2	3.0	1.6	2.2
Preservation of Open Space	3.2	3.3	2.1	2.6	1.5	3.1	2.6	2.8
Clean Air and Water	2.6	2.5	2.3	2.8	2.3	2.9	2.6	2.2
Adequate Public Facilities and Infrastructure	2.5	2.9	2.4	3.2	2.2	3.1	1.9	2.3
Revitalization of Existing Urban Centers	2.5	3.3	2.3	3.2	1.4	3.6	2.1	2.7
Mix of Transportation Alternatives	2.5	3.3	1.4	1.7	1.9	3.1	1.2	1.9
Adequate Supply of Affordable Housing	2.0	2.5	2.3	2.7	1.7	2.7	1.5	1.8
Average	2.4	2.9	2.1	2.7	1.7	3.1	1.9	2.3

EFFECTIVENESS IN ACHIEVING SMART GROWTH GOALS:**REGIONAL LEVEL**

Most of the population in the case study states resides in major metropolitan areas. In addition, the use of urban growth boundaries and Developments of Regional Impact (DRIs) tie many smart growth efforts specifically to the regional scale. Several key federal programs, such as transportation MPOs, also require regional coordination. For these reasons, the survey looked at how effective smart growth efforts have been at the regional as well as state and local levels.

As table 8.4 shows, the patterns of perceived performance observed at the state and local levels largely hold at the metropolitan scale as well. In five of the seven goal areas, the smart growth states were perceived to be significantly more effective than the other selected states. In the area of providing adequate public facilities, however, the inter-local cooperation within the other selected states was perceived to be significantly more effective than the state-mandated regional coordination within the smart growth states. All states were considered to be equally ineffective in providing an adequate supply of affordable housing through regional efforts.

Table 8.4 **Effectiveness of Regulations in Coordinating Planning Within the Largest Metropolitan Areas** (Average)

SMART GROWTH GOALS	SMART GROWTH STATES		OTHER SELECTED STATES	
	State	Local	State	Local
Compact Development	2.4***	2.5	1.5***	2.3
Preservation of Open Space	2.7***	2.5	1.8***	2.5
Clean Air and Water	2.5***	2.6	2.1**	2.4
Adequate Public Facilities and Infrastructure	2.1	2.3**	2.0	2.6**
Revitalization of Existing Urban Centers	2.5***	2.7	1.8***	2.7
Mix of Transportation Alternatives	2.5***	2.5	1.9***	2.5
Adequate Supply of Affordable Housing	1.9	1.9	1.7	2.1

Note: Effectiveness is rated on a 1–5 scale, where 1 indicates “not effective” and 5 indicates “very effective.”

*** = $p < .001$

** = $p < .05$

Scores for goal attainment at the metropolitan scale were generally lower than at the statewide scale in both sets of states. The largest difference in perceived effectiveness between the metropolitan and state scales was in the preservation of open space in smart growth states. On this goal, smart growth states were perceived to perform significantly better than the other selected states at the metropolitan scale.

In considering metropolitan-level regulation, it is useful to review findings from the Wharton survey. That study ranked 47 metropolitan regions in terms of the degree of regulation of residential development. In this survey, 11 of those regions are located in 6 of the case study states. Two principal metropolitan areas (Baltimore and Miami) were not included because of a low survey response rate.

Nevertheless, the rank ordering offers a useful within-group comparison. As table 8.5 shows, New Jersey had three of the highest ranking regions in terms of regulation (Monmouth–Ocean, Bergen–Passaic, and Newark), while Colorado had the second highest ranking region (Denver). One Florida metropolitan region (Fort Lauderdale) ranked high, while another (Tampa–St. Petersburg) ranked low. All Texas regions ranked low, and Indianapolis was also near the bottom. Portland was near the middle.

The pattern of metropolitan-scale performance in Colorado and Florida is consistent with the findings in other chapters of this book. Colorado is a strong performer on smart growth measures even in the absence of state controls, while Florida is a relatively weak performer despite having a highly articulated and integrated system of regulations.

PUBLIC PARTICIPATION IN THE PLANNING PROCESS

Another set of survey questions considered the issue of public participation in land use decisions at both the state and local levels. Also included were questions about the benefits (such as helping to resolve conflicts) and the costs (such as delays in the approval process) of this participation.

Not surprisingly, public participation at the state level was perceived to be markedly greater in smart growth states than in the other selected states. As table 8.6 shows, however, there

Table 8.5 Wharton Index Ranking of Metropolitan Areas Within the Case Study States

Rank (Out of 47)	State	Metropolitan Area	Index Value
3	New Jersey	Monmouth–Ocean	1.17
7	Colorado	Denver	0.85
8	New Jersey	Bergen–Passaic	0.74
10	Florida	Fort Lauderdale	0.71
13	New Jersey	Newark	0.58
23	Oregon	Portland	0.30
35	Florida	Tampa–St. Petersburg	-0.17
37	Texas	San Antonio	-0.23
38	Texas	Fort Worth–Arlington	-0.24
39	Texas	Houston	-0.26
41	Texas	Dallas	-0.33
46	Indiana	Indianapolis	-0.75

Notes: Rankings are based on the mean for the entire sample (+/- 1 = one standard deviation from the mean). Shading indicates metropolitan areas in smart growth states.

Source: Gyourko, Saiz, and Summers (2006, Table 11).

Table 8.6 Extent of Encouragement of Public Participation in Planning (Average)

SMART GROWTH GOALS	SMART GROWTH STATES		OTHER SELECTED STATES	
	State	Local	State	Local
Development of General, Master, and Comprehensive Plans	3.4***	3.7	2.1***	3.6
Approval of Significant Revisions to Elements of the Plans	3.3***	3.5	2.0***	3.4
Periodic Updating of Plans and Goals	3.1***	3.5	2.0***	3.4

Note: Extent of encouragement is rated on a 1–5 scale, where 1 indicates “not at all” and 5 indicates “to a great extent.”
*** = $p < .001$

were no significant differences in perceptions at the local level. Again, this suggests that in the absence of state smart growth programs, local governments may engage in fairly rigorous planning efforts.

In addition to opportunities to participate in specific aspects of planning, respondents were asked about the impacts of public participation in several areas, including conflict resolution, buy-in to planning decisions, delays in the approval process, and predictability of the development and review process. Responses to these questions offer an interesting contrast. At the state level, the smart growth states were perceived to be significantly better at resolving conflicts among opposing groups and at achieving buy-in. At the local level, though, the other selected states were perceived to be significantly more effective in these two areas. Within the smart growth states, the nonprofit sector tended to view encouragement of public participation as about adequate, whereas the public and private sectors tended to see it as greatly encouraged.

Buy-in and conflict resolution are clearly process benefits, but what about process costs? In the smart growth states, public participation was seen as the source of both more approval delays and less predictability. Presumably, these two views are closely tied.

In a write-in section included in the survey, many respondents commented on the public participation process. In Florida, several individuals remarked on the complexity of the state-mandated planning process and its effect on public participation: “Accessibility to the decision-making process is difficult; [there is] little public understanding about the process and its implications on urban form; rules are too complex for the general public.” Another Florida respondent observed: “[The] process is not driven by the public, it is driven by the development community.” Similarly, an Oregon respondent stated: “Plan revisions are typically developer-driven rather than policy-driven; citizen involvement is reactive, not visionary.”

One respondent representing local government interests in Maryland suggested that public participation might enhance public trust in state-level land use policies: “...if the State chose to invite public participation to develop the authority it has for

policy and program decisions, it would be in a much stronger position to influence local decisions and legislative action at the State level.” But a respondent in Texas, also representing local government interests, felt that public participation at the state level offers an unequal opportunity for development interests: “The extent of participation usually involves individual developers who are unhappy with local decisions [and are] seeking state-level legislative changes to overrule the local policy.”

Comments about public participation at the local level in both the smart growth and the other selected states are very similar. The public was described as getting engaged over local decisions to the extent that those issues are seen as potentially threatening to existing development. For example, a New Jersey respondent from the private sector wrote: “Citizen groups have a ‘close the barn door’ mentality about any development anywhere in the municipality. ‘No more school children’ is the mantra in NJ.” In Florida, a respondent from regional government observed: “Public participation [is] for the most part oriented toward specific local issues and self interest.” In short, the public is seen as reactive rather than proactive, and motivated by perceived threats, rather than involved in the formulation of a long-range vision.

A final observation about public participation is that process scores tend to be higher than goal attainment scores in the smart growth states. This pattern also holds for goal attainment versus local participation in the other selected states. This finding suggests that respondents are more satisfied with the opportunity to participate in planning than with the outcomes of the process.

Table 8.7 **Perceived Changes in the Costs of Regulatory Compliance Since 2000** (Percentage of respondents)

Compliance Costs Have:	SMART GROWTH STATES	OTHER SELECTED STATES
Decreased	2	3
Stayed About the Same	11	37
Become Somewhat Higher	30	36
Become a Lot Higher	52	19

Chi-Square = 17.375 significant at the .002 level.

COSTS OF REGULATORY COMPLIANCE

The survey examined perceptions about the costs of regulatory compliance specifically tied to residential development. Critics of smart growth argue that it creates regulatory systems that increase development costs. The survey questions address the issue at three levels: overall costs of regulatory compliance; amount of time required to complete regulatory requirements; and the cost of development exactions or impact fees.

Perceived costs of meeting regulatory requirements differed significantly between the two groups of states, as shown in table 8.7. In the smart growth states, 52 percent of respondents perceived compliance costs as a lot higher since 2000. In the other selected states, respondents viewed compliance costs as about the same (37 percent) or somewhat higher (36 percent).

Differences between the smart growth and the other selected states in perceptions about the amount of time required to complete the review process are also noteworthy, as shown in table 8.8. In the smart growth states, most respondents felt that review times had become somewhat longer (39 percent) or a lot longer (35 percent). In the other selected states, most respondents saw review times as having either stayed about the same (39 percent) or become somewhat longer (40 percent).

Perceptions about the costs of exactions and impact fees also differed significantly. As table 8.9 shows, nearly half of the respondents from smart growth states felt that impact fees had become a lot higher since 2000, while respondents in the other selected states felt that fees had either stayed about the same (29 percent) or become somewhat higher (37 percent).

Table 8.8 **Perceived Changes in the Time Required to Complete Review Process Since 2000** (Percentage of respondents)

Time Required:	SMART GROWTH STATES	OTHER SELECTED STATES
Has Decreased	0	12
Stayed About the Same	20	39
Become Somewhat Longer	39	40
Become a Lot Longer	35	12

Chi-Square = 16.810, significant at the .002 level.

Table 8.9 Perceived Changes in the Costs of Exactions and Impact Fees Since 2000
(Percentage of respondents)

Costs Have:	SMART GROWTH STATES	OTHER SELECTED STATES
Stayed About the Same	0	29
Become Somewhat Higher	40	37
Become a Lot Higher	47	19

Note: Columns do not add to 100% because some people gave other responses.

RESPONSES BY SECTOR

In addition to comparing responses from the two groups of states, the analysis considered differences in responses by sector. In smart growth states, private sector respondents were far more likely to answer that the costs of regulatory compliance had become a lot higher (69 percent) than respondents in either the public sector (48 percent) or the nonprofit sector (40 percent). In the other selected states, there were no significant differences in responses across sectors.

As for the time required to complete the approval process, perceptions among private sector respondents in the smart growth states differed significantly from those in the other two sectors. This group saw approval time since 2000 as having become a lot longer (77 percent), while public sector respondents viewed the time as somewhat longer (64 percent) and nonprofit respondents as either about the same (40 percent) or somewhat longer (27 percent).

In terms of impact fees, there were no statistically significant differences in perceived changes among sectors; all respondents agreed that fees had become somewhat to a lot higher. These findings suggest that the private sector is more sensitive to changes in costs because it is directly in line to either absorb the increases or pass them on to consumers.

Several survey respondents wrote in comments on issues related to costs, notably about the state's ability to use capital expenditures to shape growth. A state planner in Maryland suggested:

[T]he biggest carrot/stick (depending on how it's wielded) that the state has to influence land use is its capital budget and state regulatory authority over things that are not land, but can be used to greatly influence it, like water and sewer planning and pollution control. But only a fraction of the capital budget is purposely used in this way, and state agencies are not responsible to exercise their other authorities and responsibilities to achieve state planning and land use policy. Without these mechanisms, the state's role is a crap shoot: highly effective in some instances and places, almost nonexistent in others (probably most).

The review process in smart growth states was perceived to take longer, but without significantly improving the attainment of smart growth goals. As one regional government official in Florida wrote:

The bulk of state and local land use policies, while not substantially changing the suburbanization of the less developed areas of Florida, have certainly extended the time to obtain development permits and served to inflame the public while enriching the lawyers and consultants. Moreover, being a land use planner in Florida is frequently not unlike being the center of attention at a circular firing squad!

A respondent representing private sector interests in New Jersey commented:

It is a real mess out there. It [regulatory compliance] has become a lot higher over this period, and in an inconsistent manner. It [the review and approval process] has gotten a lot longer, and in an unpredictable manner that has no transparency—in other words, it is taking longer, and you are not told why. Worse, even if a similar approval was secured on a similar project in say, six months, that does not mean that your next approval will take the same amount of time; since there are no effective growth policies, there is no relationship.

Table 8.10 Wharton Ranking of Case Study States by Degree of Residential Regulation

State	Wharton Index	Rank (Among 50 states)
New Jersey	0.89	5
Maryland	0.81	6
Colorado	0.51	11
Florida	0.38	13
Oregon	0.09	18
Virginia	-0.20	25
Texas	-0.45	31
Indiana	-1.02	47

Note: Rankings are based on the mean for the entire sample (+/- 1 = one standard deviation from the mean). Shading indicates metropolitan areas in smart growth states.

Source: Gyourko, Saiz, and Summers (2006, Table 10).

According to the Wharton survey, the average project delay in the most regulated areas (10.3 months) is more than three times longer than in the least regulated places (3.2 months) (Gyourko, Saiz, and Summer 2006). That study did not find, however, that the smart growth states considered here were uniformly more regulated than the other selected states. As table 8.10 shows, Colorado—one of the other selected states that had strong local regulations—was found to be more highly regulated than Florida, which had generally light local regulation. Colorado also ranked above Oregon in terms of residential regulation. In general, the Wharton study found that states in the Northeast are the most highly regulated, followed by the Mid-Atlantic states. The most lightly regulated states are in the Midwest.

EFFECTIVENESS OF SANCTIONS AND INCENTIVES

Smart growth states employ a combination of sanctions and incentives to achieve their goals. The fourth set of questions on the survey asked about the effectiveness of these tools. Table 8.11 indicates that respondents in smart growth states perceived the use of sanctions as significantly more effective than those in the other selected states, presumably reflecting the greater use of sanctions in states with smart growth programs.

Incentives were also perceived to be more effective in the smart growth states, except in the areas of encouraging a mix of transportation alternatives and providing an adequate supply of affordable housing. Among the smart growth states, Oregon ranked the highest in the use of both sanctions and incentives. Among the other selected states, Colorado ranked the highest in the effective use of incentives.

GOVERNMENT ROLE IN GUIDING LAND USE DEVELOPMENT

In the final set of survey questions, respondents were asked to rate the extent to which their organizations agreed or disagreed with a set of statements concerning government regulation of land use development. As shown in table 8.12, respondents in both groups of states agreed that government has a responsibility to guide the private development of land in rapidly growing areas to protect the public interest. Similarly, respondents in both groups of states felt that the role of government in guiding land development should not simply be to avoid nuisances.

Table 8.11 Average Effectiveness of State-level Sanctions and Incentives in Achieving Smart Growth Goals (Average)

SMART GROWTH GOALS	SMART GROWTH STATES		OTHER SELECTED STATES	
	Sanctions	Incentives	Sanctions	Incentives
Compact Development	2.4***	2.3***	1.4***	1.7***
Preservation of Open Space	2.6***	3.1***	1.6***	2.3***
Clean Air and Water	2.7**	2.5*	2.2**	2.2*
Adequate Public Facilities and Infrastructure	2.3***	2.3***	1.8***	1.9***
Revitalization of Existing Urban Centers	2.2***	2.6***	1.6***	2.0***
Mix of Transportation Alternatives	2.1**	2.3	1.5**	2.0
Adequate Supply of Affordable Housing	2.0**	1.9	1.5**	2.0

Note: Effectiveness is rated on a 1–5 scale, where 1 indicates “not effective” and 5 indicates “very effective.”

*** = $p < .001$

** = $p < .01$

* = $p < .05$

The views of respondents differ on the issue of whether state governments should defer entirely to local governments. Respondents in the other selected states tended to feel that the state should defer, while those in the smart growth states tended to feel that the state should not. Respondents from both groups of states also disagreed on whether the state should intervene where a development decision by a local government could adversely affect a neighboring jurisdiction. Respondents in smart growth states were more likely to see a role for the state in such circumstances.

Responses to this set of questions can be compared with results of the APA/AICP Millennium survey of 1,000 randomly selected voters across the United States. They were asked: "Who do you personally think should be responsible for future growth and development in your community?" Forty percent answered local government while only 12 percent answered state govern-

ment; fully 28 percent felt that citizens should be responsible (Lake Snell Perry and Associates 2000, 51). In the highly regulated Northeast, 45 percent favored local regulation, 22 percent favored citizen regulation, but only 11 percent favored state regulation. In contrast, in the lightly regulated Midwest, 38 percent favored local regulation, 30 percent citizen regulation, and 13 percent state regulation.

The Millennium survey also asked whether respondents favored legislation that puts strong limits on land use and urban growth. Respondents in the Mountain states strongly supported such legislation (42 percent), as did respondents in Pacific states (40 percent).

CONCLUSIONS

The smart growth states are viewed as more clearly articulating, pursuing, and achieving smart growth goals. For those states, perceptions of overall effectiveness at both the state and local levels are fairly consistent. This may simply reflect the fact that state requirements dictate local action and compliance.

Nevertheless, the absence of a state-level mandate in the other selected states does not mean that they are ignoring smart growth goals. Indeed, the lack of a state smart growth program seems to result in greater local activism. This is especially true in Texas, where the perceived state effectiveness in achieving smart growth goals had a mean rating of 1.7, while local effectiveness had a mean rating of 3.1. A similar but less dramatic contrast in perceptions is evident in both Indiana and Virginia.

Among the other selected states, Colorado was perceived by respondents as being more effective at both the state and local levels than the smart growth state of Florida. In fact, Colorado ranks higher on the Wharton Index than both Florida and Oregon. This rating may reflect the fact that Colorado's fastest-growing communities are attracting population based on the quality of life they provide, and that quality is significantly defined by preserving and enhancing the natural setting. It may also reflect the high average income of Colorado households, which the Wharton study concludes is strongly correlated with a higher degree of state regulation (Gyourko, Saiz, and Summers 2006, 6).

Table 8.12 Government Role in Guiding Land Use Development (Average)

GOVERNMENT ROLE	SMART GROWTH STATES	OTHER SELECTED STATES
Government has a responsibility to guide the private development of new land in rapidly growing areas to protect the public interest.	3.9	4.1
State government should defer entirely to local government, except in the placement of state-funded infrastructure, in guiding the development of local lands.	2.3***	2.9***
When local land use decisions potentially result in consequences that would negatively affect neighboring jurisdictions, the state should intervene to assure equitable outcomes.	3.5*	3.1*
Government's role in land use is simply to assure that land is not developed in a manner that creates a nuisance for neighboring owners or the general public.	2.1	2.0

Note: Opinions are rated on a 1–5 scale, where 1 indicates "strongly disagree" and 5 indicates "strongly agree."

*** = $p < .001$

** = $p < .01$

* = $p < .05$

Clearly, overall regulation is a combination of state-mandated and locally initiated planning. The results of the opinion leader survey suggest a complex pattern across the eight case study states. Rather than the smart growth states clustering at one end and the other selected states at the other, the distribution is more nuanced. For example, Colorado ranks higher than Florida in perceived effectiveness at achieving smart growth goals at both the state and local levels. This somewhat surprising outcome may reflect the fact that, although mandating a great deal of planning, Florida does not clearly tie this effort to specific

smart growth goals. The one exception is the state's concurrency principle, which should seemingly support development of adequate public facilities but fails to do so because of the difficulty of implementing the requirements.

Again, these findings suggest that in the absence of strong state regulations, local governments may become more active in trying to manage their own growth. Conversely, if states impose smart growth requirements, they may dampen the motivation for additional local regulation.

APPENDIX 8 OPINION LEADER QUESTIONNAIRE

To complete the survey, please mark the number corresponding to the SINGLE BEST ANSWER to each question. Most of the questions in the survey ask you to address trends since 2000. If you have not been working in your state for that long, please respond based on your best knowledge. For questions that refer to the effects of local-level regulation, please answer based on your impression of local areas that are growing more rapidly in your state.

1. How many years have you been involved in the planning, management, regulation, or development of land within your state?

PLEASE ENTER NUMBER OF YEARS.

2. In what capacity are you currently engaged in any of the activities named in Question 1? PLEASE MARK ONE RESPONSE ONLY.

- 1 State government
- 2 Regional government (COG, MOP, other)
- 3 Local government
- 4 Environmental non-profit
- 5 Other non-profit organization
- 6 Private development firm
- 7 Development finance
- 8 Other (please specify below)

3. In what state is your organization located?

PLEASE MARK YOUR LOCATION ONLY.

- 1 Colorado
- 2 Florida
- 3 Indiana
- 4 Maryland
- 5 New Jersey
- 6 Oregon
- 7 Texas
- 8 Virginia

4. Many different objectives are addressed in planning land development. SINCE 2000, how effective have STATE efforts been in achieving each of the following goals? Please use a 5-point scale where 1 indicates “not effective” and 5 indicates “very effective.”

	1 Not Effective	2	3	4	5 Very Effective
a) Compact development					
b) Preservation of open space					
c) Clean air and water					
d) Adequate public facilities and infrastructure					
e) Revitalization of existing urban centers					
f) A mix of transportation alternatives					
g) An adequate supply of affordable housing					

5. SINCE 2000, how effective have LOCAL efforts (in more rapidly growing areas of your state) been in achieving each of the following goals? Please use a 5-point scale where 1 indicates “not effective” and 5 indicates “very effective.”

	1 Not Effective	2	3	4	5 Very Effective
a) Compact development					
b) Preservation of open space					
c) Clean air and water					
d) Adequate public facilities and infrastructure					
e) Revitalization of existing urban centers					
f) A mix of transportation alternatives					
g) An adequate supply of affordable housing					

6. At the STATE level, are there any other objectives that the planning of land development should pursue beyond those listed in Questions 4 and 5 above?

- 1 Yes
- 2 No

7. IF YES: Please list these objectives below.

8. Now, think about the largest metropolitan region in your state. SINCE 2000, how effective have STATE regulations been in coordinating planning across local jurisdictions that comprise this region? Please use a 5-point scale where 1 indicates “not effective” and 5 indicates “very effective.”

	1 Not Effective	2	3	4	5 Very Effective
a) Compact development					
b) Preservation of open space					
c) Clean air and water					
d) Adequate public facilities and infrastructure					
e) Revitalization of existing urban centers					
f) A mix of transportation alternatives					
g) An adequate supply of affordable housing					

9. Still thinking about the largest metropolitan region in your state, SINCE 2000, how effective have LOCAL regulations been in coordinating planning across local jurisdictions that comprise this region? Please use a 5-point scale where 1 indicates “not effective” and 5 indicates “very effective.”

	1 Not Effective	2	3	4	5 Very Effective
a) Compact development					
b) Preservation of open space					
c) Clean air and water					
d) Adequate public facilities and infrastructure					
e) Revitalization of existing urban centers					
f) A mix of transportation alternatives					
g) An adequate supply of affordable housing					

10. CURRENTLY, is the general level of public participation in land use decisions at the STATE level:

- 1 Too low
- 2 About right
- 3 Too high

11. IF TOO LOW OR TOO HIGH: Please briefly explain your answer below.

12. CURRENTLY, is the general level of public participation at the LOCAL level (in more rapidly growing areas of your state):

- 1 Too low
- 2 About right
- 3 Too high

13. IF TOO LOW OR TOO HIGH: Please briefly explain your answer below.

14. CURRENTLY, to what extent is public participation encouraged by STATE government in each of the following? Please use a 5-point scale where 1 indicates “not at all” and 5 indicates “to a great extent.”

PLEASE MARK ONE RESPONSE ON EACH LINE.

	1 Not At All	2	3	4	5 Great Extent
a) The development of general, master, or comprehensive plans					
b) Approval of significant revisions to elements of the plans					
c) Periodic updating of plans and goals					

15. CURRENTLY, to what extent is public participation encouraged by LOCAL governments (in more rapidly growing areas of your state) in each of the following? Please use a 5-point scale where 1 indicates “not at all” and 5 indicates “to a great extent.”

	1 Not At All	2	3	4	5 Great Extent
a) The development of general, master, or comprehensive plans					
b) Approval of significant revisions to elements of the plans					
c) Periodic updating of plans and goals					

16. CURRENTLY, to what extent is public participation at the STATE level facilitating each of the following? Please use a 5-point scale where 1 indicates “not at all” and 5 indicates “to a great extent.”

	1 Not At All	2	3	4	5 Great Extent
a) Resolution of conflicts among opposing groups					
b) Outcomes that have buy-in					
c) More delays in the development review and approval process					
d) A less predictable development review and approval process					

17. Currently, to what extent is public participation at the LOCAL level (in more rapidly growing areas of your state) facilitating each of the following? Please use a 5-point scale where 1 indicates “not at all” and 5 indicates “to a great extent.”

	1 Not At All	2	3	4	5 Great Extent
a) Resolution of conflicts among opposing groups					
b) Outcomes that have buy-in					
c) More delays in the development review and approval process					
d) A less predictable development review and approval process					

18. Thinking about conditions in your state in general, SINCE 2000, to the best of your knowledge has the COST OF REGULATORY COMPLIANCE associated with residential development:

- 1 Decreased over this period
- 2 Stayed about the same over this period
- 3 Become somewhat higher over this period
- 4 Become a lot higher over this period
- 5 Other (please specify below)

19. Thinking about conditions in your state in general, SINCE 2000, to the best of your knowledge has the LENGTH OF TIME required to complete the review and approval process for residential development in your state:

- 1 Decreased a lot over this period
- 2 Decreased somewhat over this period
- 3 Stayed about the same
- 4 Gotten somewhat longer over this period
- 5 Gotten a lot longer over this period
- 6 Other (please specify below)

20. In an effort to make new development “pay its own way,” some communities have implemented front-end charges known as “impact fees” or “exactions.” In general, SINCE 2000, how have these fees affected the cost of residential development in your state? Has the cost:

- 1 Decreased over this period
- 2 Stayed about the same over this period
- 3 Become somewhat higher over this period
- 4 Become a lot higher over this period
- 5 Other (please specify below)

21. SINCE 2000, in practice, how effective have state-level SANCTIONS been in getting local governments to do each of the following? Please use a 5-point scale where 1 is “not effective” and 5 is “very effective.”

	1 Not Effective	2	3	4	5 Very Effective	N/A
a) Promote compact development						
b) Preserve open space						
c) Assure clean air and water						
d) Assure adequate public facilities						
e) Encourage revitalization of existing urban centers						
f) Encourage a mix of transportation alternatives						
g) Assure an adequate supply of affordable housing						

22. SINCE 2000, in practice, how effective have state-level INCENTIVES been in getting local governments to do each of the following? Please use a 5-point scale where 1 is “not effective” and 5 is “very effective.”

	1 Not Effective	2	3	4	5 Very Effective	N/A
a) Promote compact development						
b) Preserve open space						
c) Assure clean air and water						
d) Assure adequate public facilities						
e) Encourage revitalization of existing urban centers						
f) Encourage a mix of transportation alternatives						
g) Assure an adequate supply of affordable housing						

23. Using a scale from 1 to 5, where “1” indicates “strongly disagree” and 5 indicates “strongly agree,” please indicate the position of the organization you represent on each of the following statements.

	1 Strongly Disagree	2	3	4	5 Strongly Agree
a) Government has a responsibility to guide the private development of new land in rapidly growing areas in order to protect the public interest.					
b) State government should defer entirely to local government, excepting the placement of state-funded infrastructure, in guiding the development of local lands.					
c) When local land use decisions potentially result in consequences that would negatively affect neighboring jurisdictions, the state should intervene to assure equitable outcomes.					
d) Government’s role in land use is simply to assure that land is NOT developed in a manner that creates a nuisance for neighboring owners or for the general public.					

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24. Is there anything else we should know about the relationship between growth policies and land use in your state?

25. The following information is optional; we will use it only if we need to clarify your responses. Be assured that we will not attribute responses to any individual. Again, survey responses will be compiled and reported in summary form only and will not be connected to specific individuals.

PLEASE ENTER YOUR NAME AND THE NAME OF THE ORGANIZATION YOU REPRESENT IN THE SPACE BELOW.
