



FACT SHEET

GROWTH

MANAGEMENT

LAWS

DESCRIPTION

Growth management laws are designed to control the timing, phasing and character of urban growth. They take a comprehensive approach to regulating the pattern and rate of development and set policies to ensure that most new construction is concentrated within designated urban growth areas or boundaries (UGBs). They direct local governments to identify lands with high natural resource, economic and environmental value and protect them from development. Some growth management laws require that public services such as water and sewer lines, roads and schools be in place before new development is approved. Others direct local governments to make decisions in accordance with comprehensive plans that are consistent with plans for adjoining areas.

Most growth management programs are established at the state level and may apply to the entire state, high-growth counties or a particular region. Growth management also may be used to guide development at the county and municipal level. Growth management laws can protect farmland by channeling new development away from important agricultural areas.

At least 12 states have growth management statutes, but only seven - Hawaii, Maryland, Minnesota, New Jersey, Oregon, Vermont and Washington - address the issue of farmland conversion. These seven laws vary in the controls that they impose on state and local governments and in the extent to which they protect agricultural land from development.

HISTORY

In 1961, Hawaii became the first state to experiment with statewide land use planning when it created four zoning districts that covered all of the land in the state. One of the four zones was dedicated to agriculture.

Vermont's Act 250, approved in 1970, requires state review of commercial, industrial and residential development projects that meet the act's criteria. Developers must minimize the loss of primary agricultural soils. Vermont passed another state planning act in 1988.

In 1972, Oregon enacted one of the nation's strongest growth management laws. Its 1972 Land Conservation and Development Act directed county officials to inventory farmland and designate it for agriculture in their comprehensive plans. County governments were required to enact exclusive agricultural protection zoning and adopt other farmland protection policies. City governments were required to establish urban growth boundaries.

Washington's Growth Management Act was adopted in 1990 and strengthened in 1991. The law requires all counties to designate important agricultural land and adopt regulations to ensure that land uses adjacent to farms and ranches do not interfere with agricultural operations. Fast-growing counties and their cities must prepare comprehensive plans that protect natural resource areas. Counties required to plan under the act also are required to designate urban growth areas to accommodate projected urban growth over 20 years. In general, urban services may not be extended beyond the boundaries of urban growth areas.

The New Jersey State Development and Redevelopment Plan, released in 1992, is designed to accommodate urban growth by directing it to defined urban areas. It provides a statewide framework that is intended to guide the investment policies of state agencies.

The Maryland Economic Growth, Resource Protection, and Planning Act of 1992 outlines a set of policies to guide growth. It calls for protection of natural resources, including agricultural



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GROWTH MANAGEMENT

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For additional information on farmland protection, the Farmland Information Center offers publications, an on-line library and technical assistance.

To order AFT publications, call (800) 370-4879. The farmland information library is a searchable database of literature, abstracts, statutes, maps, legislative updates and other useful resources.

It can be reached at <http://www.farmlandinfo.org>. For additional assistance on specific topics, call the technical assistance service at (413) 586-4593.

land, and for growth to be directed to existing population centers. State projects must be consistent with those policies. Local governments were required to adopt new comprehensive plans and revise their zoning and subdivision ordinances to implement the policies. In 1997, the state Legislature enacted the Smart Growth Areas bill, which directs state funding to areas targeted for development.

Minnesota's 1997 Community-Based Planning Act sets 11 goals for developing local and regional plans. Farmland protection is included as part of a goal to protect, preserve and enhance the state's resources. Local governments are encouraged, rather than required to develop comprehensive plans in accordance with the provisions of the law.

FUNCTIONS & PURPOSES

Growth management laws can result in the designation of lands with high resource value, such as prime farmland, and protect them from inappropriate development. They encourage "smart growth" by directing local governments to designate areas and prepare plans for different types of land uses. Urban growth boundaries encourage orderly growth and let the building industry know where public infrastructure will be provided for residential and commercial development.

Some growth management laws encourage or require local governments to develop comprehensive plans that are both internally consistent *and* consistent with the plans of neighboring jurisdictions. This provision helps ensure that different government agencies in different communities are working toward the same goals. Laws that control the pace of development help guarantee that new homes and businesses have adequate water, sewer, police, fire, education and transportation services.

BENEFITS

- State and regional growth management laws transcend local boundaries and can create incentives for many jurisdictions to work toward common goals.
- Growth management laws allow state and local governments to protect large blocks of agricultural land with a single legislative vote.
- Growth management laws can provide incentives for development in and around areas that are already urban in character while discouraging the use of productive farmland for non-agricultural uses.
- Growth management laws can save communities money by preventing sprawling developments that are costly to serve.

DRAWBACKS

- It is often difficult to win the political approval required to pass state growth management laws.
- Regional planning is especially controversial in many states and may be strongly opposed by local governments.
- Growth management laws are complex and generally take a long time to implement.
- Many growth management laws do not have a strong farmland protection component.