DRAFT MANUSCRIPT: Smart Growth from Here: Planner's Perspectives on Smart Growth in Maryland after 25 years.

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The role of state governments in land use planning has been the subject of considerable debate for some time. Although the authority of states to plan and regulate land use was deemed legitimate under the police powers, most states delegated that authority to local governments following the Standard City Planning and Zoning Enabling Acts published in the 1920s. Some states, however, took back some of the powers they had previously granted local governments including the adoption of statutory goals and guidelines, areas of critical state interest, state review of plans, and other forms of state intervention--to address land use issues that transcend local government boundaries and to assure that local governments do not plan counter to statewide interests. Peaks in such state actions occurred in two waves, one in the late 1960s proclaimed as a "Quiet Revolution in Land-Use Control" by Bosselman and Callies (1971) and the other in the late 1990s and early 2000s marked by the publication of the Growing Smart Legislative guidebook by the American Planning Association (Meck, 2002).

Maryland has always featured prominently in the history of state land use planning but gained notoriety in the 1990s as the state government tackled growth management head on. In 1997, Governor Parris Glendening signed the Smart Growth and Neighborhood Conservation Acts, which embodied principles of smart growth promulgated by the US EPA and the Smart Growth Network--of which the State of Maryland was a founding member. These acts, for which Glendening received multiple accolades and awards, were widely acclaimed. By using financial incentives to entice local governments to encourage compact growth, preserve farmland, redevelopment brownfields, stimulate job creation, and subsidize housing near employment Maryland had not only pioneered a new approach to growth management but had cleverly addressed the pervasive tension between state and local governments over land use control.

Twenty-five year and four gubernatorial administrations have now passed since these pioneering statues were passed into law. What's more, the past twenty-five years have seen rising concerns about climate change, evolving perspectives on the centrality of race and social equity in land use and more generally, and new advances in transportation and other smart cities technologies in Maryland and globally. Further, Maryland has continued to grow in population, adding approximately 2 million people (an increase of over 30 percent) between 1990 and 2020, and new development pressures persist. For these reasons now is a propitious time to review the performance of smart growth in Maryland, identify the challenges the state currently faces, and to consider the need for new statutes and approaches to smart growth.

In this paper, we report the results of a survey of planners and government officials and stakeholders in Maryland in which we asked their perspectives on smart growth past, present, and future. We proceed as follows. In the next section we provide a brief overview of land use policy in Maryland including milestones before and after the 1997 smart growth legislation. We

then describe our survey research methods followed by an analysis of the results. In short, we find that planners in Maryland continue to believe that the 1997 Acts remain important elements of land use policy in the state, but that they failed to address more contemporary issues—such as climate and equity—and that many of the old challenges remain. We also find significant differences in perspectives between respondents from the state's population core stretching between Baltimore and the DC suburbs and respondents from the Eastern Shore, Southern and Western Maryland. We conclude with a discussion of the future of smart growth in Maryland and the lessons Maryland offers for the continuing debate about smart growth and the role of state government in land use planning.

Land Use Policy and Smart Growth in Maryland

Like land use policies elsewhere, Maryland's smart growth program reflects the geographic, historic, and political features of the state. Although Maryland is highly urbanized around the rapidly growing suburbs of Baltimore and Washington, DC, the state also features forested mountain landscapes in the west, fertile agricultural regions and the Atlantic shoreline in the east, and the Chesapeake Bay in the middle. The conflicts that stem from suburban encroachment on these sensitive environments–especially the critical and sensitive ecosystem of the Chesapeake Bay–have long been the impetus for land use planning and growth management efforts in the state.

Maryland is a generally a progressive state. Four highly populated and highly Democratic jurisdictions—Baltimore City, Baltimore County, Montgomery County, and Prince George's County—typically dominate state politics. As a result, Democrats have controlled the state house since 1960. Largely for this reason, the question in Maryland is usually not whether the state government will be active in land use policy, but rather how the state will intervene and how successful those interventions will be at meeting the state's goals. That said, support for progressive land use policies, and the extent of state intervention, is not uniform. Such progressive interventions are strongly and consistently opposed by Republican dominated rural counties represented by the powerful Maryland Association of Counties. Within the last 25 years, Maryland has elected two Republican governors – Robert Ehrlich (2003-2007) and Larry Hogan (2015-2023) – both elected on the heels of economic recessions and in reaction to a broadening of state land use authority, the first following the Smart Growth and Neighborhood Conservation Act in 1997 and the latter following the adoption of PlanMaryland in 2011.

Smart Growth Antecedents. Maryland has a rich history of state action in land use policy (see Table 1). The state's first planning law, passed in 1927, authorized local planning commissions to adopt comprehensive plans. Over the next several decades the General Assembly passed laws to protect forests and wetlands, reduce soil erosion, preserve farmland, and regulate storm   water runoff. In the 1980s, the state turned its attention to the Chesapeake Bay in signing the Chesapeake Bay agreement in 1983 and the passing the Critical Areas Act one year later.

Table 1: State Smart Growth Antecedents

Year	Milestone
1927	The Maryland General Assembly (GA) passes the General Zoning Enabling Act authorizing cities of 10,000 or more to zone, creating the legal framework to restrict private property to specific uses
1933	The Maryland General Assembly passes the Planning Enabling Act, which confers planning and zoning authority on municipalities
1933	The Maryland General Assembly creates the Maryland State Planning Commission (SPC), the first state planning commission in the United States, tasked with coordinating Depression-era public works programs of the National Resources Planning Board and the Works Projects Administration.
1948	Montgomery County becomes a chartered home rule county, marking the first instance in Maryland of a county government taking direct control of land use within its boundaries.
1956	The Commission on State Programs, Organization, and Finance issues *Improving State Planning in Maryland,* which emphasizes aid to local jurisdictions, centralized coordination of planning in the executive branch, and increasing the expertise and size of the state planning staff.
1959	The GA passes legislation creating the State Planning Department, encompassing the SPC and broadening the state's planning scope to include state water resources and provides the first mention of a state development plan.
1967	The GA establishes the first land preservation program, focused specifically on agricultural land preservation. This program includes The Maryland Environmental Trust (MET), a statewide land trust to buy conservation easements on rural lands.
1967	Baltimore County Urban Rural Demarcation Line (URDL) established by the county's Planning Board, dividing the county into designated urban and rural areas. This later became the baseline for the county's PFA distinction.
1969	The State Planning Department becomes a cabinet-level agency and is renamed the Maryland Department of State Planning
1970	The GA passes the Tidal Wetlands Act, requiring developers and others to acquire a state permit for alteration of state wetlands and mitigation of wetland loss
1974	The GA passes the Maryland Planning Act (the Land Use Act of 1974), which gives the state authority to intervene in local land use decisions and establishes the State Land Use Board to formulate land use policies and recommendations, assist in the resolution of conflicts among the land use practices of state agencies and local governments and review the State Development Plan. The legislation also gave the board the ability to designate "critical areas," in which local governments were required to submit plans for development to be reviewed and approved by the Board.
1977	The GA creates the Maryland Agricultural Land Preservation Program under the state Department of Agriculture to preserve agricultural land and woodland in Maryland.
1980	Baltimore County implements new master plan showcasing smart growth ideas and tools and implements it via comprehensive rezoning. Plan is described as "advis[ing] that the most intensive residential and commercial development take place in sector town centers where access is or will be optimized by such facilities as ring roads and rapid transit stations.
1983	Virginia, Maryland, Pennsylvania, the District of Columbia, and the U.S. EPA sign a multistate Chesapeake Bay agreement. The agreement recognizes that population growth and its associated development patterns are major causes of environmental degradation.

1984	The Chesapeake Bay Critical Areas Program establishes restrictions on land use activities within a 1,000-foot area along the shoreline of the Chesapeake Bay and its tidal tributaries. The act designates all lands within 1,000 feet of tidal waters or adjacent tidal wetlands as critical areas, making them subject to state land use board oversight
1988	The Department of State Planning becomes the Maryland Office of Planning.
1992	The Economic Growth, Resource Protection, and Planning Act is enacted, establishing seven visions for development in Maryland and statewide growth management policies that must be included in local plans.

In 1992, the General Assembly passed the Economic Growth, Resource Protection Act. While the 1992 Act did not fundamentally change the structure of land use governance in the state, it established the basic framework for planning and zoning that remains today. The 1992 Act requires that local governments adopt a comprehensive plan before they adopt a zoning ordinance or subdivision regulations. Plans must contain certain elements and must be submitted to the Maryland Department of Planning (MDP) for review on a (now) 10-year cycle. The Maryland Department of Planning reviews plans for consistency with (now) 12 land use visions, also articulated in the Act. The Act did not grant the MDP the authority to approve or certify local plans or to withhold state funds if it deems that plans do not further state goals. It can only offer official comments on the plan. Municipalities and counties in Maryland implement those plans through zoning ordinances, subdivision regulations, transfer of development rights, adequate public facilities ordinances, and other tools--most of which are explicitly authorized by statute, as well as other land use policy instruments.

In Maryland, unlike most states, counties, not cities, play the dominant role in land use planning and governance. Most Maryland counties are large in area but range in population from highly populated Montgomery County with over 1 million residents to Kent County with fewer than 20,000. Several have no municipalities at all, with all land use managed directly by the county governments. Most counties offer the full range of urban services, including roads, schools, police and fire protection services, and land use planning. This point cannot be overstated. Maryland often ranks high in state activity in land use and environmental policy, and deservedly so. Still, counties—not cities or the state—play the dominant role in land use governance, which even progressive counties are loath to surrender. The quality and breadth of that governance varies tremendously, however, from that of Montgomery County, which has perhaps the most storied planning history of any county in the nation, to that of Garrett County, large parts of which remain unzoned to this day.

The Smart Growth and Neighborhood Conservation Acts. Maryland's pioneering smart growth program was introduced as legislative and budgetary initiatives in the 1997 session of the Maryland General Assembly. Although there were five pieces of legislation in that initial package, the thrust of Maryland's new approach was embodied in only two: the Smart Growth Areas Act and the Rural Legacy Act. Together, they represented Governor Glendening's inside-outside strategy to encourage growth and revitalization inside existing cities, towns, and other urbanized areas, and to identify and protect the best farmland, forests, and other natural areas outside the urban envelope.

The centerpiece of Maryland's smart growth initiative was the Smart Growth Areas Act. The act required local governments to designate Priority Funding Areas (PFAs), where growth was to be concentrated. State investments in "growth-related" expenditures were to be restricted to PFAs. By statute, PFAs included all the state's incorporated municipalities, the developed areas inside the Baltimore and Washington beltways, and other areas designated by the state's 23 counties that met specific state criteria.

By statute, a "growth-related" expenditures is "any form of assurance, guarantee, grant payment, credit, tax credit, or other assistance, including a loan, loan guarantee, or reduction in the principal obligation of, or rate of interest payable on, a loan or a portion of a loan," (Lewis et al., 2009). Growth-related spending by state agencies consists of certain programs administered by the Maryland Departments of Environment, Housing and Community Development, Commerce, and Transportation.

The Rural Legacy Act, the rural complement to the Smart Growth Areas Act, was designed to protect agricultural lands and other natural resources from urban development. Under the Rural Legacy Program, the state provides funds to local governments and land trusts to purchase the development rights to large, contiguous tracts of agricultural, forest, and natural areas subject to development pressure. To receive Rural Legacy Program funds, local governments and land trusts must prepare rural legacy plans; preference is given to applications that complement existing land conservation programs.

The three other components of the 1997 Acts were smaller and supporting programs. The Job Creations Tax Credit (JCTC) program provided tax credits for jobs created inside PFAs. The Live-Near-Your-Work (LNYW) program provided state and local subsidies for home purchases near employment centers. And the Brownfields Redevelopment Act provided subsidies and liability relief for brownfield redevelopment projects. Some of these programs still exist but their relevance in relation to the Priority Funding Areas has morphed over time (Moeckel & Lewis, 2017). For example, for the JCTC, the employment threshold is lower if a business is inside a PFA but the amount of funding per job is the same. But jobs created in revitalization areas or for veterans receive a higher benefit. The LNYW program was a short-lived pilot program and funding for the Brownfields Voluntary Cleanup and Revitalization program waned after the initial years. Most importantly, however, none of the five programs in the 1997 act are regulatory in nature; they simply provide incentives for developers and local governments to develop in areas designated for development and incentives for conservation in areas designated for conservation.

Smart Growth Principles. The Maryland Smart Growth Acts were passed at the height of the smart growth movement in the United States. According to the USEPA, Smart Growth is "development that serves the economy, the community, and the environment and changes the terms of the development debate away from the traditional growth/no growth question to how and where should new development be accommodated," (USEPA, 2001). Towards this end, the US EPA established in 1996 a network of organizations dedicated to promoting 10 smart growth

principles (see Table 2). Thanks in part to this network, smart growth has become the dominant paradigm in land use planning for over two decades and had a major influence on land use policy in Maryland (G.-J. Knaap et al., 2022).

Table 2: Smart Growth Principles

1. Mix land uses.
2. Take advantage of compact building design.
3. Create a range of housing opportunities and choices.
4. Create walkable neighborhoods.
5. Foster distinctive, attractive communities with a strong sense of place.
6. Preserve open space, farmland, natural beauty, and critical environmental areas.
7. Strengthen and direct development towards existing communities.
8. Provide a variety of transportation choices.
9. Make development decisions predictable, fair, and cost effective.
10. Encourage community and stakeholder collaboration in development decisions.

Smart growth implementation. The Smart Growth Acts were adopted in the second term of the Glendening administration, with little time for implementation. Priority Funding Areas and Rural Legacy Areas were quickly drawn and approved by a Smart Growth Subcabinet led by the newly established Office of Smart Growth that reported directly to the governor. The Smart Growth Subcabinet is supported by a Smart Growth Coordinating Committee composed of state agency staff. Each governor that followed Glendening, however, modified the state's land use system in its own way. See Table 3.

Table 3: State Land Use Interventions after Smart Growth

Year	Milestone
1998	The Smart Growth Subcabinet is created by executive order.
2000	"Smart codes" legislation establishes a statewide rehabilitation building code and model infill and mixed-use development codes.
2000	Maryland Office of Planning is renamed Maryland Department of Planning.
2001	The Smart Growth Subcabinet codified in law along with the Office of Smart Growth.
2001	The Maryland Office of Smart Growth is established as a direct arm of the governor's office with oversight responsibility for smart growth activities in state agencies.
2003	The Office of Smart Growth is demoted from a cabinet-level position and is housed under the MDP. A gubernatorial executive order establishes the Priority Places Program as part of the smart growth effort with MDP oversight.
2006	The GA adds a municipal growth element and a water resources element to county comprehensive plans. A new act requires counties seeking certification of farmland preservation programs to designate priority preservation areas (PPAs) and to include a PPA element in their comprehensive plans.
2008	The GA enables state land and financial resources to be used for transit-oriented development (TOD)

2009	The Smart and Sustainable Growth Act includes Smart Growth Indicators and Planning Visions, a package that strengthens local-government comprehensive plans, directs local jurisdictions and the state to collect smart growth measures, and establishes a statewide land use goal.
2009	GA adopts 12 visions of planning for Maryland, which include: "quality of life and sustainability; public participation; growth areas; community design; infrastructure; housing; economic development; environmental protection; resource conservation; stewardship; and implementation approaches." Local jurisdictions are required to include all visions in local comprehensive plans and implement them through zoning ordinances and regulations
2011	Governor Martin O'Malley accepts PlanMaryland, the state's first long-range plan for sustainable growth, and files an executive order to begin the execution of the plan.
2012	The Sustainable Growth and Agricultural Preservation Act limits the spread of septic systems on large-lot residential development to reduce the last unchecked major source of nitrogen pollution in the Chesapeake Bay and other waterways. This act effectively limits private development by controlling the extent of septic systems in approximately half the state.
2013	Maryland Department of Housing and Community Development releases "Housing Maryland: A Housing Policy Framework for Today and Tomorrow. Plan goals include "expand[ing[choice and supply of sustainable housing, restor[ing] and revitaliz[ing] communities across Maryland, and stabiliz[ing] families and local communities. The plan calls for the establishment of a renewable funding mechanism for the states Smart Growth programs, as well as generally investing in revitalization and existing infrastructure.
2020	The Maryland Department of Planning 2020 update to the statewide Land Use GIS product, which will show generalized locations of developed land, including varying densities of residential land as well as commercial, industrial, institutional, other developed, and undeveloped resource land.
2021	Maryland Department of the Environment released 2030 Greenhouse Gas Emissions Reduction Act Plan. Plan incorporates land use issues, including environmental and climate justice topics, and references Smart Growth program's compact development goal as a component of reducing dependence on cars for transportation, as well as improving management of forests and farms for carbon sequestration.

Glendening was followed by Governor Robert Ehrlich, the state's first Republican governor since Spiro Agnew (1967-69). Ehrlich did not dismantle the newly created smart growth programs but was not a champion either. Under the Ehrlich administration, executive orders were adopted to assure local governments measured and monitored development capacity inside PFAs. In addition, two important land use bills were passed during the Ehrlich administration. HB 1141 required cities and counties to adopt municipal growth elements in their comprehensive plans and updated the state's antiquated annexation statutes; HB 2 required counties to identify Priority Preservation Areas and include them in their comprehensive plans.

Ehrlich was succeeded by Martin O'Malley in 2008, a Democrat strongly supportive of smart growth, and the protagonist for several important smart growth legislative enhancements. In 2009, the General Assembly passed legislation that established smart growth measurement and monitoring protocols, updated the planning visions, and strengthened the linkage between

zoning and comprehensive plans. In 2010, The Sustainable Communities Act consolidated geographically targeted resources for historic preservation, housing, and economic development under a single designation (Sustainable Communities) and placed special emphasis on infrastructure improvements, multimodal transportation, and development that strengthens existing communities. In 2011, Governor O'Malley signed PlanMaryland, the state's first state development plan, which was mandated in 1959 but never fulfilled. Finally, in 2012, the General Assembly passed the Sustainable Growth and Agriculture Preservation Act, which required counties to identify tiers that placed restrictions on developments on septic systems in rural areas.

Governor Larry Hogan succeeded Martin O'Malley in 2006. A Republican and developer by profession, Hogan ran on a platform largely antithetical to smart growth, and deference to local land use control. In 2013, Hogan signed "A Better Maryland,' a new state development plan largely focused on technical assistance, and in 2019 signed HB 1045, which for the first time required comprehensive plans to include a housing element.

In 2022, Hogan was succeeded by Democrat Wes Moore, a progressive, and the first African American governor of Maryland. While Moore's policies to date have not directly addressed smart growth, several initiatives including the revitalization of the red transit line in the Baltimore City and support for public transportation expansion statewide indicate a more amenable environment for state intervention in land use in years to come.

As we transition into this new era of state-level political leadership in Maryland, exploring the perspectives of long-term stakeholders on the state's tradition of land use planning holds particular value in providing insight into how stakeholders understand smart growth, and how the core ideas have played out in the 25 years since adoption of the original legislation. Before looking at current stakeholder views, we provide a brief discussion of research on state land use initiatives in Maryland to better frame the goals and expectations of smart growth to date.

Previous Research

Much of the previous research on the role of states revolves around the legal authority of state governments to control local land use. Other work has examined the relative success of state-level land use policies and approaches at meeting the states' intended goals. In addition, a small but influential body of work has examined smart growth policies in Maryland, both from administrative and evaluative approaches.

State Land Use Authority. Following various state attempts to claw back power ceded to local governments, several scholars documented the evolution of state land use authority and evaluated the results. Early comparative work focused on describing the policy process and chronicling the key policy elements within state growth management frameworks. (DeGrove, 1984, 2005; DeGrove & Miness, 1992). Healy and Rosenburg (Healy & Rosenberg, 1979, 2011) offer case study descriptions of a few states while offering some key lessons learned in implementation across states. Burby and May (1997) created a typology of state approaches to

characterize different experiments in state planning. Much of the early research was descriptive and sought to develop typologies of the different state level models for preempting local land use.

Scholars have characterized the historical evolution of state land use authority over time to describe how state intervention in local land use has evolved from top-down regulatory models (first-wave) to infrastructure/comprehensive plan focused approaches (second wave) then to incentive based smart growth models (third-wave) (Weitz, 1999, 2012). Chapin (2012) offered a prediction about the emerging fourth wave of growth management models, which he surmised would focus on sustainable growth with an emphasis on working across silos to promote economic growth and respond to climate change. As Bierbaum, Lewis & Chapin (2022) note, the 2010s brought an era of unquiet devolution of authority back to the local level and in alignment with private property rights. In recent years, states have turned their attention to housing affordability, climate protection, and equity with less focus on issues related to land use.

Maryland follows some of the trends illustrated by the Weitz typology in the initial adoption of the 1992 Economic Growth, Resource Protection, and Planning Act as a second wave attempt to manage growth. Maryland is emblematic of a third-wave state that reflected an incentive-based approach to use the state's purse to affect land use outcomes rather than regulations (Cohen, 2002). Additionally, the devolution to local authority was evident in Maryland during the Hogan Administration with the diminishment of state planning activity and reformulation of PlanMaryland.

Evaluating State Land Use Programs. Alongside the evolution of state level intervention into land use, scholars sought to examine the state land use programs in pioneering states like Oregon, Florida, and Maryland. In each of these states, scholars started to study outcomes nearly as soon as the programs were adopted, within 10-15 years of legislative adoption. In most cases, long-term evaluations of the state level planning efforts are less common.

In an early study, Knaap (1985) examined Urban Growth Boundaries (UGBs) in metropolitan Portland, Oregon soon after Oregon's landmark program was adopted, finding that-due to their constraints on land development, land prices inside UGBs were significantly higher than land prices outside UGBs. This conclusion was subsequently supported by Dempsey and Plantinga (2013) who found that development had slowed outside the UGBs of several cities. Subsequent research on urban growth boundaries in Oregon was prevalent in the early 1990s but has slowed since (Knaap & Nelson, 1992; Nelson, 1992; Nelson & Moore, 1993). These initial studies showed evidence of urban growth containing within UGBs in Oregon but pointed out some potential challenges if low density development continues along the edge, compromising efficiency in the future expansion of UGBs. Under legislative direction, the Big Look Task Force published a long-term evaluation of Oregon in 2009 which provided a comprehensive look at the effects of the Oregon Program (Oregon Task Force on Land Use Planning, 2009). The Big Look Task Force recommended policy changes to provide more flexibility, foster cooperation

among cities and counties, improve coordination around land use, economic development, and transportation, and simplify the complexity of the program.

Research on state land use policy in Florida offered insights into the policy framework (Feiock et al., 2008), effects on biodiversity, and citizen support for growth management (Chapin & Connerly, 2004). There have been some studies about the long-term effects of Florida's growth management program on housing affordability and sprawl including Anthony (2003), Anthony (2017), Boarnet, McLaughlin & Carruthers (2011), and Ben- Zadok (2009).

One of the most comprehensive examinations of state growth management was published in 2009 by the Lincoln institute for Land Policy. Led by a team of academic researchers from around the country, the study examined four states with state growth management programs and four without such programs. The study focused on urban containment, housing, transportation, and land conservation (Ingram & Carbonell, 2009). Finding comparable data to conduct state level analysis posed challenges in conducting these analyses.

Over time, many state growth management programs faded in relevance over the terms of subsequent governors and legislatures. Sometimes there were explicit repeals – other times, growth management gave way to other priorities. In most cases, state agencies and researchers are not adept at monitoring and evaluating the impacts of programs (Landis, 2021). Landis (2021) suggests that states collect better data and analytical tools provide opportunities for more comparable and regular monitoring of the effects.

Evaluating Maryland's Approach. Like many of the awards given when the program was first adopted, evaluations of Maryland's program started before the ink was dry on the PFA maps. Scholars have examined the effects of individual programs and the governance approach as a whole.

Cohen (2002), Knaap (2005), Knaap & Frece (2006) and Frece (2009) provide some historical background, describe the governance approach and predict potential shortcomings of the approach while offering recommendations for improving implementation. Haeuber (1999) relied on interviews of those involved in the policy making process to offer an initial assessment of the policy process and predictions about shortcomings of the policy approach. The shortcomings Haeuber identified related to county designation of PFAs, the eligibility criteria, and loopholes for exceptions of state spending outside PFAs.

In Maryland, the influence of PFA's on development patterns has received the most analysis. In one of the earliest of such studies, Shen & Zhang (2007) examined the conversion from rural to urban use five years before and after PFAs and Rural Legacy Area (RLA) legislation cleared the legislature in 1997. They found that development patterns after the acts were passed reinforced the patterns of concentration and conservation prior to passage. A short time later, Lewis Knaap and Sohn (2009) offered a mixed-method examination of the effects of PFAs and found that the program did not significantly alter development patterns in the state. These findings, they argued reflect the tendency of county governments not to incorporate PFAs in

their own approach to managing growth, that the incentives PFA's provide are too small to have impact, and that the criteria for designating PFAs did not yield development patterns well suited for managing growth.

A subsequent study by Hanlon, Howland & McGuire (2012) used a models of land conversion to examine the likelihood of development. They found that the "size of an agricultural parcel, its distance from urban parcels, its proximity to highways, the productivity of agricultural land, and location in or outside PFAs influenced the probability an agricultural parcel would be converted to urban use." They conclude, that "Maryland's incentive-based strategy is not completely effective at preventing sprawl." In 2013 Towe, Lynch & Lewis (2013) used propensity score matching propensity to explore the effect of PFAs on land development patterns. They found that PFAs shifted development away from areas outside PFAs to areas within PFAs that had similar characteristics as those areas inside PFAs.

In sum, the body of academic research suggests that the impacts of PFAs on land development patterns have been mixed at best. Although many of these studies are now dated, they offer weak evidence that PFAs have been successful at containing urban growth inside designated growth areas.

The effects of Rural Legacy areas on land conversation have also received considerable analysis. Lynch and Liu (Lynch & Liu, 2007), conducted a study of Rural Legacy areas in Charles, Calvert, and St. Mary's Counties. Using parcel level data and a property score matching method, they found that RLAs had a positive impact on acres retained and on the probability of preservation. This result, they argued, stems from the infusion of new Rural Legacy funding rather than from attracting more preservation funding from other programs. They also found that RLAs enrolled more acres and larger parcels due to the new funding provided by the program. They also concluded, however, that the Rural Legacy program had done little to encourage land conservation inside compared to outside Rural Legacy areas. In a subsequent study, Lewis & Knaap (2012) found contradictory evidence that development in RLAs actually increased after designation. Like PFAs, they suggested, policy design, funding, and implementation challenges hampered the success of the RLA program. The level of state funding varied, and the distribution and level of funding was inconsistent over time.

Most recently, Williamson (2023) analyzed the effects of Maryland's 2012 septic tier legislation that restricted the development of large residential subdivisions on septic systems with eight or more lots in size. He found that the probability of development decreased by 48% on parcels where the development restrictions apply. He also found, however, that the policy had little impact on the density of development, but it did decrease the rate at which large parcels were permanently converted to low-density residential land uses. What's more, Williamson found that the septic tier restrictions had different effects on the probability and density of development. His findings also suggest that similar growth management strategies targeting large residential subdivisions on septic systems may have synergistic effects for local zoning regulations and other land use policies.

Besides examining effects on land conservation and development, National Center for Smart Growth researchers examined two other PFA-based smart growth policies. Sohn and Knaap (2005) examined the effects of the Job Creation Tax Credit program on job creation. They found that job growth in transportation, communication, and utilities and services industries had concentrated in PFAs, whereas jobs in the primary sector, manufacturing, and finance, insurance, and real estate has been unaffected by the program. Howland & Sohn (2007) examined how PFAs affected water and sewer expansion. They found that projects with greater state subsidies were more likely to occur in PFAs while counties with growth pressures and strong tax bases were more likely to build infrastructure outside PFAs.

Two other non-statistical studies offer insights into the efficacy and implementation of Maryland smart growth program. Knaap & Lewis (2007) offered the first analysis of state spending with respect to PFAs. They found that the state was not carefully monitoring whether state funds were actually spent within PFAs. Further they found that the amount of state funding targeted for spending within PFAs constituted a small share of the state budget and was dominated by transportation funding. These findings of PFA performance after 10 years echo the concerns identified by Knaap & Frece (2006) Knaap (2005)and Haeuber (1999).

In 2011, the National Center for Smart Growth produced an indicator report of Maryland's progress on smart growth just over 10 years after the program was adopted. The report included indicators in six categories: population, employment, transportation, development patterns, housing, and natural resources. Key findings include:

- The population growth rate in Maryland approximately equaled the national average. The indicators give no casual evidence that the Smart Growth Program either increased or decreased the amount or composition of population growth statewide.

- Employment and other measures of economic activity had consistently grown over the previous two decades in Maryland and all its regions. The indicator data supported the conclusion that the Smart Growth Program did not stop economic growth, but also do not support a conclusion about whether the Program increased or decreased that growth from what it would have been in the absence of the Program.

- For most measures of transportation performance, Maryland looked like other states: vehicle miles traveled, congestion, and car ownership had risen consistently over time. Maryland had higher transit ridership than most states, some of which may be attributable to the Smart Growth Program but most of which is attributable to Maryland's proximity to Washington, D.C. and its own historical investments in transit.

- Urban development continued in Maryland at densities lower than several comparison states from 1990 to 2000. Most of that growth had not been infill of urban areas: the predominant form of urban development in Maryland remained suburban. Three-fourths of the new single-family acres were developed outside PFAs since 1997. While this indicator had shown some improvement in recent years, the share of parcels

developed outside PFAs continued to increase over time, though the share of population that lived within a half-mile of rail transit stations had risen over time.

- Although the single-family share of new housing construction had fallen recently, the single-family share of housing in Maryland remained high for a highly urbanized state. Housing prices had inflated faster in Maryland than most other states the last few decades, clearly raising questions of affordability, which varies across the state.

- The trends in acres of farm and forest land had been steadily downward in Maryland and the U.S. for a long time, but the data suggest that rate of decline is decreasing. Maryland and its counties have protected well over 1.3 million acres of land. There was still, however, a substantial amount of critical land that was not protected. Measures of air quality were mainly stable or improving, yet measures of water quality continued to deteriorate in watersheds across the state.

The report concluded with multiple caveats but stated that: If the indicators here are leaning in any direction, it is that Maryland has not made substantial progress toward improving its performance in many of the areas pertaining to smart growth.

In sum, Maryland's pioneering smart growth initiative has been the focus of considerable national discussion and academic research. Much of the research has focused on the efficacy of PFAs and RLAs as urban containment and conservation tools, respectively. While the evidence is mixed, it is also quite dated. In what follows we explore how planners and policy makers view the program now more than 25 years after it was launched.

Survey Methods

To explore the perceptions of planners and land use professionals on the performance of smart growth in Maryland, we conducted a survey by email between March and August 2023. We recruited respondents from four cohorts: alumni of the University of Maryland College of Architecture, Urban Planning, and Preservation; currently serving planning directors from all counties and municipalities in the state of Maryland, their structural equivalent, or their designated representative; members of the Maryland chapter of the American Planning Association; and current and former members of the Smart Growth Subcabinet and the Smart Growth Coordinating Committee. All targeted respondents were contacted by email, using their professional email accounts wherever possible. Sources for email contacts came from the University of Maryland for alumni. The Maryland Association of Counties (MACo) and Maryland Urban Municipal League (MML) provided emails for municipal and county planning directors and some Subcabinet and Coordinating Committee members, with the remainder coming from the State of Maryland website directory. Maryland APA member emails were provided by the Maryland APA.

Survey Response. In total, we received 236 responses for an overall response rate of 17%. Of these, 70 were excluded for answering less than 50% of the survey or were collected from

individuals who reported not living in Maryland and having no substantial ties to the state, and were therefore excluded, bringing the total analyzed responses to 166 (12% of the total fielded surveys). The response rate differed substantially across cohorts. Planning directors had the highest response rate because we made special effort to maximize responses to this cohort due to their importance to the planning climate in the state and their inherent geographic distribution. Special recruitment efforts included personalized requests by email from the research team direct requests from staff at MACo, and the Maryland chapter of the American Planning Association (APA), and MML. Staff from the APA and MACo also assisted with sending generalized reminders to their members who received the survey. We provide Survey responses in total and by cohort in Table 4.

Table 4 – Survey Responses by Cohort

Cohort	Number included in analysis	Percent of Respondents
UMD School of Architecture, Planning, and Preservation Alumni	61	30%
County and Municipal Planning Directors	53	26%
Smart Growth Subcabinet and Smart Growth Coordinating Committee Members	14	7%
Maryland Chapter of the American Planning Association Members	74	37%

Survey Analysis. Responses were analyzed using R statistical software. Analysis included calculating frequency counts of responses for all questions. For Likert-type questions, we also calculated means and the proportion of respondents selecting "high" or "very high"/ "agree" or "strongly agree" for each question.

We calculated summary statistics as described above for the full cleaned sample. In addition, we calculated summaries for each of the sampling cohorts.   We also calculated statistics as described based on geographic distribution of responses. For these subsets, we categorized all Maryland counties and the city of Baltimore into one of four geographic regions: Eastern Shore, Southern Maryland, Central Maryland, and Western Maryland. Where possible, we based the respondents' location on self-reporting in the survey. Where respondents did not enter a location, the geolocations of respondents' IP addresses were used to approximate their locations. Where IP addresses did not match self-reported locations, we used self-reported locations. We excluded respondents from outside of Maryland in our analysis of geographic subsets. Table 5 presents the geographic distribution of respondents as used in subset analysis and the counties included in each region.

Table 5 – Survey Responses by Region, Including Counties Associated with Each Region

Region	Counties Included in Region	Region Population (number/percent of state population)	Respondents (number/percentage)
Core		**4,651,007 (75%)**	**104 (66%)**
Central Maryland	Anne Arundel, Baltimore (city), Baltimore (county), Harford, Howard, Montgomery, Prince George's	4,651,007 (75%)	104 (66%)
Noncore		**1,526,217 (25%)**	**53 (34%)**
Eastern Shore	Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, Worcester	456,815 (7%)	20 (13%)
Western Maryland	Allegany, Carroll, Fredrick, Garrett, Washington	696,225 (11%)	22 (14%)
Southern Maryland	Calvert, Charles, St. Mary's	373,177(6%)	11(7%)
Total included in geographic subsets		6,177,224	157 (100%)

NOTE: Percentages may not add to 100% due to rounding

For both cohort and regional subset analysis, differences between group proportions reporting "high" or "very high" (or equivalent) for Likert-type questions we tested for statistical significance using a chi-squared statistic. This report includes all results in tables and analysis, and notes those with statistically significant differences between subgroups (those with a chi-squared p-value below .05 or .01) in the text, and with green highlighting in the tables.

We received responses from every county in the state, and responses were roughly proportional to county population. In addition, approximately 17 percent of the respondents live outside the state. These responses were included in the full-sample analysis (indicated with "all" in the results tables throughout) but excluded from the core/noncore analysis. Eighty four

percent of all respondents hold an undergraduate or graduate degree in planning or a related field. Sixty-Nine percent identified as white, 47 percent as male, and over 50 percent were between 45 and 65 years old.

Survey Results

In this section, we report results from our survey, including both the full set of respondents, and broken out by those living in the "core" population-dense counties of Anne Arundel, Baltimore (city), Baltimore (county), Harford, Howard, Montgomery, Prince George's, and those in the remainder of the state. For the core/noncore analysis, we ran chi-square tests to determine statistical significance of the difference between core and noncore groups. In the tables, statistically significant differences are highlighted in dark green (99% level) and light green (95% level).

Principles of smart growth. Smart growth has always meant different things to different people. Here we asked respondents which planning principles were most important in defining smart growth with questions grounded in the 10 principles of smart growth promulgated by the Smart Growth Network.

Table 6: Importance of Smart Growth Elements to Understanding of Smart Growth

Percent of Respondents who selected "Important" or "Very Important"			
		Core/Noncore	
Element	All	Core	Non-Core
Compact urban development	80%	83%	65%
Creating walkable neighborhoods	91%	94%	83%
Preserving farm and forest land	85%	86%	88%
Encouraging infill and redevelopment	92%	96%	85%
Creating distinctive neighborhoods with a sense of place	69%	66%	75%
Providing transportation alternatives to the car	82%	84%	69%
Providing a range of housing choices	83%	83%	81%
The use of incentives instead of regulations to foster smart growth	50%	49%	58%
Greater state participation in land use planning	41%	44%	27%
Collaboration between public and private sector on land use	63%	66%	57%

In general, the respondents rated most of the smart growth principles as important or extremely important. The exceptions were the use of incentives over regulations' and 'greater state participation' in land use planning. These principles—some would argue central to Maryland's approach to smart growth—were viewed as important or extremely important by half and less than half of the respondents, respectively (Cohen, 2002). Over 90 percent of respondents viewed 'creating walkable environments,' and 'encouraging infill and development,' as important or extremely important. Over 80 percent viewed 'protecting farm and forest land,' 'providing alternatives to the car' and 'providing housing choices' as important or extremely important. Seventy nine percent viewed fostering compact development as important or extremely important.

The results revealed pervasive differences between core and noncore respondents in their views on the importance of smart growth principles. There was nearly uniform support from both subsamples for providing a range of housing choices and for preserving farm and forest lands. Noncore respondents, however, reported greater support for creating distinctive communities and the use of incentives over regulations, though the difference was not statistically significant. Core respondents reported greater support for creating walkable communities, encouraging infill and redevelopment, and providing transportation alternatives to the car. Notably, but perhaps not surprisingly, core respondents reported much greater support for fostering compact urban growth and greater state participation in land use planning than their noncore counterparts, even though support for the latter was low.

Novelty and Influence of Principles. When asked about the importance and origins of smart growth, nearly 40 percent of respondents viewed smart growth principles as 'never really all that new but simply a restatement of sound planning practice." Roughly 25 percent viewed smart growth as "a new paradigm in land use planning that continues to be relevant today" and another 25 percent viewed smart growth as superseded by concepts such as sustainability, resilience, or equitable growth." Very few respondents viewed smart growth principles as "no longer particularly relevant."

Table 7: Novelty and Influence of Principles

Select Statement that Best Characterizes Your Views	All	Core/Noncore	
		Core	Non-Core
Smart Growth principles were never really all that new but were simply a restatement of good planning practice	38%	32%	35%
Smart growth principles defined a new paradigm in land use planning and continue to be influential today	26%	28%	25%
Smart Growth principles were once new and influential but are no longer particularly relevant today	2%	2%	2%
Smart growth principles have been superseded by concepts such as sustainability, resilience, or equitable growth	24%	27%	29%
Other	10%	10%	8%

Differences between core and noncore respondents in this area were minimal, and no statistically significant differences emerged.

Maryland Smart Growth Act. Respondent views on the relevance of Maryland 1997 smart growth Acts were favorable but mixed. About 40 percent said that these were "groundbreaking and continue to play an important role", while another 25 percent said that they were "groundbreaking but no more important than others that preceded or proceeded them." Less than 20 percent said they were no longer important or never that important to begin with.

Table 8: Perspectives on Smart Growth Legislation

Select Statement that Best Characterizes Your Views	All	Core/Noncore	
		Core	Non-Core
These were groundbreaking acts that continue to play an important role in land use planning and development in Maryland today	42%	40%	43%
These were groundbreaking acts that continue to have impact but probably no more than other acts that preceded or follow it	25%	25%	25%
There were groundbreaking acts that had some impact but are no longer very important or influential	13%	12%	18%
These acts were never really all that important or influential	8%	11%	8%
I am not familiar with these acts	14%	12%	6%

As with the question of novelty and influence of principles, differences between core and noncore respondents in this area were minimal, and no statistically significant differences emerged.

Current planning challenges. Respondent views on the challenges facing planners where they live were varied. Eighty-nine percent of respondents viewed housing affordability, as important or extremely important.   Over 80 percent viewed transportation and physical infrastructure, as important, while over 70 percent viewed water quality, resource protection, and climate change as important. The respondents viewed the adoption of smart technology as least important and, somewhat surprising, less than 60 percent viewed controlling sprawl as important or very important.

Table 9: Perspectives on the Importance of Current Planning Challenges in Maryland

Percent of Respondents who selected "Important Challenge" or "Very Important Challenge"			
		Core/Noncore	
Challenge	All	Core	Non-Core
Sprawl	59%	63%	47%
Resource protection	73%	70%	76%
Transportation	83%	90%	73%
Water quality protection	74%	73%	80%
Social equity	68%	73%	45%
Climate change	77%	87%	51%
Physical infrastructure capacity, including utilities, schools, and road networks	81%	83%	78%
Adoption and integration of smart technology into government	40%	37%	44%
Housing affordability	89%	89%	84%
Workforce development	61%	58%	71%
Public health	54%	54%	50%

Differences in perspectives between core and noncore respondents on challenges facing the state were fewer but stronger where there were differences. Core respondents viewed sprawl as a more important challenge than their noncore counterparts. They also viewed transportation, climate, and social equity as more important by even larger proportions. Noncore respondents, however, viewed workforce development as the more important challenge, though the difference was not statistically significant.

Planning Performance. Respondents tended not to view planners and public officials as meeting these challenges very well. None of the challenges were viewed as well met or extremely well met by more than 25 percent of the respondents. Almost 25 percent viewed planners as meeting resource protection and water quality protection well or very well, while only 15

percent felt planners were meeting the challenge of sprawl very well. Only two percent viewed planners as meeting housing affordability challenges well.

Table 10: Perspectives on level of Preparation of Maryland Planners and Policymakers to Address Current Challenges

Percent who Responded "Well Prepared" or "Very Well Prepared"			
		Core/Noncore	
Challenge	All	Core	Non-Core
Sprawl	15%	14%	15%
Resource protection	25%	17%	37%
Transportation	7%	4%	4%
Water quality protection	24%	19%	31%
Social equity	8%	7%	12%
Climate change	9%	5%	11%
Physical infrastructure capacity, including utilities, schools, and road networks	11%	9%	10%
Adoption and integration of smart technology into government	13%	8%	21%
Housing affordability	2%	1%	2%
Workforce development	6%	5%	9%
Public health	18%	15%	20%

Views on how well Maryland planners were meeting those challenges differed less widely—perhaps in part because nearly all viewed planning performance so low. Noncore respondents, however, rated planner performance on water quality, resource protection, protection, and the adoption of smart technologies higher than their core counterparts, the latter two by a statistically significant degree.

Importance of local planning tools. Local zoning ordinances stood out, in the views of respondents, as the most important tool influencing the location, character, and consequences of development, with over 88 percent viewing zoning as important or very important. Local comprehensive plans were viewed as important or very important by 72 percent of respondents, while local subdivision regulations viewed as important or extremely important by 69 percent of respondents. All other tools were generally viewed as moderately important.

Table 11: Perspectives on the Importance of Local Planning Tools

Percent who Responded "Important" or "Very Important"			
		Core/Noncore	
Tools	All	Core	Non-Core
Local Comprehensive Plans	72%	69%	82%
Local Subdivision Regulations	69%	70%	71%
Local Zoning Ordinances	89%	93%	86%
Adequate Public Facility Ordinances	65%	63%	67%
Historic preservation regulations	44%	46%	45%
Business Improvement Districts or local economic development initiatives	56%	52%	63%
Local tax incentives	52%	49%	48%

Perspectives on the importance of local planning tools differed little, but noncore respondents viewed comprehensive plans and business improvement districts as more important planning tools, while core respondents rated zoning ordinances as more important.

Importance of planning visions. We asked the respondents about the continued importance of Maryland's 12 planning visions as adopted by the Maryland Department of Planning in 2009. Respondents viewed the importance of the planning visions as relatively high. Over 70 percent of respondents viewed all the visions as important or very important. The visions that address housing and implementation stood out as most important.

Table 12: Perspectives on Maryland's 12 Planning Visions

Percent who Responded "Important" or "Very Important"			
		Core/Noncore	
Vision	All	Core	Non-Core
Quality of Life and Sustainability	83%	83%	77%
Public Participation	75%	72%	77%
Growth Areas	75%	77%	64%
Community Design	71%	78%	60%
Infrastructure	87%	89%	83%
Transportation	88%	91%	77%
Housing	88%	89%	80%
Economic Development	77%	75%	77%
Environmental Protection	83%	87%	77%
Resource Conservation	78%	82%	71%
Stewardship	70%	68%	71%
Implementation	89%	88%	85%

In general, core respondents viewed the state's planning visions as more important than noncore respondents, particularly the visions that address growth areas, environmental protection, resource conservation, and especially community design and transportation which were significantly different.

New Planning Visions. We also asked about several topics not included in Maryland's current planning visions. Approximately half of the respondents said that social equity and climate change should be added to the visions. Thirty-two percent said that renewable energy should be added to the visions and twenty-six percent said public education should be added.

Table 13: Perspectives on Adding New Topics to Maryland's Planning Visions

Percent who Responded That Topic Should Be Added			
		Core/Noncore	
Topic	All	Core	Non-Core
Social Equity	48%	30%	8%
Climate Change	53%	34%	11%
Workforce Development	17%	8%	6%
Public Education	26%	15%	7%
Renewable Energy	32%	18%	8%
Urban Technology (such as smart streetlights, autonomous vehicles, etc.)	15%	6%	5%
Other	13%	6%	4%

NOTE: Core and noncore measures differ from overall due to the exclusion of out of state respondents from the core/noncore analysis.

Plan consistency. Respondent views on consistency among plans varied. Over 85 percent of respondents indicated that county and municipal plans were consistent or highly consistent with statewide visions. Over 70 percent indicated that county and municipal plans were consistent or highly consistent with each other. Just over 60 percent of respondents, however, said that state agencies were coordinated or well-coordinated with statewide visions.

Table 14: Perspectives on Consistency between State, County, and Municipal Plans and Visions

Percent who Responded "Agree" or "Strongly Agree"		Core/Noncore	
		Core	Non-Core
County comprehensive plans are consistent with state visions.	89%	86%	96%
Municipal plans in my county are consistent with state visions.	91%	86%	97%
State agencies are well coordinated in promoting state visions.	62%	53%	68%
Municipal plans in my county are consistent with other municipal plans in my county.	81%	76%	81%
Municipal plans in my county are consistent with the county comprehensive plan.	81%	75%	90%
The county plan in my county is consistent with comprehensive plans in neighboring counties.	75%	69%	84%

Noncore respondents viewed the relationship between and among state visions, municipal, and county plans as more consistent than core respondents, but not by a statistically significant degree.

Importance of state planning tools. Overall, the respondents did not view state planning tools as highly important. The Critical Areas Act, the Forest Conservation Act, and transportation funding were viewed as important or very important planning tools by more than 70 percent of the respondents. Priority Funding Areas, Rural Legacy Areas, the state climate plan, transit-oriented development zones, and water quality financing were viewed as important or very important planning tools by over 60 percent of respondents. The Office of Smart Growth, the Smart Growth Subcabinet, and smart growth coordinating committee were viewed as important or very important by less than 35 percent of respondents.

Table 15: Perspectives on the Importance of State Planning Tools

Percent who Responded "Important" or "Very Important"			
		Core/Noncore	
State Planning Tool	All	Core	Non-Core
Priority Funding Areas	62%	59%	65%
Rural Legacy Areas	61%	56%	70%
Brownfield Redevelopment Program	56%	53%	51%
Live Near Your Work Program	39%	36%	34%
Septic Tiers Legislation	50%	52%	45%
The Critical Areas Act	72%	71%	71%
Sustainable Community Program	60%	56%	56%
State Planning Visions	38%	34%	34%
State Review of Local Plans	41%	43%	33%
Smart Growth Subcabinet	35%	32%	31%
Office of Smart Growth	35%	32%	30%
Smart Growth Coordinating Committee	34%	31%	26%
State Climate Plan	64%	70%	40%
State Development Plan	41%	40%	32%
Transportation Funding Allocation Process	74%	72%	72%
Transit Oriented Development Zones	61%	67%	47%
Forest Conservation Act	74%	79%	64%
Community Legacy Program	51%	51%	49%
Strategic Demolition Fund	49%	38%	65%
Neighborhood BusinessWorks	39%	29%	47%
Operating Assistance Grants	50%	47%	53%
National Capital Strategic Economic Development Fund	44%	38%	39%
Seed Community Development Anchor Institution Program	36%	38%	27%
Main Street Maryland Program	59%	53%	67%
Water Quality Financing Administration Program	69%	68%	68%
Maryland Economic Development Corporation/Department of Planning Enhanced Local Tax Increment Financing (TIF) Authority	54%	53%	45%
Job Creation Tax Credit	0%	0%	0%

Perspectives on the importance of state planning tools were quite mixed between core and noncore respondents. For many tools, differences were small to negligent. Noncore respondents, however, viewed priority funding areas, rural legacy areas, main street program, operating assistance grants neighborhood business works and, significantly, the strategic demolition funds as most important. Core respondents viewed septic tiers legislation, the state development plan, tax increment finance authority, anchor institutions program, as important

tools, but only the forest conservation act, and transit-oriented development designations and the states climate plan as significantly more important.

Importance of state agencies, MDP programs, and state government. The number or respondents who indicated that the importance of state agencies in shaping development patterns were very important or extremely important was highest for the Department of Transportation, the Department of Environment, the Department of Housing and Community Development, the Department of Planning, and the Department of Natural Resources, in that order. Of the activities by the Department of Planning viewed as important or extremely important, population and employment forecasts were ranked the highest and the state development plan ranked the lowest. Overall, the respondents viewed the state as a moderately important institution in the shaping of development patterns.

Table 16: Perspectives on the Importance of State Agencies in Land Use Planning in Maryland

Percent who Responded "Important" or "Very Important"			
		Core/Noncore	
Department		Core	Non-Core
Maryland Department of Planning	67%	59%	69%
Maryland Department of Transportation	85%	86%	77%
Maryland Department of Environment	74%	68%	79%
Maryland Department of Natural Resources	61%	58%	60%
Maryland Department of Housing and Community Development	66%	60%	60%
Maryland Department of Commerce	40%	36%	40%

Table 17: Perspectives on the Importance of MDP Programs and the State Overall in Land Use Planning in Maryland

Percent who Responded "Important" or "Very Important"			
		Core/Noncore	
Program	All	Core	Non-Core
Population and Employment Forecasting	68%	66%	69%
Development Capacity Elements	61%	57%	61%
Model Codes and Policies	57%	44%	71%
State Development Plan	44%	39%	41%
Technical Planning Assistance	62%	57%	59%
State of Maryland Government	23%	16%	22%

Perspectives on the importance of state agencies were also mixed between core and noncore respondents. Noncore respondents viewed the Maryland Department of Planning--especially its Model Codes and Policies--and the Department of Environment as more important, while core residents viewed the Department of Transportation as more important, but not to a statistically significant degree. Both core and noncore respondents view the efficacy of state government in shaping land use and development patterns quite low.

Support for Policy Initiatives. The respondents indicated substantial support for several policy initiatives. Nearly three quarters of the respondents support or strongly support "redrawing Priority Funding Areas after a reassessment of development capacity" and "a state law that would require a percentage of state transportation funds be designated for nonmotorized travel." Over half of the respondents support or strongly support converting Priority Funding Areas into urban growth boundaries, a state law what would allow duplexes and multifamily uses in single family zones, and updating the planning visions to include climate, equity, public health, smart technologies, and/or sources of energy. Less than 40 percent support or strongly support greater state oversight over local comprehensive plans.

Table 19: Support for Potential State Policy Initiatives

Percent who Responded "Support" or "Strongly Support"			
		Core/Noncore	
Policy Initiative		Core	Non-Core
Redrawing Priority Funding Areas after a reassessment of development capacity.	78%	79%	74%
Converting Priority Funding Areas into Urban Growth Boundaries with stronger regulatory provisions.	57%	63%	36%
A state law that would allow duplex and multifamily uses in single family zones.	65%	71%	50%
Strengthening state oversight over local comprehensive plans.	41%	49%	19%
A state law that would require a percentage of transportation funding be allocated for pedestrian, bicycle, or transit uses.	80%	83%	67%
Updating the 12 planning visions that shape comprehensive plans to include climate, social equity, public health, smart technologies and/or sources of energy.	62%	69%	40%

Differences in perspectives between core and noncore respondents were perhaps most significant and pervasive for new policy initiatives. By a statistically significant degree, core respondents supported converting PFAs to urban growth boundaries, allowing multifamily housing in single family zones, strengthening state oversight over local comprehensive plans, earmarking transportation funds for nonmotorized travel, and updating the planning visions

more strongly than their noncore counter parts. There was strong but little difference in support for redrawing priority funding areas after a reassessment of development capacity.

Discussion

Maryland often features prominently in discussions about state land use policy in the United States. But while the state has pioneered interesting tools and approaches, it has not evaded continuing tensions over the role of the state in land use control. In 1997 Maryland adopted what was then viewed as a pioneering new approach, steeped in the principles of smart growth, driven by incentives instead of regulations, and with continuing deference to local control. The approach incorporated all the traditional tools of local governments, added some new state-level tools, and targeted investments by state agencies to places well planned for conservation or development. Within state government, the approach included a new smart growth position in the governor's office, a new subcabinet, and a new coordinating committee. With some modifications and adjustments, this approach to state land use policy has now been in place for over 25 years and a new Governor appears motivated to take the program to the next step.

To assess what has worked, what hasn't, what needs work, and what work is needed we conducted a survey of planners and public officials to elicit their perspectives on these questions. We collected no new data or information about land use outcomes, nor did we seek to directly address whether state land use policies affected those outcomes. We simply solicited and analyzed the opinions of those engaged in the process, some for many years. The results of the survey were interesting and informative.

The survey suggested that principles of smart growth remain important to planners in Maryland, though not all principles to the same degree and with important differences between core and noncore respondents. There was a general view that the 1997 Act was and remains an important milestone. There was only limited support, however, for greater state participation in land use, especially from noncore respondents.

Transportation, infrastructure, and housing affordability topped the list of most important challenges. Climate and social equity were also viewed as important challenges, but substantially more so by core than noncore respondents. Urban sprawl did not place high on the list of concerns. The respondents also did not view planners and policymakers in the state as very successful in meeting those challenges.

The respondents viewed the traditional local tools of comprehensive plans, zoning ordinances, and subdivision regulations as the most important tools. State tools were generally not viewed as effective as local tools; transportation funding, the Critical Areas Act, and the Forest Conservation Act were viewed as most important followed by the water quality financing program, the state's climate plan, PFAs, RLAs, and TODs, in that order.   The Office of Smart Growth, the Smart Growth Subcabinet, and the Smart Growth Coordinating committee were viewed as least important.

The state agency viewed as having the most significant impact on land use patterns is the Department of Transportation followed by the Department of Environment and the Department of Planning. The state development plan stood out as the least important activity of the state planning department. Overall, the state was not viewed as effective in shaping land use patterns in the state.

Looking forward, there was strong support for earmarking transportation funds for nonmotorized uses and for revisiting PFAs and their development capacities. There was more modest support for converting PFAs to UGBs, allowing multifamily in single family zones, and revising the visions to include climate and equity. Support from noncore respondents was even more tempered. There was little support for strengthening state oversight over local comprehensive plans.

Conclusion

As summarized above, the survey provided some interesting insights into how planners in Maryland view their mission, challenges, instruments, and agendas, with useful information for planners in Maryland and for students of state planning.   Before offering recommendations, however, we note that ours is a nonrandom survey of practicing planners, individuals who received degrees in planning and related fields, and government officials, and thus but one source of information for developing public policy. That said, for planners in Maryland, the results are both sobering and motivating. Maryland planners do not feel they have made sufficient progress toward achieving the well-known objectives of smart growth and recognize that more needs to be done on equity, climate change, and more. There seems to be some support for revisiting the state planning visions to include more contemporary challenges. Updating these visions is important because planners feel that local plans are consistent with those visions and the tools of local government are most effective toward achieving those visions. While there was majority support for zoning reform from the respondents from the core counties, there was a clear mandate for more efforts to promote affordable housing.

The survey also revealed little interest among planners across the state for greater state intervention and little appreciation for the state-level land use tools and administrative structures. It is important to interpret these findings in context. For a majority of respondents, greater state intervention generally means more restrictions on what local planners can do or more mandates on what local planners must do. Or both. Further, most have never been to a smart growth subcabinet or coordinating committee meeting. The office of smart growth has been vacant for some time. Thus, while there may be little loss in eliminating the office of smart growth, we would recommend thinking about how to make the work of the subcabinet and coordinating committee more effective and more visible before eliminating them.

Mixed reviews from practicing planners on the efficacy of state-level smart growth tools is also not surprising. Practicing planners clearly rely more on their own planning tools thus it is not

surprising those are viewed as more effective. That said, given the low regard with which state planning tools are regarded, and combined with the weak evidence of efficacy from outcome-oriented research, the time is right for a more thorough evaluation of the efficacy of those tools, starting with priority funding areas.

Finally, differences in perceptions and recommendations between core and noncore respondents should not be ignored. The phrase "one size does not fit all" is perhaps overused, especially by public officials from rural areas. But it is clear that state-level tools and administrative structures are viewed as less effective in areas outside the main state population centers, a perception consistent with empirical research. Thus, we believe it is wise to think more carefully about how different tools and policies will work in different parts of the state when considering state land use reform.

For students of state planning, the lessons are less clear. While interest in the role of state planning has waned in recent years, it is important to continue to evaluate the performance of state planning tools and processes if their efficacy is to continue to improve. The results on planners perceptions we offer here are consistent with earlier quantitative results on land use outcomes. Smart growth in Maryland has fallen short of the hopeful acclaims made at its inception. This does not mean that the tools and strategies adopted in Maryland failed or could not be effectively adopted by other states; it does mean that expectations should be tempered and based on the growing yet underdeveloped body of research on the role of the state in land use planning.

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