Introduction: Why explore smart growth from a trans-Atlantic perspective?

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According to Robert D. Yaro (2002), learning from foreign experience in planning does not come naturally to planners in the United States:

Over the past few decades American planning and land use regulations have become increasingly insular and introspective. Occasionally, we have been known to reach beyond the narrow confines of our own municipal or state planning and zoning system to learn about the latest state or regional smart growth innovations in some far away, exotic places, say Oregon or Maryland. But seldom do we feel the need to look beyond the seas to learn from the innovations from other countries. (Epilogue)

European planners tend to be less insular. Not only do national boundaries frequently exist within the scope of their plans, but to achieve economies of scale, meetings of European planners tend to be multinational and focused on the sharing of ideas across national borders. Further, given the dominance of English in the planning literature, it is for European planners just as difficult to avoid the discourse of North American planners as it is to avoid the marketing of Coke or McDonalds. Still these conversations tend to be unidirectional with little opportunity for the free exchange of ideas.

To develop a common platform of understanding and investigate interest in participating in research, the Habiforum Foundation from The Netherlands and the National Center for Smart Growth Research and Education at the University of Maryland jointly initiated an international symposium in Annapolis, Maryland, from 29 September through 1 October 2004. The central focus of the symposium, entitled Incentives, Regulations and Plans: The Role of States and Nation States in Land Use Planning, was the similarities and differences in approaches to smart growth taken by American states, Canadian provinces and European nation states. The papers presented at the symposium are contained in this book.
WHY A TRANS-ATLANTIC COMPARISON?

Comparative approaches are common in policy analysis. A logical way to assess policy success is to compare the approaches and results of policies in one place to those in another. Such comparison is most useful when the regions or regimes being compared are similar enough to be comparable yet different enough to be interesting. A comparison of approaches to smart growth in Europe and North America meets those criteria. Similarities in history, cultures and institutions make the comparison better than comparisons between, say, North America and Asia, where in many countries land is publicly owned, property rights are ill defined and land records are inaccessible. But the differences in history, culture and institutions make the comparison interesting and potentially more insightful than comparison in land use policy between states, which have similar constitutional foundations, public preferences and cultural norms.

Similarities between North America and Europe that facilitate a framework for comparative analyses of land use policy are perhaps obvious. Rooted in the Western traditions of free markets and representative democracy, land use on both sides of the Atlantic is shaped by a combination of market forces and government institutions. With exceptions, land is privately held and exchanged in markets. As a result, land rents and prices have shaped North American and European cities into forms that generally reflect the central tenets of urban economics: agglomerated commercial activities in the central cities, residential sectors that decline in density with distance to the central city, and persistent decentralization of both commercial and residential functions. Furthermore, land and real estate markets in Europe and North America are created and managed by federated systems of government. Roles and responsibilities vary extensively by level of government, but land markets on both sides of the Atlantic are nurtured by well-developed systems of property rights, land information systems and investments in public infrastructure. Finally, though less than unanimously, citizens on both sides of the Atlantic have come to recognize that existing development trends are not sustainable and generally support policies that would result in some smarter form of urban growth.

Differences between North America and Europe in factors that affect land use and land policy, however, are not trivial. Most obviously, European cities are much older than their North American counterparts. As a result, the skeletons of European cities were constructed to facilitate the needs of the pedestrian, the horse and the carriage – not, as in North America, the need to accommodate the automobile. Cultural differences are also nontrivial. European traditions, with medieval antecedents, reflect
greater collective sensibilities and appreciation for public spaces, social housing and mass transit. North American traditions, on the other hand, based on a culture of individual autonomy and entrepreneurship, favor private seclusion, auto-mobility and individual property rights. Finally, and in part a reflection of the above, the institutions that govern land use differ significantly across the Atlantic. Perhaps most notably, in the United States the federal government has almost no direct role in land use and the 50 states have delegated most such authority to local governments. In Europe, national governments play an active role in a hierarchical planning framework that connects national to regional and regional to local land use policy. Further, the nation-states of Europe are now guided, in part, by the policies of the European Union that have spatial impact. This complex, but highly logical structure in the way plans are developed and implemented, is often viewed by North American planners with considerable envy.

While similarities and differences provide the foundation for trans-Atlantic comparisons, the symposium focused on three central themes: smart growth, the role of states and nation-states, and the use of incentives, regulations and plans. The first of these, smart growth, is a term that describes a popular movement in North America established to address the problem of urban sprawl. Like definitions of urban sprawl, definitions of smart growth vary, and overlap with the terms growth management, new urbanism and sustainable development. Most prescriptions for smart growth, however, call for growth that is compact, mixed-use, transit-oriented, pedestrian-friendly and dense. European terms for similar goals include ‘Urban Renaissance’ in the UK, ‘Multiple-Intensive Land Use’ (MILU) in the The Netherlands, and ‘schéma de cohérence territoriale’ in France. The focus of the symposium, and of the papers included here, is less on the merits of smart growth in general and more on the different approaches and results of smart growth-like policies in Europe and North America.

The second theme is the role of states and nation-states. In a federated system of government, there is a role to play in land use governance by all levels of government – even if that role is negligible. But the dominant role in land use governance, in both Europe and North America, is played by local governments. As a result, there is endless literature on the role of local governments and the tools and instruments they can use to promote smart growth. There is much less literature, however, in both the European and North American planning literature, on the role of states and nation-states. Part of what makes a trans-Atlantic comparison of the role of states and nation-states so interesting is the long-term trend in the United States of increasing the role of states in land use planning juxtaposed against the long-term trend in Europe of diminishing the role of the nation-state.
The third cross-cutting theme is the range of alternative policy instruments with a focus on regulations, incentives and plans. To some extent, of course, all three types of policy instruments have been used in Europe and North America for quite some time. But on both sides of the Atlantic, there has grown disillusion in plans and a reticence to regulate. In North America, the use of economic incentives as land use instruments – for example, tax incentives, transferable development rights and development subsidies – has been common for quite some time; and the rising popularity of smart growth stems in part from its association with incentive approaches to policy implementation. In Europe, the use of economic incentives is less common, and the range of implementation tools available to planners in North America is of considerable interest.

Within these three cross-cutting themes, the symposium and this book address six specific topics: urban containment, mixed use, affordable housing, transit-oriented development, public health and plan implementation. These topics correspond roughly to the principles of smart growth promulgated by the U.S. Environmental Protection Agency and the Smart Growth Network it supports. For each topic a scholar or practitioner from both sides of the Atlantic was asked to write and present a paper at the Annapolis symposium. A brief overview of each is presented below.

**URBAN CONTAINMENT**

Development is sprawling, not only in North America but in Europe as well. Urban containment is a goal which is highly desired yet rarely achieved on both sides of the Atlantic. In nations where the use of land is determined largely by individual property owners, urban expansion is difficult to contain against rising demand for large houses and lots, diminishing need to access the central city, and steady immigration. And, according to both Christine Bae of the University of Washington and Cliff Hague of Heriot-Watt University in Edinburgh, Scotland, both North Americans and Europeans are battling these pressures with discernibly mixed success.

Hague begins his chapter on containment in Europe by tracing the concept to the 1990 Green Paper (published by the European Commission) which endorsed the idea of a compact city, and the 1999 European Spatial Development Perspective (published by the Commission of the European Communities), which reiterated the goal. Although these documents have no direct influence on national land use policies, this pan-European policy favoring compact cities filters through the differing traditions and instruments used throughout the EU’s 25 member states. Hague then briefly
describes how compact goals are manifest in the spatial development strategy of The Netherlands, the polycentric frameworks of the Länder in Germany, and the master planning processes in Scandinavia before focusing extensively on his native Scotland. In Scotland, Hague argues, greenbelts have been the policy of choice at both the national and local level and the subject of extensive and recent research. This research, commissioned by the Scottish Executive, reveals that greenbelts in Scotland have flaws: much land formerly within greenbelts has been developed and considerable development has leapfrogged to exurban regions. Despite these limitations, however, the Scottish Executive continued to recognize the need to manage urban growth and re-endorsed the notion of the compact city. Hague concludes that European policies that favor compact cities are seen not just as a way to achieve environmental objectives but also as a means of preserving a historic European culture. But success in meeting those objectives varies widely from the sprawling ‘urbanized countrysides’ of Southern Europe to the tightly held ‘green wedges’ of Scandinavia.

Christine Bae looks at urban containment in the United States. She begins with an overview of urban containment instruments which, if containment is broadly defined, include urban growth boundaries, farmland preservation programs, transferable development rights programs, open space ballots, New Urbanist designs, special development zones, critical area protection, urban revitalization strategies, and more. The length of the list alone suggests that approaches and objectives vary and, most likely, so will results. Bae then provides a closer look at containment efforts in Oregon and Washington, the American states with perhaps the highest degree of state participation in land use governance. In these two states local governments are required to prepare comprehensive plans that include urban growth boundaries, and to have these plans approved by the state. As Bae’s brief review illustrates, the debate over the merits of such an approach – especially its application in Portland, Oregon – has been long and remains contentious. While no consensus has been reached, Bae’s review suggests that urban growth boundaries in Oregon and Washington have had less favorable and unfavorable effects than is widely believed. The reason, she suggests, is that unlike greenbelts in Europe, urban growth boundaries in Oregon and Washington are flexible and must contain a 20-year land supply at all times. Bae then considers how urban containment policies should be evaluated and offers metrics such as changes in density, automobile use, suburbanization, spatial equity, environmental protection and popular support. Her analysis using these measures is cursory, but she concludes that, despite growing popular support, there is little evidence to suggest that urban containment in the United States is succeeding.
MIXED USE

Besides containing urban growth and increasing urban densities, mixing land uses has become one of the leading prescriptions for smart growth. As described by both Jill Grant of Dalhousie University in Halifax, Nova Scotia and Claus Wiegandt of the University of Bonn in Germany, mixed land use is thought to provide a large number of potential benefits: shorter distances between destinations, more pedestrian and less automobile travel, more efficient use of space over time, and greater mixing of social classes and activities. As also described by both authors, mixing of land uses has proven difficult to achieve on both sides of the Atlantic.

Jill Grant begins by suggesting that land use mixing was common in all parts of the world until recent years and asserts that mixed use is a key to good urban form. So why has mono-functional land use become so common? Grant offers several explanations. These include rising economies of scale in retail and commercial uses, growing demands for privacy and social isolation, inadequate demand for commercial uses in residential areas, and regulatory barriers that raise the cost of mixed use development. After a careful discussion of these obstacles, Grant considers the land use governance framework in the US and Canada. While both delegate much authority to local governments, local governments have more fiscal autonomy in the US while regional planning is more feasible in Canada. Finally, Grant addresses the role of non-local governments in promoting mixed use development. She considers various kinds of incentive programs – grants, loans, tax concessions, public–private partnerships, investments in transportation infrastructure and policy reforms. Perhaps the most interesting issue is whether states and nation-states should enable local governments to permit mixed land uses or whether they should mandate local governments to encourage mixed use developments. The issue is tricky, as mandates are highly unpopular and mixed use projects remain difficult to finance. In the end, Grant concludes, density plays a critical role and is more common in countries with more centralized land use control. This is why planners in the US talk a great deal about smart growth, while planners in Canada and Europe have greater success in its implementation.

According to Claus Wiegandt, however, the obstacles to mixed use development on the European Continent are formidable as well. In Germany, the once compact and walkable city has given way to a ‘scrambled egg’ with no clear city center and continuous development at the urban fringe. If mixed use is to become an important component of future urban growth, says Wiegandt, it must succeed at the fringe. The planning framework in which this must happen in Germany shares many features with the planning framework in the United States. Land use is governed primarily at the
local level with a preparatory (comprehensive) land use plan and a legally binding (zoning) land use plan. Local plans, however, must be consistent with the Federal Building Code and the investment strategies of the Länder, the German equivalent of states and a significant source of infrastructure finance. According to Wiegandt, the planning directives of the Federal Building Code are so general that they do not create obstacles to mixed land use strategies. To understand why mixed use remains the exception, not the rule, the Federal Ministry of Construction and Housing financed a four-year study that reviewed 13 mixed use planning projects, including projects in Tübingen Südstadt and Potsdam-Kirchsteigfeld. In the university town of Tübingen, a former military site near the city center is being converted into an urban district with high densities and a mixture of uses. The success to date, Wiegandt suggests, proves that a functional mix on a fine-grained scale can be commercially successful. Potsdam-Kirchsteigfeld, a new development near the edge of Potsdam, was planned in 1991 for 2800 new households and 5000 new jobs. To date all the housing units are occupied, but there are hardly any jobs. Potsdam-Kirchsteigfeld, Wiegandt suggests, illustrates the difficulty of successful mixed use development at the urban fringe. Wiegandt concludes with recommendations for promoting mixed use at the local, Länder and federal level. These include changing the federal building law to include a diverse urban mixture and using mixed use as a guideline not for isolated areas but for an entire city.

AFFORDABLE HOUSING

Providing decent affordable housing remains a challenge on both sides of the Atlantic. In North America, ‘providing a range of housing choices’ is one of the ten principles of smart growth but, as discussed by Charles Connerly of Florida State University, smart growth is often viewed as a cause of, not a solution to, the problem of housing affordability. In Europe, public housing is no longer viewed as the primary solution to the problem of affordable housing, thus as Jef Van den Broeck of the Katholieke Universiteit in Leuven, Belgium describes, the problem of housing affordability has become engrained in the larger problem of planning for residential development. The resolution, both conclude, is a larger role in planning and housing assistance by state and nation-state levels of government.

Chuck Connerly begins by characterizing smart growth as both a threat and an opportunity for advocates of affordable housing. The threats are well known. Smart growth policies, to facilitate high density, compact development, must contain urban growth. Such containment can reduce residential land supplies, raise land prices and increase the costs of housing.
A large body of literature provides corroborating evidence. Empirical evidence, however, also suggests the possibility of mitigating these effects. Flexible land use regulations, inclusionary zoning policies and housing finance programs, for example, can be used to promote both smart growth and housing affordability. Connerly’s home state of Florida offers evidence to support both points of view. The state of Florida, a national leader in smart growth legislation, does not allow development to take place unless public facilities are concurrently in place. This limits housing production. Florida also, however, requires local governments to include housing elements in their comprehensive plans, allows local governments to adopt inclusionary zoning ordinances, requires housing to be considered in its Development of Regional Impact review process, and maintains the nation’s largest housing trust fund. Although the housing affordability problem in Florida remains far from resolved, Connerly maintains that only by expanding the role of the state is further progress likely to be achieved.

Jef Van den Broeck examines the problem of housing affordability in Flanders, the Dutch-speaking region of Belgium. Land use governance in Belgium includes three levels: the region, the province and the municipality, which has the greatest responsibility. Housing policy, a regional responsibility, includes three pillars: public housing, a subsidy system and a regulatory framework which guarantees standards and rights in a private housing market. But affordable housing, suggests Van den Broeck, is a spatial as well as a financial problem. Compared to its neighbours, Belgium has an adequate and affordable housing stock. But that stock is dispersed widely across the countryside and draws residents from Belgium’s central cities. In part for this reason, Van den Broeck identifies three elements of affordable housing: the cost, the quality and the location of the dwelling, the last having implications for transportation and energy costs. Loosening development controls to continue to allow the dispersion of large households in the countryside, is an unsustainable approach to the housing affordability problem. For this reason, Van den Broeck recommends an integrated housing and spatial development strategy. Elements of such a strategy include the spatial structure plan for Flanders that requires that each settlement should accommodate a specific number of new dwelling units; include ‘urban’ projects, which involve brownfield redevelopment; facilitate ‘area-specific’ approaches by binding contracts among stakeholders; and incorporate public housing.

TRANSIT-ORIENTED DEVELOPMENT

Transit-oriented development (TOD) can be both narrowly and broadly defined. From a narrow perspective, TOD represents development that
complements an existing transportation node, such as a train or light-rail station. From a broad point of view, TOD represents a pattern of development that complements a multi-modal transportation system including, perhaps, a set of fixed location nodes. Robert Cervero of the University of California-Berkeley takes the narrower view and argues that TOD in the United States is very much an antidote to urban sprawl. Harry Timmermans of the Eindhoven University of Technology in The Netherlands takes the broader view, but argues that the expectations of TOD are perhaps too high.

Robert Cervero makes the case for TOD based on his recently completed study of TOD projects throughout the United States. He begins by asserting that TOD is growing in popularity in the US for three reasons: (1) it is a visible and cogent form of smart growth; (2) it is supported by demographic and lifestyle trends; and (3) it is market based. Further, Cervero argues, TODs confer significant benefits. These include lower net housing-plus-transportation costs, increased multi-modal mobility, increased property values and reduced vehicle miles travelled. But despite these favorable trends and impacts, TODs still face severe obstacles. Challenges include increased financial risks, neighborhood opposition, complex infrastructure requirements, poor management and unfriendly regulation. For these reasons, Cervero strongly advocates public policies designed to facilitate TOD. These include zoning ordinances that lower parking requirements around transit stations; funding for station area planning and infrastructure improvements; expedited entitlement reviews and exclusion from concurrency requirements; adaptive reuse of train stations and outdated commercial and industrial buildings; central city development around street car systems; creative partnerships and co-financing; and market-based approaches such as the location-efficient mortgage. For many of these policy options local governments must take the lead; but often, if not always, local government policies must be authorized or subsidized by state and federal government agencies.

Harry Timmermans provides a review of research in The Netherlands and draws conclusions that sharply contrast with those of Cervero. Specifically, Timmermans concludes that the impact of transport-oriented development on travel behavior and residential location decisions may be less than planners and policy makers expect. Timmermans begins by describing what the European Union calls a sustainable transit system, a description that closely follows the thoughts of Cervero. He then offers a review of eight case studies that question the characterization of Cervero and the European Union. The first three address the relationship between urban form and travel behavior. They suggest, according to Timmermans, that the impact of urban form on mobility and activity travel patterns seems highly modest at best. The remaining five studies address the
relationship between urban form and residential location decisions. From these, Timmermans concludes that housing attributes are the most important determinants of residential location decisions, and that accessibility and availability of public transport are at best minor determinants. Timmermans offers several reasons why his studies of travel behavior and location decision making produce different results from many similar studies in the United States. These include differences in socio-demographics, measures of travel behavior (for example, trips versus vehicle miles travelled), and statistical methods (for example, individual versus neighborhood analyses). These differences, he argues, should lower expectations for the efficacy of using land use policy to alter travel behavior and highlight the value of trans-Atlantic research.

HEALTH AND URBAN FORM

Among the more recent and interesting developments in land use planning is the revival of concern with public health. Whereas urban planning was conceived as a means of ameliorating the adverse health effects of industrial urbanization, public health waned as an issue of concern to planners for several decades. With growing evidence on the link between urban form, physical activity and health, that concern is back. Kelly Clifton of the University of Maryland addresses that concern by examining Maryland’s Smart Codes project. Hugh Barton of the University of the West of England in Bristol, England provides an analysis of the World Health Organization’s Healthy Cities Project.

Hugh Barton begins with an elaboration of the divide between planning and public health, particularly in Europe and the United Kingdom. To close the divide between these two professions, the World Health Organization started the healthy cities network in the late 1980s with a focus on health promotion, inter-agency collaboration and sustainable development. Members of the network, which stretches from Russia to Portugal, must show how health, planning and transportation agencies work together to improve quality of life, how health objectives become integrated into plan making, and how health criteria are systematically used to assess development projects. The work of the network is based on a three-part conceptual model that includes personal, social and neighborhood conditions. This model, Barton asserts, offers an integrated framework for the theoretical perspective of the ‘ingredient’ disciplines. Further, by the explicit linking of health and ecosystem theories, the World Health Organization provides guidance for the intergovernmental approaches toward healthy cities.
Kelly Clifton’s chapter contains two parts: part one describes the federal, state and local role in shaping land use and transportation plans; part two introduces Maryland’s Smart Codes legislation and how three communities in Maryland responded to those codes. As described by Clifton, land use and transportation planning remain primarily a local concern in the United States, although the federal government has become increasingly involved – especially in transportation planning. The role is indirect, but from its mandates to protect the environment and finance transportation infrastructure, the federal government has become increasingly involved. Through mandates imposed on the states via the Clean Air Act and the Surface Transportation Efficiency Act, the federal government has provided funding and support for bicycle and pedestrian-oriented land use planning. States have responded in a variety of ways including, in the state of Maryland, the adoption of Smart Codes. The Smart Codes program, initiated by the Maryland Department of Planning in 2002, sought to encourage the reformation of local development codes to become more conducive to pedestrian and bicycle transportation. To examine and foster the implementation of Smart Codes, Clifton worked with three Maryland communities on a project called ‘A Smart Step Forward’. For participating in this project, the three communities were granted support to enhance the pedestrian environment of their communities. The results, not surprisingly, were mixed: greater progress was visible in the wealthier and more active College Park than in the poorer, less progressive and more slowly developing Turner Station and Bel Air. Despite the lack of uniform success however, Clifton concludes that Maryland’s Smart Codes initiative represents a step in the right direction and an example of how policy directives at the federal level can filter through the states and affect local land use planning.

SMART GROWTH IMPLEMENTATION

Smart growth, or a more efficient and desirable development pattern, is easy to imagine but difficult to achieve. Implementation, of course, is the key. But how to achieve successful implementation is a global challenge that will require a hard look at implementation struggles in the past and new conceptual models of implementation success. Martin Bierbaum of the College of New Jersey provides the former and Leonie Janssen-Jansen of the University of Amsterdam provides the latter.

Bierbaum provides a comprehensive and detailed examination of the implementation of the New Jersey state plan. New Jersey is a small, dense, rich and highly suburban state that would seem like an ideal setting for the
implementation of a state-wide land plan. If so, it is not surprising that state-level plans in the United States are rare. As Bierbaum makes clear, plan implementation is less about the decisions made during the development of the plan and much more about the politics, organization structures and leadership of the participating organizations. Bierbaum makes this case by presenting a sequence of events in New Jersey. First, during plan construction, local parochialism led to a focus on the minutia of maps, not the articulation of principles and goals. Second, following a change in the governor’s office, implementation stalled due to a lack of gubernatorial leadership. Third, following plan adoption, plan implementation was hindered by the lack of knowledge about planning in the various government agencies and the focus of agency officials on narrow agency missions. Based on these observations, Bierbaum offers several recommendations for smart growth implementation at the state level. These are: (1) considering obstacles to implementation during plan development; (2) allowing the details of the plan to be determined by the implementing agencies; (3) maintaining leadership at the highest levels of government; (4) paying close attention to the needs and concerns of local governments; (5) establishing permanent measures of implementation success; and (6) mitigating inevitable disruptions due to election cycles. While these are the recommendations drawn from the experience of one particular state, it is reasonable to believe that they are pertinent to state and nation-state level planning on both sides of the Atlantic.

Leonie Janssen-Jansen takes a more conceptual approach to her analysis of smart growth implementation. Her analysis, based in part on experience in the United States, is primarily targeted at planners and policy makers in The Netherlands and throughout Europe, thus refuting the conventional wisdom that Europeans have little to learn about land use planning from North America. Janssen-Jansen begins by characterizing spatial policy in The Netherlands, which has moved from extensive reliance on leadership by the central government to delegating increasing responsibilities to provinces, municipalities and private corporations. This new emphasis on decentralization and on development as well as conservation she terms Dutch Smart Growth. The question she addresses is: what should be changed in Dutch planning strategies to achieve smart growth? The answer, she offers, is adherence to nine principles: comprehensive planning, consistency, coordination, cooperation, collaborations, containment, conversion, concurrency and carrots. To illustrate these principles, Janssen-Jansen reviews the implementation process of two projects: the ‘space for space’ project in North Brabant and the ‘Heart of the Chain of Hills’ project in the Utrecht region. The goal of the North Brabant project is the reduction of nitrates (mandated by the EU) by means of transferable development
rights. The goals of the Utrecht project include clustered development, open space conservation and the reuse of a military base. In both projects uncertainties remain, but both represent new opportunities and roles for regional governments in a country formerly dominated by national land use decision making.

From conceptual models to implementation and from smart growth to multifunctional intensive land use, the chapters that follow offer a variety of perspectives and a range of approaches. None is right and none is wrong. But because they give us a look from different places, all provide views that deepen our understanding and offer new insights.

REFERENCE
