When Worlds Collide:

The Convergence of the Land Use Planning Systems of the Netherlands and the State of Oregon

By

Elliott D. Barnett

A Masters Project submitted to the faculty of the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree Master of Regional Planning in the Department of city and Regional Planning.

Chapel Hill

2000

Approved by:

_________________________________________________________________

ADVISOR
This paper was written to fulfill the Masters Project requirement for the Department of City and Regional Planning, University of North Carolina at Chapel Hill. It is to be reviewed by Professor David Godschalk.

Acknowledgements:

I would like to thank several people for providing information that was of great help in writing this paper. I conducted interviews with Jan Buiten, Liesbeth Jorritsma, N.A. v.d. Nadort, Willem Huizing and L. de Wit-Ybema, all planners employed by the Province of Drenthe. I also interviewed Laurens Huis in’t Veld, City of Groningen planner, and Professor Gerard Heins of the University of Groningen. These interviews are referenced in the paper. Many thanks to David Godschalk for supervising and reviewing this paper, and to Gert de Roo, Henk Voogd, Ed Kaiser and Frans Oste for providing guidance.
# TABLE OF CONTENTS:

Prologue 4

CHAPTER 1: SPATIAL PLANNING IN THE NETHERLANDS 8

**Section I: Review of Context**
- Background on Spatial Planning Issues 9
- The Dutch Planning Tradition 10
- The Dutch Political System 11
- Housing, the Welfare State and Environmental Policy 12
- Summary 14

**Section II: The Dutch Spatial Planning System**
- Milestones in the Evolution of the Dutch Spatial System 14
- The Fourth Report and “Extra” 16

**Section III: Tools for Controlling Land Development**
- Structure of Governmental Authorities for Spatial Planning 17
- Two Categories of Policy Tools 18
- National Level Spatial Planning 19
- Provincial Level Spatial Planning 21
- Local Level Spatial Planning 25

**Section IV: Theoretical Discussion**
- Interdependent Actors, Not Hierarchical Control 32
- Performance of the Dutch Spatial Planning System 32
- Conclusion 34

CHAPTER 2: OREGON’S GROWTH MANAGEMENT PROGRAM 38

**Section I: Background on Oregonian Growth Management**
- Origins and Evolution of the Oregon System 40
- The Domain of Planning in Oregon 41

**Section II: Land Development Controls in Oregon**
- Breakdown of Government Responsibilities 43
- State Level Planning 44
- Portland Metropolitan Area Planning 46
- Local Land Use Planning 50
- Positive Results and Ongoing Challenges 52
- Summary 56

**Section III: Improving Oregon’s Growth Management Program**
- Criticisms of Oregon’s Approach 57
- A Top Down Planning System, with a Strong Bottom Up Emphasis 60
- Conclusion 63
CHAPTER 3: LESSONS LEARNED FOR BOTH SYSTEMS 65

Section I: Some Common Features 66
- General International Trends 66
- Similar Governmental Structure for Planning 66
- The Implementation Gap 66

Section II: Planning Approaches 69
- Market Orientation 69
- Unintended Consequences of Controlling Growth 70
- Flexibility versus Blueprint Planning 71
- Top Down versus Bottom Up Planning 73
- The Role of Doctrines 74
- Public Participation 74
- Sectoral Integration 75

Section III: Conclusion 75
- The Challenges to Sharing Approaches 75

Bibliography 77

Figures:

Figure 1: Schematic of the Dutch Governmental Hierarchy 17
Figure 2: Dutch Agencies Responsible for Spatial Planning 18
Figure 3: Netherlands, Tools Employed at each Tier of Government 18
Figure 4: Netherlands, Relationships between the Tiers of Government 33
Figure 5: Netherlands, Decision-making Authority for Land Development 34
Figure 6: Oregon, Decision-making Authority for land Development 63
Prologue

The goal of this paper is to review the policy tools currently in use to influence land development in Oregon’s growth management system and the Netherlands’ spatial planning system, to chart some movements in policy direction of both systems, to explore ways in which the systems are similar, and ultimately to hypothesize about the potential for each system to learn from the other. The Prologue will discuss the reasons for choosing this subject, acknowledge some fundamental differences and establish the basis for comparison.

• The Basis for Comparison

These are two highly regarded planning systems that have often been pointed to as models. There are very significant differences between them, but also some common points (including common goals, approaches, techniques and challenges) that enable comparison. This paper will not attempt to advocate either or both systems, though the analysis is based on the belief that these two systems are relatively successful in guiding development. Instead, it will seek to understand how both systems operate, their shortcomings, and the potential for improvement.

This paper discusses the applied aspects of strategic planning, something for which both of these places are known. Within the U.S., Oregon is often considered to be the most successful growth management program. The Netherlands, for its part, is often considered a planner’s paradise:

“Foreign observers will need little convincing of the merits of Dutch planning. They will want to know whether routine explanations (small country, industrious, disciplined people hardened by the perennial fight against the sea) hold any water, and they will want to know where to look for the bag of tricks of Dutch planners” (Faludi, xiii).

This paper seeks to look into the “bag of tricks” of both Oregonian and Dutch planners. It is quite common for American planners to wonder aloud why the U.S. seems unable to address some of the worst problems plaguing our cities and countryside, while European countries take strong action to do so. Looking to the Netherlands for planning knowledge is hardly a surprise. What could come as a surprise to Americans, however, is that the interest in reciprocated. Planning in the Netherlands is undergoing rapid change. It is, in fact, coming closer (at least a little) to resembling the planning system of some places in the United States. Meanwhile, Oregon has taken steps to create a planning system capable of meeting its state goals. Faludi and Van der Valk see a strong parallel between Dutch strategic planning and the U.S. regional/state growth management movement (ibid., 2).

Many U.S. scholars have made pilgrimages to Europe to study urban issues. This essay comes close on the heels of two recent books written by Timothy Beatley and Pietro Nivola, both of whom explore the potential
of incorporating European planning techniques into US planning practice. Both of these works consider an exchange between Europe as a whole and the United States as a whole. This essay is the first study of which I am aware to apply that question specifically to one U.S. state and one European country. This approach seems logical because in the U.S., innovative planning is happening on the state and local levels. Because state systems are quite different, it is interesting to explore at that level.

Acknowledging the Differences

Pietro Nivola identifies a number of important differences between European countries and the United States that, independent of any public policy actions, have been highly deterministic of land use patterns. These differences, coupled with a radically different perception of the role of government, appear to make it unlikely that many European techniques will ever be adopted in the U.S. One enormous difference is the amount of land that is available for development. Obviously, the Dutch have to be more careful with their land, considering that there are 15 million people living in a 400 square kilometer area (Beatley, 32). In the U.S. in general, and Oregon in particular, land is much more abundant (approximately 2.5 million Oregonians occupy an area much larger than the Netherlands). Also, in the U.S., there is already a preponderance of exurban development that will not be affected by growth management techniques. Why would, or should, U.S. states or regions think about adopting aspects of the Dutch approach when land is abundant and urban sprawl is already thoroughly established?

Cultural and political factors also cast doubt on the viability of European planning techniques employed in the U.S. The heterogeneity of the U.S. population, age demographics and concentrations of poverty and crime in center cities are all obstacles. Finally, the inertia of established government practices that foster the long-standing deconcentration of U.S. urban areas poses another serious challenge to change at the national level. Nivola is skeptical of states and local governments' power to produce serious change without changes at the level of the federal government.

These obstacles to exchanging techniques and approaches also work in the opposite direction. For the same types of reasons, it would be unimaginable in the Netherlands to allow the type of free market development that occurs in the U.S.

The gulf separating Oregonian and Dutch planning is vast. In the Netherlands, planning was born as a result of the need to address issues related to water, while Oregonian planning resulted largely from threats to farmland. Besides, the Netherlands is a national entity, while Oregon is an intermediary level of government. All of these differences mean that many of the tasks that planners undertake are different as well. However, this paper is exploring planning approaches (how the systems operate), not planning challenges (such as
preparing land for development or protecting sensitive areas). Despite the differences, each place has created a structure and tools to respond to planning challenges. It is those structures and tools that will be explored.

**Commonalities**

Fundamentally, both systems are similar in that they have achieved sufficient consensus supporting planning to allow the systems to be created. Both have common goals, including reducing car mobility, fostering compact cities and protecting the environment. More recently, the Netherlands and Oregon have both taken steps that bring them closer together in their approaches to land use planning.

Several trends in the Netherlands are bringing it closer to Oregon’s approach. Dutch planning is now emphasizing the same type of comprehensive, holistic approach that characterizes Oregonian planning (Beatley, 416). Collaboration between government and business, another Oregonian feature, is becoming more common in Europe. Greater emphasis is being placed on the local and regional levels for planning in the Netherlands (another similarity). Finally, the Netherlands has pursued an increasingly market-oriented approach to planning. While still worlds away from the U.S. system, the Dutch are paying attention to the potential of introducing flexible, free market techniques into their planning system.

The state of Oregon has faced the challenges (outlined by Nivola) to strong planning in the U.S., and achieved notable successes. In 1973, Oregon introduced a groundbreaking growth management system that has been credited with a number of other achievements. Since the early 1990s, the Portland regional government has been increasing its share of planning control and adopting stronger policies to guide development. This strengthened planning approach is (at least faintly) reminiscent of Dutch planning.

The number of commonalities appears to be increasing. Perhaps most importantly, the two systems are moving together in terms of the amount of government intervention and in their planning approaches. The following schematic illustrates this idea:
Facing Common Challenges

The two systems also hold in common some similar problems. Both systems have been criticized for a supposed gap between what they write in plans and what really gets built on the ground, for placing limitations on consumer choice and private sector development and for limiting the freedom of local governments to act. Oregon, and increasingly the Netherlands, must strike a balance between accommodating the private sector and pursuing other goals. Patterns of urban deconcentration, growing automobile usage and deregulation are also common to both Europe and the U.S. (Beatley, 14).

Opportunity for Mutual Learning

Timothy Beatley is enthusiastic about the possibilities for the U.S. to learn from Europe, despite the great contextual differences. He points to a rich history of European planning, environmental and sustainability ideas that have already been transplanted in the U.S. (including subscription farming, cohousing, enterprise zones, traffic calming measures and car-sharing) (Beatley, 13). Planning ideas can and do make the passage across the Atlantic. In a general sense, it is important to realize that alternative patterns do exist (Beatley, 414). These two cases, however, have more than just general lessons to exchange. Several ideas from each system could be useful in addressing current weaknesses in the other system’s approach.

Potential Lessons for Oregon…

Oregon has been criticized for not achieving goals for development density and contiguity within their Urban Growth Boundaries and for raising housing costs. Some Dutch planning tools (e.g., public land acquisition, development estates, housing policies) could help to meet those challenges. Portland Metro might be moving into a position to try some of them out.

Potential Lessons for the Netherlands…

The Dutch are experimenting with liberalization of their planning system. They can learn from Oregon’s track record in a relatively free market system. Oregonian market-based techniques (e.g., incentive bonuses, flexible zoning and developer payments for project infrastructure) already exist in the Netherlands or are being discussed. Looking to the results in Oregon could provide some lessons.

Studying each other’s approach could be useful even if there are no opportunities to exchange tools. These two systems are moving closer together. They can look to each other to see some of the opportunities and challenges that lay on the road ahead.
CHAPTER 1: Spatial Planning in the Netherlands

Introduction

This chapter will review the tool kit of spatial planning in the Netherlands, focussing on two things: First, the tools used by spatial planning agencies to control land development. Second, the challenges and failings of the system and current systemic change trends. The aim of this chapter is to be descriptive and analytical. First, it seeks to provide a thorough view of the tools used in the Netherlands to control or affect land development, for the purpose of adding to the practical knowledge of the system. Second, it seeks to identify the challenges the planning system is facing, to explore how it is now responding and to theorize about how it will evolve in the future.

This paper focuses on those issues related to the performance and operation of the system. The Dutch spatial planning system is highly interventionist in nature, and has been flexible enough to embark in new policy directions while guarding a central core of ideals (Faludi, 23). Criticisms have focussed on implementation—the gap between what is written in plans and what actually gets built. Others claim that the Dutch system is too top down, restrictive of both market forces and local government policy entrepreneurship. Under the Fourth National Report on Spatial Planning “Extra”, the Netherlands has begun a process of decentralization, liberalization and deregulation in the field of spatial planning. These trends appear likely to continue. Some consequences for the operation of the system, the tools used and the distribution of planning authority will be discussed.

Section I will review the governmental and societal context of planning and summarize some historical milestones. Section II consists of a brief introduction to the evolution of the Dutch planning system. Section III will describe the governmental bodies that impact on land development, the tools they employ and some criticisms of the system. Section IV will provide a theoretical analysis of the issues discussed and explore directions the system may take in the future.
I. Review of the Context for Spatial Planning in the Netherlands

This section will provide background for a discussion of the spatial planning system by briefly introducing the unique spatial challenges that exist in the Netherlands, describing the Dutch political system, sketching the evolution of Dutch spatial planning and discussing environmental, housing and welfare systems.

- Background on Spatial Planning Issues

The Netherlands is among the most densely populated nations in the world (Faludi, 26). There are many conflicting demands placed on the land. Household formation continues despite a low birth rate, adding to the need for more housing, especially in the densely populated West (ibid., 26). Space for commercial and industrial sites is also in short supply in some areas. Despite land use controls, cities and conurbations continue to grow closer together, while the areas designated as open buffer zones grow smaller (Drenthe Interviews). In the interest of national goals, the government attempts to plan the physical environment and prevent unwanted development, with surprising success. Only 13 percent of Dutch land has been developed in an urban fashion (Beatley, 29). Meanwhile, critics of the high level of planning intrusion into the market argue that people want more space and bigger houses and that businesses need room to grow.

Contiguous development is a goal at all levels of the spatial planning system (Huis in’t Veld Interview). However, this is becoming increasingly difficult in some municipalities as well-suited sites where growth is permitted are becoming scarce.¹ Nationwide, the Compact City policy has generally been successful in filling development into spaces in existing urbanized areas, meaning there is a shortage of sites left within cities (Faludi, 200). Great pressure is felt in places like Amsterdam and The Hague, which are caught between the sea and the protected Green Heart area. Despite this context of high demand for development space, the Dutch have remained strongly committed to their spatial policies.

¹ For example, Groningen has long worked toward the goal of a compact city (currently 50% of all internal movements are by bicycle) but now has few remaining infill sites. Groningen is hemmed in by protected natural areas to the north and by a town which is unfriendly to development to the south. The city is thus forced to turn to less ideal locations for new development (e.g., a site which is separated from the center by an industrial estate). It may not be possible to continue to build in a contiguous manner unless something changes, meaning sacrificing protected areas or expanding into the neighboring town (Huis in’t Veld Interview).
Praise for the Dutch

In the face of conflicting demands placed on the land, foreign observers praise the Dutch for their victories in shaping their built environment. Many successful, adaptive reuse projects have been implemented in older areas of center cities, supporting the strength of those areas (Beatley, 39). Development of formerly open land has mostly been well connected with existing urban areas and well linked to public transit (ibid., 45). Car use has been held down (35 percent of trips made in the nation under 2.5 kilometers are by foot, and 40 percent are by bicycle (ibid., 41). While some criticize the Green Heart policies, Faludi and Van der Valk point out that without protection for open space in the Randstad, the West would probably be one large area of urban sprawl (Faludi, 5). At the same time, questions exist about the stubborn nature of some problems, and the planning system’s methods in addressing them (about which more below). For example, car use is projected to increase by 70 percent between 1986 and 2010 if trends continue (Beatley, 62). Meanwhile, pressures on the land continue to mount.

• The Dutch Planning Tradition

There are a few unusual characteristics of the Dutch people and nation that seem to have pre-disposed them to cooperation in shaping their physical environment. The Dutch have a long planning tradition, especially for water protection and management, which dates back to the 10th century or earlier (Voogd 2000, 2). Since the Middle Ages, they have banded together for mutual defense and to fight against the water. A total of 27 percent of the country is below sea level and half of the land is subject to flooding, were there no dykes (Faludi, 26). The fight against the water and the need to maintain reclaimed land has undoubtedly been a unifying force. Water Boards and early public-private partnerships to prepare land have contributed to a strong emphasis on comprehensive planning and land as a public utility (ibid., 28). Because of the high up front costs of development (a full 90 percent of land costs are for improvements including infrastructure and facilities) and the need for strong coordination, there is a long tradition of cities as developers (ibid., 29). Government control has meant that land is an instrument for housing and planning. Municipalities still provide 80 percent of the land that is developed, meaning that real estate speculation is uncommon. This protects developers from financial risks, but also limits their choices.
**Property Rights Issues**

In the Netherlands property rights disputes between government and land owners are not often settled in court (relative to many other countries) (Voogd 2000, 3). This is largely because most areas, especially rural ones, are now planned (Drenthe Interviews). Land use rules are already in place, and are backed up by provincial and national policies. Therefore, landowners expect to be subject to restrictions, and landowners in areas designated by plans for acquisition are not caught by surprise by government buyouts. When a property owner experiences damage resulting directly from a new or changed plan, they will receive compensation according to established procedures. Thus, the “takings” issue, so hotly debated in the United States, is not a divisive one in the Netherlands.

- **The Dutch Political System**

The Netherlands is a “decentralized unitary state”, and is also described by Faludi and Van der Valk as a “consensus state”. These terms imply that decisions are made through a process of “co-government”—the central government involves provinces and municipalities in policy-making and execution (Faludi, 33). The government is organized into three tiers (the national, provincial and municipal governments). Each tier is autonomous, but responsibilities are fluidly exchanged among them. Ruling cabinets are always formed through a coalition-building process. No single party has come close to a majority, so coalition building is necessary. The Prime Minister is the chairman of the Council of Ministers, but is not a head of government and has few formal powers. Separate national ministries are responsible for sectoral policy-making and for regulating the activities of provincial and municipal governments as they affect their sector (Faludi, 36). The 25 Water Boards, exclusively concerned with water management, constitute another layer of government (Environmental Policy of the Netherlands, 6).

This fragmented system creates the need for negotiation between ministries, political parties, provincial and municipal governments and other stakeholders in cases where goals do not coincide (Faludi, 36). The Netherlands operates as a “representative democracy”, meaning that decisions are based on a combination of the views of representatives of interest groups and on expert knowledge (Voogd 2000, 3). There is a well-developed system of institutional representatives and a general tendency to work for consensus. Because of the expectation for repeated interactions, there is an emphasis on staying on speaking terms (again offering a contrast to countries where legal court cases often decide). This tendency to work for consensus is an important feature in planning decision-making, which is highly oriented toward negotiation.
Burgeoning Role of the European Union

The European Union (EU) is playing an increasingly important role in policy-making for member states (Drenthe Interviews). The EU is not very active in terms of spatial policy, but in terms of economic, agricultural and environmental policy, the EU increasingly constitutes a fourth, higher level of government for member nations. Under the banner of sustainability, the EU is drafting fairly ambitious regulations that the member nations must follow (for example, EU environmental standards are now incorporated into the provincial license review process). They are also active in terms of stimulating policy for regional and local governments to pursue sustainability goals (for example, the EU provides funding for part of the provincial Sustainable Drenthe project).

- Housing Policy, the Welfare State and Environmental Policy

In the Netherlands “land, housing and the environment are public concerns” (Faludi, 26). The Dutch government is responsible for guaranteeing the provision of basic needs to its citizens and for maintaining the Dutch environment. Regulations control the cost of housing, affordable housing is built with government support, generous welfare payments provide support to the unemployed, and policies regulate differences in income and housing costs across regions of the country. Compared to most other countries, there is a small income differential in the Netherlands (few citizens are really poor). These policies are related closely to Dutch spatial planning policy as part of a society of government interventionism. Also, by alleviating real hardships, they reduce the potential for equity issues that might otherwise attach themselves to spatial planning. Finally, these sectors and the spatial planning sector are going through similar changes, including a tendency toward horizontal integration across sectoral lines (Housing in the Netherlands, 8).

Though government intervention is still strong compared to other countries, since the 1980s, the Netherlands has been scaling down. Economic challenges hit the Netherlands in the 1980s (Faludi, 176). Unemployment rose from an average of about 100,000 to about 300,000 in 1980; structural unemployment became a fact of life. Costs rose, and the welfare system began to be seen as a liability. In response to this pressure, since the 1980s deregulation, decentralization, and privatization have been key concepts for the Dutch government.

Housing

Housing is closely tied to spatial planning in the Netherlands. Since the Second World War, government subsidies for new homes have been a powerful tool for controlling the development
process (Faludi, 30). At the peak of the housing policy in the 1980s, almost all housing was subsidized. The government held the purse strings, and could direct housing into desired locations and patterns. Post-war housing “location subsidies” (the government subsidized costly building sites) meant flat housing prices across the country. Since the 1980s, housing policy has been drastically changed and subsidies are being phased out (Faludi, 31). In 1995, the funding from the central government to housing associations was cut, and housing associations are now independent from the government (Housing in the Netherlands, 34).

Housing problems have changed from quantity to quality (Housing in the Netherlands, 6). The market is now demanding bigger and better dwellings, and people are better able to organize to lobby for it. The trends are to reduce subsidies, encourage home ownership, construct more expensive free market housing and demolish unfashionable dwelling units (ibid., 23). However, policies are still strong for disadvantaged groups, including rent allowances and a control on rent increases. As of 1994, 43 percent of housing was subsidized (Faludi, 176).

The traditional tie between housing and spatial planning has been weakened, but still exists (e.g., housing locations are chosen to support urbanization and compact city policies) (Housing in the Netherlands, 8). Rent subsidies continue to mean that potential unintended consequences of spatial policies are prevented (e.g., price inflation caused by institution of urban growth boundaries). A major difference is that now the central government’s role has been reduced to creating the framework. Municipalities are increasingly expected to formulate their own housing policies, and to involve tenants in decision-making (ibid., 17, 19).

The Environment

The environment is a highly important political issue (Faludi, 32). Dutch people place great value on the quality of their surroundings. Concerns for wildlife enhancement and preservation are on the rise (e.g., some land which had been drained is now being returned to a natural state) (ibid., 29). Timothy Beatley credits the Netherlands with a leading role in supporting and experimenting with sustainable development (Beatley, 11). EU support for sustainability is also a strong impetus (Beatley, 15). These environmental values are intimately connected with spatial planning, which defines the relationship between the built and natural environments (a view reflected by the trend to integrate planning for these sectors).

---

2 Sustainable development was defined by National Environmental Policy Plan as “maintain(ing) the carrying capacity of the environment…” (NEPP, 3).
Over the last few decades, there has been a “considerable shift of powers from government to the provincial and municipal authorities” (Environmental Planning in the Netherlands, 4). The goal has been to make the distance between the administrative levels and the public as small as possible. Agenda 21, an action statement from the Rio Conference on Environment and Development, also emphasizes local government action and local sustainability plans as highly important in achieving environmental goals, asserting that many problems have their roots in local activities (Beatley, 4). Emphasis is being placed on coordination, creating joint standards between agencies and improving cooperation (NEPP, 3). The central government now sets the framework, then provincial and local governments engage in an open planning process with public consultations. The responsibility to meet targets is at the local level, and local bodies decide how to meet them (though they are still monitored by higher levels).

- **Summary**

The Netherlands’ unique history, including water challenges and more recently, post-war reconstruction challenges, has fostered an emphasis on consensus and negotiation that is central to the Dutch political system. These facts also fostered a high level of acceptance and support for an interventionist government. After reassessment of the planning system in the 1980s, trends have been toward liberalization, decentralization, deregulation and integration of the housing, environmental and spatial planning sectors. It is important to keep this background in mind when considering the spatial planning system, because all of these sectors are connected by their claims on space. Also, though their spatial claims can conflict, these sectors should be viewed as forming a web of interconnected and (in a broad view) mutually supporting policies.

**II. The Dutch spatial planning system**

This section will briefly summarize the history of modern planning in the Netherlands.

- **Milestones in the Evolution of the Dutch Spatial Planning System**

Modern spatial planning traces its roots back to 1901 and the *Housing Act* (Woningwet) (NSPA, 4). The Act had a spatial component to it—the stipulation that allowed the designation of land for “streets, squares and canals”. In 1921, that designation was replaced by more general land use designations. Then, in 1941 a special national planning agency was set up to assist the central government in spatially oriented decisions (the *Government Agency for the National Plan* (Rijksdienst voor het Nationale Plan)). This agency created the first national plan, which became law along with regulations
for regional plans in 1950. Faludi and Van der Valk characterize the period from 1920 to 1945 as the “unfolding of planning” (Faludi, xvii).

In 1958 a rationale for national planning was formulated (Faludi, xvii). This heralded what Faludi and Van der Valk term “the heyday” of spatial planning. In 1962 parliament adopted the Spatial Planning Act (Wet op de Ruimtelijke Ordening)—the act that now regulates planning, replacing the Housing Act for that purpose. The Act came into law in 1965, along with the Spatial Planning Decree (Besluit op de Ruimtelijke Ordening), which added detail on various subjects (NSPA, 4). Legislation establishing the powers of each of the three tiers of government was drawn up. The Government Agency for the National Plan was renamed the National Spatial Planning Agency (NSPA) in the same year.

The 1960s to the early 1980s were a period of unprecedented economic growth in the Netherlands (Faludi, xviii). High optimism fostered extensions of the planning system and an increasingly comprehensive approach. However, after the new system ushered in by the Spatial Planning Act and Decree had been in place for just over a decade, criticisms began to be voiced (NSPA, 4). A bill was introduced in 1977, but parliament did not enact any changes until 1985, including a new text for the Spatial Planning Decree. The changes were intended to shorten procedures and to increase the flexibility of various spatial planning instruments. In the 1990s, more changes were introduced, particularly with respect to the powers of higher authorities to intervene in the policies of lower administrative levels. These changes became law at the beginning of 1994. Faludi and Van der Valk characterize the 1980s and early 1990s as a period of “crisis and response” for planning institutions as they adapt to the economic difficulties of the time (Faludi, xviii).

Dutch strategic planning did not die out during the 1980s period of crisis, but in fact witnessed “a massive revival” (Mastop, 807). In the mid-80s, while the Fourth National Report on Spatial Planning was being prepared, new plans were drafted for nature conservation, transportation, and housing at the national and provincial levels, and many municipalities drafted strategic, integrated urban management plans (Mastop, 807). Rather than signaling a dramatic split from prior planning practice, the changes introduced since the 1980s were related more to style than to the essential core values of the system (Faludi, 202).³ Faludi and Van der Valk see Dutch planning ideas as having evolved from concentric development around towns and cities to the policy of controlled dispersal and back again to the compact city idea, always revolving around a solid core concept—the Randstad/Green Heart ideas (Faludi, 23).

³ This is in contrast to events in Britain, where the spatial planning system was largely dismantled.
• The Fourth Report and “Extra”

During the 1980s, the planning system was seen as largely ineffective in achieving its goals (Faludi, 176). In the Fourth Report, planners responded by trying to incorporate market forces into the system (Voogd 2000, 4). This represented a move from “equity” based policies to “efficiency” based ones. The logic was that by improving the strong sectors of the country, the others would also benefit. Therefore, from the 1980s on, national planning policy has focussed on strengthening urban regions, especially in the Randstad (in contrast with the re-distributive Bundled De-concentration policy) (ibid., 15).

The Fourth Report on Physical Planning Extra (“Vierde Nota ruimtelijke ordening Extra”), or Vinex, represented a swing back from the liberal stance of the Fourth Report (Voogd 2000, 2). Vinex was formulated in 1990 and approved by parliament in 1993. Its main goals were strengthening the economy and preservation of the environment. It reinstated the importance of growth management and re-emphasized the Green Heart and Randstad concepts (ibid., 217). However, reduction of government control over development was continued. The policy of reducing subsidies for development and relying to a relatively large extent on the private sector to achieve planning goals appears to mean less government influence over development (ibid., 227). As was the case for the housing and environmental sectors, the new emphasis was on privatization, decentralization, and deregulation (ibid., 176).

It is within this framework that government tools for controlling land development are now operating. Thus, new approaches and tools are being implemented or discussed that fit with a more market-oriented system.

III. TOOLS FOR CONTROLLING LAND USE DEVELOPMENT

In this section, the specific tools used by each level will be discussed. First, general categories of tools will be presented. Then, national, provincial and municipal spatial planning tools will be discussed individually. The relationships between the three tiers will also be reviewed. This section will focus on the methods that directly impact on land development, their implementation and some problems they have encountered.
Most foreign observers of the Dutch spatial planning system assume that it is a highly ordered and centrally guided system, in which the national government, 12 provinces and 538 municipalities all work together in implementing the same legislation—the Act on Physical Planning (Voogd 2000, 3). The system is set up in a hierarchical fashion, with policy direction and oversight at the national level, translation of national goals and oversight of municipalities by the provinces, and implementation by the municipalities (see Figure 1).

As Voogd demonstrates, the system does not function as smoothly as that image would imply (discussed further below). While the system seems highly centralized, the centrally controlling mechanisms are balanced by the fact that the national government depends on cooperation and information from the other actors (Faludi, 35). The sectoral ministries have power through their funding programs, but they tend to create “institutional divisions crosscutting levels of government” (ibid., 37).

Figure 2 provides a breakdown of the three executive levels of authority for spatial planning, and their advisory organizations (NSPA, 5). The national level is represented by Parliament (De Staten-Generaal) and the central government (de regering). The provincial level is represented by the Provincial Council (Provinciale Staten) and the Provincial Executive (Gedeputeerde Staten). The local level is represented by the Municipal Council (Gemeenteraad) and Municipal Executive (College van Burgemeester en Wethouders).

The administrative decision-making bodies are supported by a number of official advisory bodies (NSPA, 5). At the national level, these are the National Spatial Planning Commission (Rijksplanologische Commissie), the National Spatial Planning Agency (Rijksplanologische Dienst) and the Advisory Council for Spatial Planning (Raad voor de Ruimtelijke Ordening). At the
provincial level, these are the *Provincial Spatial Planning Commission* (Provinciale Planologische Commissie) and the *Provincial Spatial Planning Agency* (Provinciale Planologische Dienst). At the municipal level, there is the *Municipal Spatial Planning Department* (Dienst Ruimtelijke Ordening).

**Figure 2: Executive and Advisory Agencies Responsible for Spatial Planning** (NSPA, 5)

<table>
<thead>
<tr>
<th>Tier of Govt.</th>
<th>Executive</th>
<th>Advisory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial</td>
<td>Provincial Council, Provincial Executive</td>
<td>Provincial Spatial Planning Commission, Provincial Spatial Planning Agency</td>
</tr>
<tr>
<td>Municipal</td>
<td>Municipal Council, Municipal Executive</td>
<td>Municipal Spatial Planning Department</td>
</tr>
</tbody>
</table>

- **Two Categories of Policy Tools**

The *Spatial Planning Act* provides the decision-making bodies with a large number of spatial planning instruments. NSPA distinguishes two rough categories of tools used by the three tiers of government:

**Category One:** “Vision” plans and policy documents allow the administrative bodies at each level to carry out spatial planning in a form that is both tangible and open to discussion. These plans describe the goals and policy directions selected by the political process.

**Category Two:** “Directive Policies” are laid down, then handed to the levels below for implementation. These are policies intended for more direct compliance by the actors under their authority.

**Figure 3: Tools Employed at each Tier of Government** (NSPA, 3)

<table>
<thead>
<tr>
<th>1: Vision Documents</th>
<th>2: Directive Policy Documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td></td>
</tr>
<tr>
<td>Report (Nota)</td>
<td>Directives</td>
</tr>
<tr>
<td></td>
<td>Exemption Provisions</td>
</tr>
<tr>
<td>Regional Spatial Plan</td>
<td>Directives</td>
</tr>
<tr>
<td>Approval of Local Land Use Plans</td>
<td></td>
</tr>
<tr>
<td>Structure Plan</td>
<td>Building and Construction Permits</td>
</tr>
<tr>
<td>Local Land Use Plan</td>
<td>Exemptions</td>
</tr>
</tbody>
</table>
• **National Level Spatial Planning**

The national government creates the overall vision for how the country should grow (NSPA, 10). The main instruments for this purpose are the national policy documents on spatial planning, which contain the main points of spatial planning for the medium and long term, and the sectoral policy structure plans, which are policy guidelines for particular sectors. Implementation is left to the provinces and municipalities, with the national government responsible for monitoring their progress in achieving national goals. To provide guidance to the other tiers of government, the national government uses the method of consultation or amendments to general administrative orders. Under Vinex, there is no formal requirement for provinces and municipalities to follow national policies, but funding from national and European subsidies gives it strong pull (Voogd 2000, 3).

**National Spatial Planning Bodies**

Generally, the initiative for policies comes from government, for consideration by parliament (NSPA, 7). Parliament is also responsible for monitoring government policy, and government agencies are required to submit documents explaining spatial policy actions. The Council of Ministers coordinates national policy on spatial planning. The Minister of Housing, Spatial Planning and the Environment has authority over the National Spatial Planning Agency, which assists in policy formulation, research, advising and monitoring. The Advisory Council for Spatial Planning coordinates and stimulates consultation between government and society at large on spatial planning issues (ibid., 9). The National Spatial Planning Commission attends to interministerial preparation of spatial planning policy. Finally, there are four spatial planning Inspectors, who oversee the provinces.

**The National Reports on Spatial Planning**

The National Reports (Nota) are vision plans intended to set the tone of development for the entire country (Voogd 2000, 3). The reports do not designate exact parameters for policy implementation, but encourage provincial and local governments to translate them into concrete, down-to-earth policy. Ideally, the goals of the national plan will be integrated into approvals of individual projects by municipalities and to plan review by the provinces. The Fourth Report Extra (Vinex) is now in effect. In this section, some aspects of the Vinex will be discussed.

**Vinex Locations**

The main change instituted by Vinex was an emphasis on the concentration of new development at large locations within and adjacent to the city—Vinex locations (Voogd 2000, 5). This is an attempt to
strengthen population growth in urban areas and to stabilize or decrease it in areas intended to be preserved from development (e.g., the Green Heart). Vinex allocates less funding for supporting development than previous legislation (70 percent of dwelling units are to be built by the private sector without government support).

In practice, Vinex locations encountered implementation problems (Voogd 2000, 17). The Vinex requirement of situating new development in the urban fringe frequently means dealing with difficult sites, due to the presence of factors that had been seen as barriers to development in the past (e.g., brownfields and transportation corridors). In addition, several problems arose because developers were able to purchase land before the municipalities were able to do so (see Active Land policies, below). This meant the municipalities could not earn the profits they typically do from buying land for “farmland prices”, but instead had to buy it for “construction prices”. As a result of this, the municipalities had to negotiate with the developers on who would pay for infrastructure. For the same reason, low income housing targets became very difficult to realize, forcing the national government to reduce its requirements for that type of housing.

**ABC Location Policy**

This policy was introduced to improve the integration of land use policy with transportation planning, in order to reduce car mobility (Voogd 2000, 18). It created a hierarchy of locations based on accessibility: A-locations are easily accessible to local, regional and national public transport. Car commuting should be under 10-20 percent. B-locations are easily accessible both by local and regional public transport and car. Car commuting should be under 35 percent. C-locations are easily accessible by car. The system then assigned firms a “mobility factor” based on their car and freight needs. Firms with many “counter” employees should locate in A-locations but never C-locations. Other offices should locate in A or B-locations, and C-locations are appropriate only for transport activities or land intensive functions. The system includes standards such as density of employees per square meter and parking places per employee (e.g., in A-locations, 10 spaces per 100 employees are allowed). The national government negotiates with municipalities (with funding as the carrot) to persuade them to follow the policy.

The ABC Location policy achieved mixed results (Voogd 2000, 18). There is evidence of some compliance, including fewer offices locating along highways and many sites developed near train stations. Location choices did show a shift in the desired direction from 1991-1996. However, 30 percent of new establishments still got permits to build in undesired locations for their type of business. Almost 36 percent located in the “right place”, but four out of five of those ended up with more parking places than directed by the policy. This was because municipalities accepted payment
from the developers for each additional space. In fact, the ABC Location policy created a perverse incentive for municipalities to encourage this behavior.

Summary

Vinex policies have apparently failed to achieve two of the most important substantive goals. They did not stop growth in any of the protected areas (some growth restricted areas saw 25 percent growth between 1990 and 1998), though Vinex probably did slow suburbanization (Voogd 2000, 17). This was despite strong efforts to prevent growth, including a firm growth boundary drawn around the Green Heart. Nor did Vinex meet the goal of reducing car mobility. Both of these failures may have been a result of external factors, and it could be argued that the situation would have been worse without Vinex.4

The Fourth Report and Vinex were influenced by the perception of a failure of earlier planning efforts to be effective. Nonetheless, if judged solely on the basis of substantive accomplishments, Vinex did little better. These are discouraging results if one judges a plan based solely on substantive results. In Section IV, an alternative method for evaluating plan success will be discussed.

- Provincial Level Spatial Planning

The provinces, as the intermediary level, are expected to provide a connection between national goals and local implementation (Drenthe Interviews). They fulfill three primary functions—coordinating between the other two tiers, creating a regional comprehensive vision for growth and providing oversight for local action. Faludi and Van der Valk state that as the intermediaries between national government and the municipalities, provinces have become increasingly prominent in planning, acquiring executive tasks delegated from the national government (Faludi, 34).

Provincial Level Spatial Planning Bodies

The Provincial Council is responsible for directing future spatial planning policy in its province (NSPA, 13). The Provincial Executive prepares and implements provincial policy. Each province has a Provincial Spatial Planning Commission that advises provincial government on implementation. The Provincial Spatial Planning Agency, and sometimes also a separate office for spatial planning, provide monitoring, research, advising and assistance in policy formulation.

4The increasing number of two earner households (both of whom drive) are more likely to seek locations between two jobs. Voogd argues that this trend means that the basic assumption that locating development adjacent to cities will capture commutes within that urban region is wrong (Voogd 2000, 17).
Provincial Level Spatial Planning Instruments

The Provincial Plan

Provincial structure plans (streekplan) are intended to be comprehensive plans giving overall guidance to development in their areas (Faludi, 152). The provincial plan outlines the main aspects of future spatial development in rural areas of the province. The plan does not cover urban areas, except for designating growth centers and growth limited municipalities (NSPA, 14). The drafting of provincial plans involves consultation with neighbors and review by the national government, which can require changes. Provincial plans are indicative and strategic, rather than binding (Faludi, 13), but they do have some binding force (NSPA, 14). Decisions that have been characterized as “essential” cannot be departed from by the Provincial Executive without first revising the regional plan. The strength of provincial policies depends on the political context of the province and the power of the lobbies interested in exceptions (Drenthe Interviews).5

Provinces are required to plan for water, spatial development and the environment (Drenthe Interviews). Most also engage in planning for other sectors, such as traffic, housing and the economy. Several provinces have now begun the process of horizontal integration of sectoral aspects into a single plan (e.g., the Province of Drenthe). Integrated plans are more holistic, but also more general than the sectoral plans were.

The provinces’ main source of influence over local land use decisions comes from their responsibility to review local land use plan changes (Drenthe Interviews). This occurs because any development project proposed must fit with the local function plan, or else the plan has to be changed. At that point, the province has the responsibility to review the proposed change to decide if it accords with provincial goals. The provincial plan provides the Provincial Executive with the policy basis for approving or rejecting local land use plans (NSPA, 14). Provincial plan review is conceptual in character—it is based not on review of a yes/no list, but on an assessment of whether the proposed change fits into the policy concepts of the provincial plan. Negotiation plays a major role in the process.

The provincial plan incorporates tools including (among others) growth boundaries, growth timing requirements, zoning and environmental standards and other performance standards, all of which are used as criteria in local land use plan change reviews (Drenthe Interviews). Most infrastructure is provided by municipalities and some by the central government (e.g., main highways), and most

5 For example, in Drenthe two notable exceptions were made to provincial policy in the case of a Gas Unie site in an area designated as highly protected, and a space monitoring station in a designated quiet area.
funding comes from the national government. Therefore, infrastructure and funding are not strong guiding tools in the provincial arsenal.

According to Drenthe provincial planners, zoning for the non-urbanized areas of the province is the main tool incorporated within the plan (Drenthe Interviews). The zones are a hierarchy of levels of restriction of development (in Drenthe, they range from the most permissive zone which permits just agricultural activities to the most restrictive zone covering wooded areas, where no building is allowed). No new development is allowed in rural areas unless the province first approves a change to the local land use plan concerned. Provincial plans indicate where not to grow in strong terms, including areas to be added to protected zones (should land owners in those areas wish to sell, they are required to offer the land first to environmental organizations).

To Voogd, the most important function of provincial plans is assigning urban growth boundaries (UGBs) which restrict urban land development to the area inside the boundary (Voogd 2000, 5). Because provincial plans are broadly focussed, often the exact location of the UGB is negotiated with the municipality. The boundaries are generally used to reinforce restrictions already in place in the provincial plan for areas that are adjacent to urbanized areas (Drenthe Interviews). They are then interpreted as a strengthened argument against approving local land use changes that would violate their intent.

Additional Powers of the Province

The provinces are also vested with authority to grant or deny licenses for larger developments or those with regional impact (Drenthe Interviews). Also, some provincial rules are directly binding on citizens. These include restrictions on disruptive activities in sensitive areas, such as those designated as quiet areas, soil/landscape protection areas and water collection areas (e.g., no loud motors permitted in quiet zones).

Influence of the National Plan on the Province

The influence of national planning is present in the provincial plan, largely due to conditional funding streams (Voogd 2000, 5). Provinces are strongly motivated to at least “pay lip service” to national goals. One important example is the provincial power to designate growth centers and growth restricted municipalities, based on quotas handed down to the province from the national government.

---

6 There is one exception to this restriction on development in rural areas. It is now permitted in the least restrictive zone of the Drenthe Plan for people to build large, luxurious residences, so long as they are on large
However, there is some mismatch of national policies with the situation in more peripheral provinces (those located further from the Randstad) (Drenthe Interviews). The Netherlands tends to divide into four areas—the North, South, East and West. Because of the differences between these regions, planning needs differ as well. For example, ABC Location policies limiting the number of allowed parking spaces are more difficult to implement in lower density areas that do not have well-developed public transport systems. Though national policies tend to be less strict for rural areas, national quotas are adopted into provincial rules.

Criticisms of Provincial Planning

Provincial structure plans are intended to be comprehensive plans giving overall guidance to development in their areas, as well as vehicles for coordinating physical development and rendering national ideas operational (Faludi, 152). Faludi and Van der Valk argue that this was an overly ambitious goal. The provinces have too few instruments to bridge the gap between “national theories and local arguments”. Evidence of this lack of tools can be found, in the form of unplanned developments the provinces could not prevent (Drenthe Interviews). Some provincial planners argue that the provinces are the weakest tier of government (the national level has the lion’s share of the money and the locals have the direct control) (Drenthe Interviews). In the case of larger cities, a direct link between municipal government and the national government can tend to cut provinces out of the process.

Due to lack of sufficient funds, provinces rarely pursue active land acquisition (Drenthe Interviews). Therefore, most initiative for development comes from the bottom up (from municipalities and the private sector), with the province getting involved only at the local land use plan review stage. One Drenthe planner argues that this constitutes a void of much-needed initiative at the provincial level. Local vision plans are uncommon and local land use plans often lack a strategic vision, are out of date and cover only a small area. This can mean that there is a weak connection between the provincial plan and implementation.

Provinces are working to address these challenges in creative ways. Some provinces are trying to adopt a more proactive role, getting involved before the plan review stage (Drenthe Interviews). A shift from an emphasis on blueprint planning toward planning that incorporates more flexibility is also prevalent. Other changes would give provinces more power. For instance, provinces now have the authority to intervene in the local planning process (NSPA, 19). One proposal would give provinces parcels of land which remain mostly open space. This innovative policy is intended to accommodate one high end portion of residential market demand (Drenthe Interviews).
more power to implement regional scale projects. Currently, any proposed project would have to be approved by each municipality in which it will be built. The proposal would increase provincial power by allowing the province to make binding plans for regional projects that would not need to seek municipal approval.

Summary

The role of the provinces has been much discussed, largely due to concern with a “regional gap”, a lack of power positioned to impact on supra-local and regional problems (Faludi, 152). Over the years, proposals for addressing these shortcomings have included adding another layer of government between the provinces and the municipalities focused on metropolitan areas, or cutting provinces back to the size of city-regions. Within the existing system, efforts are being made to make the provinces more proactive and flexible, or to increase their planning authority.

• Local Level Spatial Planning

Municipalities are responsible for direct oversight of local land development (Drenthe Interviews). Municipalities approve or reject all proposed developments and stipulate the specifics of development including methods, building location, character, physical features and more. Municipalities also provide almost all infrastructure. However, they are required to fulfill national policy (Faludi, 35). The central government is also the source of about 90 percent of municipal income (though this is changing—grants for housing and planning are still high, but are now diminishing). Also, local land use plan changes are required to incorporate criteria from the provincial plan (Drenthe Interviews). Thus, the municipalities have strict parameters within which they must operate.

Local Level Spatial Planning Bodies

Like their provincial counterparts, the Municipal Council is the elected body that determines local spatial planning policy by drawing up plans and adopting policy documents (NSPA, 17). The Municipal Executive is responsible for implementing those plans. There is no formal consultative body or required consultations for plan preparation, but most have a committee on spatial planning. The Municipal Spatial Planning Department provides staff functions such as assisting in spatial planning, monitoring, conducting research and advising the Council. Many municipalities use private consultants for this function.

7 An example of this is the Sustainable Drenthe project. The province is conducting an outreach campaign to assist municipalities in implementing provincial sustainability goals.
Local Level Spatial Planning Instruments

There are two types of land use plans at the local level—structure plans (structuurplan) and local land use plans (bestemmingsplan) (NSPA, 18). Augmenting those plans, municipal Capital Improvement Programs are important in controlling development timing by tying approvals to the availability of infrastructure, traffic generation and other issues.

Structure Plans

Structure plans designate in broad outline the future development of the municipality or a part of it (NSPA, 18). Though different in scale, they are very similar in concept to the regional spatial plan. They outline the chosen path for future development, are descriptive and general in nature, and are used as a guideline for municipal policy decisions. Structure plans include a description of the main goals, policies and phases of development, explanatory maps and a justification of policy section. Neighboring municipalities may combine for this. They are not compulsory. Currently, their number is fairly small, but it is gradually increasing. Some municipalities also draft area or neighborhood plans and/or plans for specific functions or systems (Huis in’t Veld Interview).

Two trends are discernible in recent structure plan changes (Huis in’t Veld Interview). First, as is the case at the provincial level, there is a trend to integrate municipal structure plans horizontally (e.g., Groningen). Second, in the past these plans were viewed as being blueprint documents, showing exactly where and how development would occur. Now, more emphasis is being placed on flexibility and working with market forces. These two trends are in response to forces affecting the Dutch planning system in general, and correspond with changes occurring at the provincial and national levels.

Local Land Use Plans

The local land use plan is the only plan that is binding on citizen and government bodies, making it far more consequential than structure plans (NSPA, 18). According to NSPA, “almost every spatial planning decision at the municipal level is linked to the local land use plan in one way or another”. The Municipal Council is obligated to draw them up for all rural areas, though they are not required for built-up areas. They are legally binding, and are the legal basis of, and primary land use planning test for, issuing building permits and construction permits (which regulate certain construction works). They are also the basis for obliging private developers to contribute to the cost of public services, for claiming compensation for loss of value and for compulsory purchase of property. The Spatial Planning Act requires that they be reviewed once every 10 years.

Drafting local land use plans must follow stringent procedures (NSPA, 19). They must include an explanation of the rationale behind their decisions (based on a structure plan if there is one) (Huis in’t
Veld Interview). Only after the plan has been drawn up and adopted by the Municipal Council can higher authorities influence it (e.g., the Provincial Executive can withhold approval). However, since 1994 higher authorities can oblige a municipality to amend its plan to comply with national or provincial policy. For projects of national or regional importance, the Provincial Executive or Minister may intervene directly in municipal plan-making or oblige the municipality to grant an exemption to the local land use plan. However, this step is rarely used and is seen as a punishment (Drenthe Interviews). Monitoring and enforcement is done mostly by the municipalities, with the central government rarely stepping in. Should developers fail to meet agreements or requirements, the municipalities must monitor, enforce and take them to court if necessary (Heins Interview).

A municipality must approve a building permit if it matches the local land use plan, even if it does not agree with provincial and national plans (Voogd argues that this weakens national policies) (Voogd 2000, 5). Building permits (bouwvergunning) are the main permit for directly controlling land use changes (NSPA, 22). If a proposal is made for an area not covered by a local land use plan, granting a building permit is based just on safety, health, and utility of the proposed project. If the area is covered by a land use plan, then the proposal must meet the plan’s provisions. Local land use plans can be detailed or general, and content is determined by the municipality (NSPA, 19).  

Active Land Policies: The well-known order and planned character of most Dutch communities has a lot to do with municipal powers. In particular, active land policies give municipalities powerful tools (NSPA, 23). Dutch municipalities generally acquire and service the land necessary for a development, then offer it to developers for purchase (historically, this approach was useful because government was needed to coordinate draining water off of new land). This means that local government has a great deal of control over the location and character of new developments. Active land policies include three measures employed by the municipality:

1. Land development and provision of local infrastructure: Because municipalities acquire land, prepare it for development and provide the necessary infrastructure, they have much more control than if they were just issuing or withholding permits (NSPA, 23). The municipality can decide where and how to build infrastructure, which land to set aside and how to divide the land into plots. They can choose a developer to sell or lease to. Municipalities can also attach conditions that are more detailed than those allowed under building permits or planning law (e.g., they can specify if the land should be for rent or for sale, when construction must start, or a wide variety of other conditions). For developers, benefits include protection from the up front costs of land preparation and infrastructure.

---

8 Criteria for local land use plans often include fitting into the proper function for the zone, design criteria (architectural style, height, position), number of parking spaces, traffic generation, environmental rules and rules regarding the relationship between the city and rural areas (Huis in’t Veld Interview).
Because municipalities are largely in control of land provision, they can also maximize efficiency by preparing large parcels of land at one time or in planned stages, coordinating infrastructure provision, then directing a large amount of development to that location (Drenthe Interviews). These parcels are then referred to as estates. In smaller municipalities, there is often only one housing estate at a time, filling gradually with new developments. Meanwhile, development can also take place through infill or redevelopment within the urban area.

The estate system places much project control in the hands of municipalities, but this comes at the expense of developer choice of location (Heins Interview). Municipalities are now attempting to provide more location choices to developers by preparing multiple areas for development (Huis in’t Veld Interview). Also, the National Spatial Planning Agency expects that, partly in response to this criticism, more and more land will in the future be serviced by the private sector (NSPA, 23). Already, an increasing number of municipalities are allowing developers to provide the infrastructure, especially in Vinex locations (Heins Interview).

2. Compulsory purchase: This tool is used to prevent land owners from refusing to sell land to the municipality (NSPA, 23). Its use is regulated by the Compulsory Purchase Act (Onteigeningswet), which grants municipalities a wide range of justifications for making compulsory purchases. Compulsory purchase can be made in order to implement a local land use plan or to maintain an existing situation which is in a plan; for implementing a construction plan; for clearing sites to be used for housing; or, for clearing dwellings that have been vacated or are unfit for habitation. However, they are rarely used in practice. Municipalities avoid using this heavy-handed tool by offering the price that owners would receive for compulsory purchase at the beginning of the negotiation process (usually twice the existing use value).

3. Recouping servicing and infrastructure costs: This tool can be used by municipalities to recover the cost of servicing the land (NSPA, 23). Costs can be partly recouped by amicable agreement in two ways—through the selling price (the general approach), or through an ordinance of the Spatial Planning Act. The municipality can also apply to recoup some losses compulsorily, but this law is rarely used because it is very cumbersome.

Preemption Rights
Preemption rights give a large advantage to municipal governments by preventing real estate speculation (NSPA, 23). If a municipality has indicated in its plan that it has an intention to develop or protect a parcel of land, then the property owner must offer that land to the municipality before
offering it for sale on the market. Thus, the right of preemption means that municipalities can secure
land before real estate speculators can acquire it and raise the price.9

Municipalities and Developers

The approach that municipalities adopt depends on many factors, but in particular the strength of the
market is a determining factor (Heins Interview). Local land use plans in areas with strong land
markets are highly detailed and include many requirements, while plans in municipalities with less
demand tend to be more flexible. For example, Leeuwarden has trouble attracting development, so it
has more flexible local land use plans than Groningen. In turn, Utrecht, where the market is even
stronger, has even more regulations for projects. Municipalities generally employ a combination of
active land use policies and regulatory tools; incentive approaches (e.g., density increases are
exchanged for developer provision of public amenities) are rarely used in the Netherlands. Public-
private partnerships are an approach that is emphasized at this time, due to the reductions in
government subsidies.

National influence over local decisions

The character of development for many sites is the end result of negotiations between the national and
local governments (municipalities tend to try to get permission to build in protected areas, while the
national government argues for more compact building) (Heins Interview). Municipalities choose the
type and the locations for housing, except for Vinex locations. As discussed above, decentralization of
control over land development is increasing the amount of control concentrated at the local level,
though central control is still strong (Huis in’t Veld Interview). Some observe that there can be a
mismatch between national goals and local needs. For example, municipalities required to adhere to
Vinex location policies may not be able to plan creatively based on local knowledge.10 As provincial
planners have observed on the regional level, there can be a mismatch between national policies and
local needs.

9 There is one exception—when the landowner can realize a development themselves, they are not required to
offer it to the municipality (Huis in’t Veld Interview). This loophole has been a weakness for municipal
planning, since a landowner can claim to be developing themselves, but with a developer in the background.
10 Huis in’t Veld argues that because of national controls, Groningen cannot bring some of its best locations to
market, with the unintended consequence of forcing firms to locate further away from the center. Similarly,
the ABC Location policy can discourage businesses from investing in the center city, where restrictions are
the strictest.
While municipalities complain that there is too much national control, provincial and national planners are concerned that locals seem to often fail to successfully direct development into desired patterns. Critics point to the local land use plan. Local land use plans were introduced in the 1965 *Spatial Planning Act* and *Decree on Spatial Planning* (Damme, 833). Since the 1970s they have been criticized for poor performance. The idea was that there should be a direct link between land use plans and issuing permits for building and construction permits. However, plan departures are common, leading to “blatant discrepancies between policies and implementation”, and Faludi and Van der Valk add, “a well-established alternative via massively granted exceptions” (Faludi, 234).

One problem is the level of detail incorporated into plans. Beatley argues that greater detail means greater certainty for developers (Beatley, 58). While this is probably true, problems arise because the high level of “unnecessary” detail in most plans makes exact compliance difficult (Faludi, 234). Voogd argues that the explanation for the implementation problem relates to the requirement that municipalities use local plans in a highly regulatory way (Voogd 2000, 21). When proposed projects fit within the plan, municipalities must grant them building permits. When they do not, the authorities must deny approval. This might work if the plans were perfect reflections of current conditions and goals. However, while plans are required to be updated every ten years, that requirement is not enforced. Municipalities are often reluctant to shoulder the expenses of updating plans, and old plans remain in force until updated. Often, too few people look after the local land use plans, and not all local councils are concerned that the plan be followed (Drenthe Interviews). Thus, local land use plans are often only loosely connected with policy visions as expressed in the provincial and national plans.

An alternative to strict plan compliance exists in preliminary decree procedures (intended to incorporate some flexibility into the local land use plan) (NSPA, 20). One such is the “Article 19 procedure”, which allows a municipality to grant an exemption if a preliminary decree is in force or a draft plan has been put on display, making it possible to give approval of a proposed project in anticipation of a new plan. This creates a big temptation for municipalities to approve projects that do not comply with the plan, then claim they were going to change the plan anyway. Combined with the difficulty of maintaining high quality, updated and highly detailed plans, the Article 19 procedure further contributes to “plan erosion”, and to the “misuse and even nonuse” of local land use plans (Damme, 835). Thus, Damme et al claim that plans largely fail to guide development. Municipalities can prevent undesirable development by strict plan requirements, then quickly approve desired ones (from 1971-1977, 20 percent of all building permits issued were based on Article 19).
The 1985 revisions were largely targeted at improving plan performance, opting for a solution that gave municipalities more flexibility in local land use implementation (Damme, 834). The revisions did not change the basic principles. Municipalities were still responsible for planning and the local land use plan was still the only legally binding document (ibid., 836). However, emphasis shifted from quantitative rules to more qualitative ones. While the revision tightened Article 19 requirements, it also introduced new flexible procedures to bypass the plan and give exemptions. The revisions also sped up plan-making procedures and made the applicable rules more flexible. Finally, revisions created the possibility of using two new types of plans. One is the “description in outline”, a plan that directly incorporates the underlying principles and goals into the plan, allowing interpretation to be based directly on those principles; the second new option was to write a general plan with few details. These two types of plans step away from the high level of detail incorporated in plans prior to 1985.

The next question should be whether the 1985 revisions were successful in addressing the gap between policy and implementation. Damme et al find no clear indications of improved performance (Damme, 839). Between July 1986 and May 1993, about 15 percent of municipalities making new plans adopted either of the new approaches. However, there was no reduction in use of Article 19. Damme et al argue that this is because the problem rests more with the planning process than with the types of plans used. There should be more emphasis on ongoing communication between the actors involved and the public, more “successive commitment, policy coproduction, and contingency planning” (ibid., 840).

Summary

The municipalities do indeed possess remarkably strong tools to control new development. However, implementation apparently fails to meet expectations. For the reasons discussed, there is a gap between local land use plans (the implementing legislation) and provincial and national goals. In Section IV, the question of the “implementation gap” will be addressed.

IV. Theoretical Discussion

In this section, the performance of the Dutch spatial planning system will be placed within a theoretical framework. Then the implications of current change trends on the practice of planning in the future will be discussed.

---

11 This seeming contradiction is indicative of the difficulty of solving the conflict between plan certainty and flexibility.
• Interdependent Actors, Not Hierarchical Control

Figure 4 (on Page 33) offers a schematic representation of the relationships between the three tiers. In contrast to a hierarchical, top down governmental structure (as illustrated in Figure 1), the Dutch spatial planning system can be described as an interlinked web of relationships (see Figure 4). Though in theory, the national government can exercise a high degree of direct control, since the Fourth Report this power has diminished.

Each tier of government has a special role to play that gives it power in the process of decision-making. National government exercises a great deal of power through defining the national vision and distributing funds. National goals find their way into municipal plans both through the vehicle of provincial plans and through the power of direct funding and directives applied to municipalities. Provinces have an important role in defining the regional vision and pass that on to municipalities through plan reviews (though they may not have all the tools needed for this function). Municipalities are closest to the object (the built environment). Their role as interpreters of planning goals and as implementers and enforcers of planning policies gives them great power. Also, the other tiers rely on them for firsthand information. Finally, the role of other actors (including the public and developers) is increasingly important. Vinex views the private sector as partners in the planning process, who can participate in plan-making and provide essential financing.

The arrangement emphasizes negotiation and consensus-building as keys to success (about which more below).

• Performance of the Dutch Spatial Planning System

The Implementation Gap

In the late 1970s and early 1980s, the Dutch system was criticized for being “cumbersome, out of date, inefficient, and ineffective” (Mastop, 807). Key to these criticisms was the perception that there was an “implementation gap” between what was written in plans and what is actually implemented (ibid., 809). As discussed in Section III, this problem has not gone away under Vinex. Voogd observes that under Vinex there have been “severe difficulties with restrictive growth policies” (Voogd 2000, 2). Areas that should have been restricted from growth have nonetheless shown average annual growth rates as high as 3 percent or more in recent years.
Figure 4: Relationships Between the Tiers of Government

- National Government
- Provincial Government
- Municipal Government
- Other Actors

Connections:
- Directives
- Funding
- Implementation
- Gap
- Vinex
- Sectoral Plans
- Directives
- Negotiation
- Lobbying
- 1st Hand Information
- Voting
- Land Use Plan
- Active Land Policies
- Enforcement
- Development
- Market Demand
Much critical attention is being paid to the failure to translate policies from the provincial level into implementation by the municipal level (see Figure 4). The provincial responsibility to translate national policies into a regional context, and to enforce their implementation, is certainly daunting. However, it can be argued that a gap also exists between the national and provincial levels, and between the municipal government and developers. Each time planning goals are passed to another level represents a potential gap in implementation.

- Conclusion: Implications for the Practice of Spatial Planning

This chapter has reviewed the land development tools used by each level of government and the criticism and theories from the literature regarding their performance. The final step is to attempt to summarize the changes occurring in the practice of spatial planning as they relate to land development practices.

Decision-making authority is in flux in the Netherlands. Figure 5 (below) shows the changing concentrations of power for spatial planning. The following paragraphs will discuss those changes.

The current trend in the spatial planning sector is toward decentralization, deregulation and liberalization (see Section II). The central government is adopting an increasingly hands off role. The government creates the framework, then allows the regional and local governments to implement it. This role is still quite important, but is nonetheless a less dominant one.

FIGURE 5: Decision-making Authority for Land Development

<table>
<thead>
<tr>
<th>Functional Area</th>
<th>Least Emphasis</th>
<th>Most Emphasis</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td>Least Emphasis</td>
<td>Most Emphasis</td>
</tr>
<tr>
<td>Provincial</td>
<td>Least Emphasis</td>
<td>Most Emphasis</td>
</tr>
<tr>
<td>Municipal</td>
<td>Least Emphasis</td>
<td>Most Emphasis</td>
</tr>
<tr>
<td>Private Sector</td>
<td>Least Emphasis</td>
<td>Most Emphasis</td>
</tr>
</tbody>
</table>
Figure 5 is an approximation of current, ongoing shifts in land development authority. The circles represent an estimate of the relative amount of authority to take the initiative in decision-making as it is currently distributed among these five levels. The arrows show the direction in which that amount of authority is moving relative to the other levels. In summary, the national level is still important, but emphasis is now being placed more on the municipal level and the private sector to take the initiative. It is unclear what the provinces may do next. The figure is not meant to suggest that there is a governmental body at the Functional Area level, but that it is becoming more important for planners to think in terms of the functional area.

The provincial tier is under re-assessment. As the intermediate level of government, the provinces exchange authority and power with both the national and municipal levels. Trends are currently not clear. Adding to a long dialogue on the provincial role, there have been recent discussions of ideas for metropolitan governance based on the urban areas of the big Randstad cities. This could redistribute powers between provinces and municipalities, concentrating them in new metropolitan bodies (Mastop, 813). On the other hand, there is discussion of increasing provincial powers (Drenthe Interviews). The provinces could assume a more dominant role by garnering executive powers from the national level (as part of the decentralization process) or by acquiring more directive powers over the municipalities (as part of efforts to address the need for regional level vision and the implementation gap). It is unclear in which direction the provinces will move.

Cooperation across jurisdictional lines on the basis of functional regions is being emphasized. Vinex requires greater coordination between jurisdictions and non-governmental organizations (Drenthe Interviews). Local governments in an urbanized area are required to coordinate on public housing, infrastructure, public transport, local economic development, major socio-cultural facilities, and uniform environmental policies. Also, at least one metropolitan area has adopted a joint vision plan for regional development (the Groningen-Assen Regional Vision 2030). This trend could address the need for regional coordination without creating a new level of government.

The municipalities have been the recipients of devolved authority from the national level, though there have been some reverse currents (e.g., provincial and national powers to intervene in local planning). Municipalities can increasingly engage in policy entrepreneurship, developing their own separate approaches to development controls. They are increasingly seeing their role as marketing their cities, and are becoming more accommodating to market demands. Through Active Land policies, they have a lot to bring to the table as part of public-private partnerships. On the other hand, some municipal governments may take a secondary role to the private sector in initiating development.
Increasingly, initiative is being given to the private sector for new development projects, in the hope of increasing the number of public-private partnerships that realize both economic and social benefits. As discussed above, decision-making is also becoming more inclusive of the private sector. This could create room for the private sector to step into a guiding role in shaping development.

Figure 5 represents an approximation of the current patterns of change. However, it does not follow that the shifts will continue in their current directions indefinitely. It seems likely that the downward shift of national authority will balance out with the national government still in a strong role creating the framework for development.

*The Fifth Report on Spatial Planning?*

As of 1998, work at the national level was underway toward developing a spatial policy for the future (Van Uum, 106). There will be a partial revision of *Vinex* for the period up to 2010, and development of a new policy for the period after that. The “Netherlands 2030” project, an open process with many participants, was in 1998 in the exploratory discussion phase and has developed four scenarios for the future. Scenarios range from “individuals and businesses creating their own environment” (a low level of government intervention) to one viewing “the qualities of town and country as a collective good” (with a strong interventionist cast) (ibid., 108-110). It remains to be seen which direction the system will move. Van Uum postulates that because of the emphasis on sectoral integration, there is not likely to be a fifth solely spatial plan, but rather an integrated plan for the whole of the physical environment (ibid., 116).

Though in the Netherlands government influence is diminishing, there is still an amazing amount of intervention in the physical environment compared to other countries (Faludi, 1). Dutch institutions are in a time of turmoil now, and traditional ways of thinking are being questioned (e.g., the culture of negotiation and consensus-building) (ibid., 247). Faludi and Van der Valk identify this as a time with both serious dangers to the planning system and opportunities for improving it. Some dangers include a loss of identity for planning through reorganizations and departmental mergers; too much emphasis on protecting the environment, to the detriment of planning’s ability to adjudicate between land claims; less coherence in the strategic planning community (competition between national and provincial planners); demise of the partnership with housing and the planning control housing tools afford; pressures on the Green Heart; and the difficulty of finding alternatives to high government interventionism. On the other hand, some opportunities include expanding the appeal of planning through the sustainable development movement; a new comprehensiveness, defining the domain of planning more broadly; new coalitions with strategic, transport and environmental planners; a new
partnership for planning with non-governmental organizations and green-minded businesses; and public-private partnerships.

The central challenge facing Dutch planning is to evolve new approaches suited to a free market system, without losing the concern for equity that characterizes Dutch society. Allowing greater market participation in shaping the built environment can undoubtedly have benefits. However, the market obeys its own logic. In areas with economic disadvantages, or in times of economic downturn, attracting investment will continue to be a challenge. This applies both to competition between cities, and to divergent neighborhoods within urban areas. The danger is that while the strong are getting stronger, the weak may also be getting weaker (Heins Interview). It is to be expected, and even desired, that government and the market should engage in ongoing power exchanges, tailored to the needs at that time. Planners should explore the opportunities available in adopting a more free market approach. In Chapter 3, the potential of this approach will be discussed.
CHAPTER 2: Oregon’s Growth Management Program

Introduction

This chapter will review the Oregon’s growth management system, with an emphasis on land use aspects. As Chapter 1 did for the Netherlands, this chapter will focus on two things: First, the tools used by spatial planning agencies to control land development. Second, the challenges and failings of the system and current systemic change trends. Again, the emphasis will be on issues related to the performance and operation of the system.

Oregon’s growth management system has evolved considerable new authority over its nearly 30 years of existence. In particular, Portland’s Metro planning agency has increased its scope and power for regional planning. Criticisms have focussed on Oregon’s lack of data that would enable analysis and, as was the case with the Dutch planning system, on implementation problems. Though critics claim that Oregon’s system is too top down and restrictive of both market forces, in fact local governments have a broad scope for policy entrepreneurship and business people play a prominent role in decision-making.

Section I will review the governmental and societal context of planning and provide a history of Oregonian growth management. Section II will describe the governmental bodies that impact on land development, the tools they employ and some criticisms of the system. Section III will provide a theoretical analysis of the issues discussed and explore directions the system may take in the future.
I. Background on Oregonian Growth Management

Oregon’s growth management system is considered to be one of the leading programs of its kind in the United States. This section will briefly discuss the origins of the system, how and why it was created, and the national context within which it operates. It will then review the scope of the system.

Origins and Evolution of the Oregon System

Sullivan writes that “the establishment of Oregon’s planning system in 1973 may well have been a historical accident” (Sullivan, 50). Strong leadership, a receptive audience, an enlightened judiciary, and a general belief that planning was the way to avoid future problems all came together at the right time and place. Other factors include the economic structure of the state, blessings bestowed by the topography and environment of the area and exposure to the growth patterns of other West Coast states.

Protection for the natural environment and natural resources has long been emphasized in Oregon. The state benefits from an abundance of natural resources, including excellent farm and forest land and beautiful scenery, including the Pacific coastline, mountains and open country to the east. In 1938, Lewis Mumford visited Oregon and was deeply impressed by its natural riches (Stephenson, 5). Concerned after having observed signs of neglect and misuse of Oregon’s landscape, Mumford asked members of Portland’s City Club, “if you are good enough to have it in your possession? Have you enough intelligence, imagination, and cooperation among you to make the best use of these opportunities?” This challenge has long resonated in Oregon’s cultural landscape. Mumford is not alone in calling for the protection of Oregon’s natural resources, as leaders like Tom McCall have demonstrated.

Another source of motivation for planning came from Oregon’s neighbors, which provided examples of the consequences of failing to plan for growth. According to Carl Abbott, “in this self-satisfied picture of achievement by avoidance, Los Angeles has long been damned, Seattle has sold its soul, and only Portland still treads the straight path to good planning” (Abbott, 11). Also, Oregon was lucky in terms of timing. Portland’s regional plans were put in place before the pace of development picked up, putting the city in a position to influence much of the urban form that now exists (Lang, 5).

Oregon’s planning system was created in 1973 in the context of a national boom of interest in growth management which swept through several other states at that time (DeGrove and Metzger, 3). Growth management is a comprehensive concept concerned not only with the physical environment but also with economic and social concerns. The vision for growth management, and the Oregonian version, came out of the 1970s concern for the environment and natural resources. In the 1980s and 1990s, growth management evolved into its current emphasis on “quality of life” (DeGrove and Metzger, 5). As part of this evolution,
new concerns came under the scope of growth management. Public frustration with traffic congestion is a major stimulus, as is the expansion of environmental concerns to include issues associated with urban sprawl (such as maintaining a clear separation between urban and rural activities). Governments are now also incorporating affordable housing and economic development policies into growth management systems.

Governor Tom McCall provided strong leadership to the movement for state planning in Oregon’s legislature (Stephenson, 8). In 1969, McCall called for statewide mandated planning as a way to counter the “grasping wastrels of land,” who “mock Oregon’s status as the environmental model for the nation”. In Portland, Mayor Neil Goldschmidt also provided dynamic leadership (Abbott, 22). Goldschmidt and McCall led the successful campaign to remove an expressway from Portland’s downtown waterfront, an achievement that convinced many people that it was possible to improve their communities.

Since 1973, new problems have come to the public’s attention, and the growth management system has expanded to address them. Since 1990, there has been a growing concern on the issue of housing affordability in the Portland metropolitan region (Metro website). Problems include a widening gap between household income and the cost of housing; an increase in population and homelessness; rising land costs; and the lack of available land. State, metropolitan and local policies are aimed at mitigating these problems.

Coalitions have Shaped Oregon’s Planning System

According to Christopher Leo, a wide-ranging coalition supporting growth management is required for a system as complex as Oregon’s (Leo, 19). These coalitions are products of the last 30 years (Abbott, 31). The late 1960s brought a new generation of leaders willing to take risks and inclined toward public investment—attitudes that were part of a national climate of change. In the early 1970s, Portland stood out “not for the content of its visions but for the effectiveness of its leaders in transforming the common vision into a comprehensive set of public policies and for constructing powerful political coalitions around several planning goals” (Abbott, 31). In Portland, the Goldschmidt administration established an atmosphere of team building in public decision-making that incorporated citizen and activist groups (Abbott, 23). Abbott reports that the consensus-based “Goldschmidt coalition” is still a fact of life in Portland.

Oregon’s growth management coalition consists of groups with widely differing interest groups that in other states frequently find themselves on opposite sides of planning debates (Leo, 19). The Oregon Farm Bureau, environmental activists and Portland politicians have all been equally strong supporters of growth management. Leo argues that environmentalists, farmers with long-term commitment to farming, and business community members who “came to associate long-term competitiveness of commerce… with a workable and enforceable regional plan” have formed the core coalition supporting the system (Leo, 10). These groups have seen growth management as beneficial to them, each for their own reasons (Leo, 12).
Farmers receive tax benefits and protection for farmland through zoning. Environmentalists obtain a structure for legal protection of natural areas. Business people obtain speed of review and approvals, certainty in how the system will work, and costs that so far have not been unreasonable. The ongoing series of compromises between these and other interests forged the system over 30 years (Leo, 4). This feature is a key to understanding Oregon’s success, as well as some of the problems it faces (see below).

An example of Oregon’s unusual coalition style is the fact that environmentalists and developers, typically on opposite sides of development debates, often agree in Oregon (Leo, 13). An alliance was forged between developers and 1000 Friends of Oregon, an environmental protection advocacy group that has been a powerful force in shaping Portland’s planning, after battling on opposite sides of an attempt to repeal the state land use statutes in 1967. After the attempt was narrowly defeated, 1000 Friends came to understand that in order to make protecting rural and forest areas politically feasible, growth would have to be accommodated in urban areas. Developers, for their part, came to respect the influence that 1000 Friends could wield. Subsequently, 1000 Friends has opposed restrictions to housing inside Portland’s Urban Growth Boundary (UGB), and environmentalists and builders have frequently been allies.

Linking environmental and development interests is a highly effective feature of Oregon planning. The Oregon system stands out for its assertion that growth and growth management are two sides of the same coin. This approach has succeeded in turning potential adversaries to growth management into supporters or at least convincing them not to oppose the system. Oregon’s planning participants have shown skill in bringing such potential enemies on board.

• The Domain of Planning in Oregon

This section discusses the place accorded to planning in the national context and in the state of Oregon. It reviews the roles planning is expected to play and provides an introduction to the approach used by the state of Oregon.

The U.S. Context for Growth Management

At this time, there is little direction from the U.S. national government for land use planning. In this predominantly free market system, emphasis is placed on allowing the market to take its course rather than employing governmental interventionist policies. The unsuccessful National Land Use Policy Act, introduced in various forms between 1968 and 1976, would have institutionalized a state/national planning process to balance environmental protection with mandated local acceptance of regionally necessary growth. Instead, the state and local levels are the arena for land use planning (Bollens, 143). However, a number of federal
policies indirectly impact on land development. These include the national highway system, which directs development location, environmental policies such as the *Environmental Protection Act*, *Clean Air Act* and *Clean Water Act*, and the national tax system (Nivola, 12).

Though not directed at land use, these federal policies create a national framework within which land use planning takes place. Judged by the standards of growth management, livability or sustainability, some impacts have been undesirable. For example, the emphasis placed in transportation funding on accommodating the automobile and some tax structures have both fostered urban sprawl (Nivola, 12). During the 1990s, Congress has addressed some of these criticisms by reforming the capital gains tax and by passing the *Intermodal Surface Transportation Enhancement Act* (ISTEA) and the *Transportation Enhancement Act* (TEA-21), which have redirected some transportation funding toward non-car infrastructure. The President’s *Council on Sustainable Development* and the *Environmental Protection Agency’s* (EPA) *Sustainable Development Challenge Grants* are part of a trend toward strengthening the national framework for environmental and planning issues (Beatley, 365). Other programs, such as Federal Emergency Management Agency (FEMA), could provide programmatic examples for future planning programs at the national level.

State and local level interest in growth management is strong in some places. The purpose of growth management is to balance public objectives for economic growth with protection of the environment (as well as considering social aspects) (Jay Stein, vii). This is a new role for government in the U.S., making this a paradoxical time. While the 1990s were supposedly a conservative political era, states nonetheless expanded their interventionist role.

**Oregon’s Comprehensive Approach**

According to Scott Bollens, “state and regional growth management programs have dual missions addressing the geographical mismatch between the municipal control of growth and the regional incidence of growth effects (Bollens, 143). They seek both to restrict growth having regionally detrimental effects and to facilitate regionally beneficial growth often opposed by local governments”. Trying both to restrict “bad growth” and to foster “good growth” has produced frequent conflicts. To avoid such conflicts, most state planning and growth management programs have focused on preventing undesirable growth rather than facilitating needed development (ibid., 148). However, from the start Oregon focused on both of these goals as part of a comprehensive approach to planning.

Oregon is a leader in the areas of land use, comprehensive planning and growth management (DeGrove and Metzger, 6). The state goals encompass a broad range of issues, including the environment, housing, the economy and transportation. *Senate Bill 100* (the enabling legislature passed in 1973) gave state planning a broad scope, and it has had relative success. Oregon has pioneered in the area of compact urban development.
The state has also been a leader in formulating affordable housing strategies. Oregon’s system continues to evolve (Howe 1993, 67). In 1990, Oregon made its first state coastal resource management plan. Portland provides many of Oregon’s leading edge examples, including its 2040 Framework Plan, its Greenspaces Plan, redevelopment plans for depressed areas and a strong housing emphasis. Portland Metro Planning Agency is continuing to evolve and acquire new powers and responsibilities for its region.

II. Land Development Controls in Oregon

This section will review the approaches and policy tools that make up Oregon’s land use planning system. The first section describes the distribution of governmental responsibilities between national, state, metropolitan and local government. The next three sections will review the state, metropolitan and local governmental “tool kits” and approaches.

- Breakdown of Government Responsibilities

National government creates a loose framework within which states and localities have a lot of room to move. As discussed above, there is a loose federal framework within which land use planning operates. This framework includes the body of national land use law as well as those federal programs that impact on land use patterns (discussed above).

In the U.S., state governments have wide discretion in setting up land development policies. Oregon adopted a “federal” approach to land use planning (Sullivan, 49). The state sets up mandatory goals for local governments, and administrative rules to elaborate on or interpret the goals. A key requirement is that local governments establish UGBs to direct development to locations that comply with state goals. The state goals create a framework for local planning, setting a minimum level of compliance in goal implementation. The state then monitors local implementation and can take enforcement action. The setup calls for an integrated framework between the levels of government (DeGrove and Metzger, 3).

Municipal and county (local) governments are required to adopt comprehensive plans that spell out standards for development. Those standards must be implemented through zoning, land division and other regulations. Local governments have the authority to approve proposed land development projects. They can formulate their own plans. However, plans must be in accordance with state goals and acknowledged by the state. Thus, local governments are free within the context of the state framework to direct their own development. Local governments receive some state funding for projects, and this is a tool to motivate them to comply with state goals (Sullivan, 49).
Oregon’s planning system is heavily influenced by private interest groups and individuals concerned with application and enforcement of state policy or who want to motivate public agencies to move in a particular direction (Sullivan, 49). The foremost example of this type of organization is *1000 Friends of Oregon* (a group established in 1975 by outgoing Governor Tom McCall to monitor the planning system). *1000 Friends* uses the court systems to strategically challenge local government actions and the state in order to clarify policies and set precedents for the entire state. It also conducts studies, lobbies the state and provides technical assistance to the state and local governments.

- **State Level Planning**

*Mandated Statewide Planning*

In 1973, the Oregon state legislature established mandatory planning for all incorporated cities and for counties in Oregon (Abbott, 28). All cities and counties are required to adopt land use plans that concord with the 19 state goals (Howe 1993, 62). Goals address planning process, conservation, development, housing, transportation and coastal resources. Conformance with goals defines state planning—there is no state plan. The state reviews city and county land use plans for compliance, then “acknowledges” those plans that comply. Local planning and implementation is subject to “periodic review” every 5 to 7 years. The state can require locals to update plans to reflect changes in state goals, administrative rules or local needs. Coordination is a key aspect of the system. Counties are responsible for coordinating the plans of cities and service districts in their jurisdiction. State agency plans must be consistent with state goals and with acknowledged local plans. In the late 1980s, DLCD focussed on state agency coordination, and in 1990 20 of 26 agencies were certified (this process was more time consuming than expected).

To administer planning at the state level, the legislature created the seven member *Land Conservation and Development Commission* (LCDC), which is appointed by the governor (Abbott, 28). LCDC provides municipalities with legal support for zoning and other growth management tools. It also approves and monitors local planning and can withhold grants and require local governments to revise plans that fail to take sufficient steps toward fulfilling the state goals (Leo, 62). LCDC also provides local governments with planning guidelines and is responsible for certifying that plans for different jurisdictions and service areas are coordinated (Abbott, 28). LCDC oversees the *Department of Land Conservation and Development* (DLCD), the state agency that administers the program (Howe 1993, 62).

The 1973 legislation made zoning and other forms of land development regulation subordinate to comprehensive plans. Subsequently, landmark legal cases (*Fasano v. Board of County Commissioners of Washington County* and *Baker v. City of Milwaukie*) have established the legality of this approach (Sullivan,
Thus, comprehensive plans truly represent the legal framework within which development must take place.

Oregon has a “multi-tiered system of consistency” requirements (Nelson and Duncan, 29). First, zoning, subdivision, site plan and special permits must be consistent with local plans, which prevail if there is a discrepancy. Second, in the Portland area local plans must be consistent with the regional plan. Third, all local and regional plans must be consistent with state goals and policies. State and local governments work together in planning activities, and state agencies play a strong role. Thus, planning in Oregon is vertically integrated (at least ideally).

Oregon’s growth management system is also horizontally integrated. Planning for separate sectors is conducted as part of a comprehensive process. The state’s goals explicitly require that planning take on a comprehensive approach to growth controls by placing equal weight on economic, environmental and social considerations (Leo, 9). According to Leo, in planning for redevelopment, transportation and housing, local and statewide planning has become fully integrated (ibid., 10).

As of 1986, 10 years after original deadline, all 242 local governments and 36 counties had acknowledged comprehensive plans (Howe 1993, 65). It took longer than expected to clarify policies and resolve UGB conflicts and the extent and location of exception lands (see local planning section). The state forced a number of local governments to comply through use of enforcement orders, withholding funding and one court order. There was substantial controversy during this process, including three ballot box challenges, all defeated by a margin of 10 percent or more.

The Appeal Process
In 1979, the state established the Land Use Board of Appeals (LUBA) (Howe 1993, 62). This three-member tribunal makes legal rulings on land use matters. An appeal of a local land use change would go first to LUBA, then to the court of appeals, then to the state supreme court. The State exercises its oversight authority rarely; LUBA has only heard an average of eleven appeals per year. However, Armstrong and Jacobs argue that the power to do so has a significant impact on local behavior (Armstrong, 5).

Urban Growth Boundaries (UGBs)
The state requires all incorporated cities to draw UGBs around their land area (Kline, 2). The goals of UGBs are “the orderly and efficient transition of rural lands to urban uses, the protection of agricultural lands, and the protection of forests”. UGBs are required by state law to encompass a supply of land that is adequate for growth needs for 20 years, but that can also be efficiently serviced with infrastructure (Leo, 7). Local governments must estimate how many people are expected to live and work there in 20 years, then make sure there is enough land to house those people (Metro website). UGBs effectively create two land markets, with
land valued considerably higher within the UGB than outside of the boundary (Kline, 2). Local governments and the Portland metropolitan government are required by the state to create Urban Reserve areas (UGB Fact Sheet, Metro). These are adjacent rural lands that could potentially be incorporated into the UGB over next 50 years.

Unique to the Oregon system is the allowance of exception areas outside of UGBs that are nonetheless allowed to develop in ways other than agricultural use or rural residential (Abbott, 29). In these unincorporated rural areas, low density residential, commercial or industrial development is allowed. Stated another way, within the UGB the burden of proof is on opponents of development. Outside the UGB, the burden of proof is on developers to show that land can be easily supplied with services and not worth retention as farmland. Easley points out that extending UGBs can create legal issues relating to property owners in areas to be incorporated in the UGB (Easley, 10). LCDC has developed guidelines that streamline the extension process and are intended to protect governments from legal challenges.

Summary
Since its inception in 1973, state mandated planning has rapidly evolved from a reaction to pressures on farmlands to proactive planning for urban form (Abbott, 28). It has survived numerous legal challenges and three statewide referenda. Voter initiatives have been a key source of legitimization for the system (Leo, 17). Two goals have been primary: The containment of urban sprawl and the preservation of forests and farmland. The former necessitates UGBs beyond which public facilities will not be extended. The latter entails designation of exclusive farm use areas and prime resource areas (Nelson and Duncan, 22).

• Portland Metropolitan Area Planning

The Portland region receives a lot of national attention for its cutting edge planning and livability efforts (2040 Framework, Fall 1996/Winter 1997, 15). As the primate city in Oregon, Portland, and its region, presents an interesting planning model. Portland’s size and urban character, as well as its unusual inter-jurisdictional governing system, make it stand out. Further, because of the prominence of the Portland area within the state, it is difficult to discuss growth management on a statewide level without discussing the Portland experience. In Portland area, there are 132 special service districts inside or immediately adjacent to the UGB (Howe 1993, 67).

Portland Metro Planning Agency

Portland’s Metro Planning Agency (Metro) is growing in planning importance (Abbott, 26). Created by referendum in 1978, Metro was given home rule charter in 1992. Metro’s jurisdiction extends over seven districts comprising the urbanized portions of Multnomah, Washington, and Clackamas Counties. Metro was
the first popularly elected regional government in an inter-jurisdictional metropolitan area (Leo, 5), and is the only regional governmental agency with an executive director and a legislative council elected directly (the Metro Council) (Abbott, 26). Its responsibilities include management and provision of several services (zoo, regional parks, and garbage disposal), setting standards for water quality and sensitive environmental areas, and regional transportation and land use planning. Metro has the power to adopt and enforce regional plans setting densities and specific housing allocations in the region’s 24 cities as well as the legal authority to require local implementation of its regional land use plans (Abbott, 26).

As part of its overall land use policy, Metro requires that local governments meet minimum density requirements for zoning districts (Howe 1993, 69). Metro requires municipalities to zone for 6 to 10 overall dwellings per acre for the net total of residentially developable land. At least half of this zoning must allow multifamily or attached single family. Local governments are also required to define the local need for affordable housing and to provide a mix of housing densities in order to meet it (DeGrove and Metzger, 6). These policies are efforts to address the need for affordable housing in a proactive fashion.

Portland Metropolitan Area Urban Growth Boundary (UGB)

Metro adopted the Portland area UGB in 1979 (Leo, 7). Easley credits Metro’s UGB with bringing predictability to development applications and shortening and streamlining the development review process (Easley, 17). The Metro Code requires Metro to review the capacity of the UGB every five years to see if it is in compliance with the requirement that it contain a 20-year supply of buildable land (Metro website). Until its recent expansion, the size of the growth boundary was 223,000 acres (Stephenson, 14). Since 1997, more areas have been added. As of September, 1999, the Portland region UGB encompassed 236,150 acres (Leo, 7). In 1997, Metro voted to designate 18,000 acres of land outside the UGB as urban reserves (equivalent to 8 percent of the area currently in the UGB), to be incorporated in the near future (Stephenson, 14).

The Portland area UGB can be amended in three ways: The Metro Council can enact a Legislative Amendment when it is demonstrated that growth is more than was expected when the boundary was drawn (UGB Fact Sheet, Metro). Local governments can enact a Locational Adjustment for an area under 20 acres in size. Or, local government can enact a Major Amendment for larger areas, which is required to follow the same procedures as the Legislative Amendment. Metro has a quasi-judicial process for hearing UGB petitions. Before the UGB can be amended, changes must be shown to be in compliance with existing plans that impact how much buildable land is available (Metro website).

While UGBs do prevent rampant development in rural areas outside the boundary, they do little to control the character of development inside their boundaries. Leo argues that Portland and Metro have built upon the effects of the UGB by taking a variety of transportation, housing and development measures to address growth patterns within the boundary (Leo, 7). However, Easley points out evidence of sprawl-type
development there (Easley, 18). Portland has not met its density goals; as of 1992 the average density inside the boundary was 5 dwellings per acre, rather than 6 to 10 which is the planned target density. Single-family developments as of 1992 were at only 68 percent of allowable densities, while multi-family was at 80 percent. Failure to achieve target densities added to the pressure to extend the UGB, as Metro did in 1997 and after.

Because of rural exception areas, UGBs do not prevent all growth outside their area. Between 1985 and 1989 nine percent of Portland area single-family units and 5 percent of multi-family units were built outside the UGB (though no significant nonresidential development occurred outside) (Easley, 18). This performance raises two concerns. First, the exception area policy may be too loose, creating a loophole in the UGB policy. Second, much of the rural exception areas in which growth occurred are immediately adjacent to the UGB, creating a political obstacle to boundary expansion and future provision of services to those areas. Nelson and Moore reiterate this concern, describing a “low-density residential ring around much of the UGB” (Nelson and Moore, 300).

Relationship between the State and Metro
In its oversight capacity, the state can intervene in local land use policy changes. It recently did intervene in Metro’s UGB amendment process (Metro website). An Oregon Court of Appeals decision of January, 2000 upheld a decision by LUBA that said Metro erred in the way it designated urban reserves in 1997. In particular, the court said Metro included resource (mostly farm) land that should not have been included before the region used up available non-resource (exception) land. This power to intervene, though seldom used, can have a strong influence on local behavior.

Portland Region 2040 Plan
In 1989, it became apparent that Metro needed broader powers (Howe 1993, 67). Metro and policy-makers came to realize that despite their efforts, the area was developing in the same way as most other U.S. regions. In 1990, Metro conducted the first thorough attempt to gauge progress, and identified several problems: Residential and employment growth was occurring largely in the suburbs. Low-density development of rural land outside UGB was occurring and would block future UGB expansions. Traffic from and between suburbs was increasing. Finally, growth was occurring mostly on vacant land, not as infill. Out of concern for these trends, the citizens of the Portland region gave Metro home rule charter in 1992 (giving it power to enact binding plans) and instructed it to create a strengthened vision plan for the region’s growth. In order to better address long-term growth, Metro took a 50-year view of planning (Abbott, 31). This was the beginning of the Metro 2040 planning process.

The Region 2040 planning process went through several steps over the 1990s. Metro adopted the Region 2040 Growth Concept in December, 1994 (Abbott, 31). The Growth Concept is based on Metro’s prediction that by 2040 up to a million more residents may live in the four core counties of the Portland UGB. To
accommodate them, the *Growth Concept* adopts a vision of compact cities: New jobs and housing will be focused in downtown Portland, in other urban and suburban centers and along transportation corridors. Densities called for by the plan are fairly high by U.S. standards. Downtown residential density will rise from 150 persons per acre in 1990 to 250 persons per acre in 2040. Corresponding increases are indicated for other urban and suburban centers, transit corridors, employment centers and inner and outer residential areas. Even outer ring neighborhoods will be rather dense, increasing from 10 dwellings per acre in 1990 to 13 in 2040. To support the compact city policies, transportation goals are shifted to emphasize transit. The *Growth Concept* also calls for strengthening protections for rural areas. It identifies rural reserves that are to remain permanently outside the UGB.

Meanwhile, during the first half of the 1990s, rapid population growth in the Portland area exceeded expectations. More than 130,000 new people moved to the Portland region between 1993 and 1998 (Metro Facts, Fall 1998). In 1996, at the request of local governments trying to deal with the rapid growth, *Metro* took an interim step. While work continued on the final 2040 Framework Plan, *Metro* adopted its *Urban Growth Management Functional Plan* (2040 Framework Fall 1997, 2). The *Functional Plan* was the first regional planning tool that had force of law. It required local governments to change some ordinances to address specific issues. The Functional plan facilitated more efficient use of land by setting population and job target capacities for each city and the urban portion of each county. These targets are based on vacant land and redevelopment and infill opportunities within each jurisdiction’s borders. Each jurisdiction agreed to help prevent sprawl by designing compact communities and absorbing their fair share of growth efficiently.

The *Metro Council* adopted the final *Region 2040 Framework Plan* on December 11, 1997. The 2040 Framework Plan brings together contents of previous regional policies such as the *Future Vision*, the *Regional Urban Growth Goals and Objectives*, the 2040 *Growth Concept* and the *Urban Growth Management Functional Plan* (2040 Framework, Fall 1997, 3). Intended to help coordinate a consistent approach to issues of regional significance, the Framework Plan provides set of priorities, performance measures, and recommendations for local governments to use. It also adds new policies on affordable housing, schools, environmental education and water quality and supply.

**Some Comments on the 2040 Framework Plan**

The 2040 Framework Plan represents a new, strengthened role for *Metro* in shaping regional growth. By planning for a 50-year period and permanently protecting prime open spaces, Region 2040 is addressing two of Nelson and Moore’s concerns regarding the long-term viability of the UGB. First, longer range planning should make accommodations for future needs for developable lands. Second, protecting some areas outside the UGB permanently will at least for the next 50 years prevent expansion of the low-density residential ring developing around the UGB (Nelson and Moore, 300).
Critics of the plan argue that proposed densities are unworkable and undesirable in terms of the quality of life of residents (Oliver). One newspaper article cited a developer and plan opponent who claims that much of the land that Metro is counting as buildable within the UGB and appropriate for high densities is actually on slopes which would prevent those densities from being achieved. One might question whether the political will exists to back density goals, given the fact that the Portland area had not achieved its density goals for its last plan as of 1992 (Easley, 18). Failure to do so might entail future unplanned UGB expansions, as well as greater difficulty in achieving the compact urban form called for by Region 2040, weakening its legitimacy as a guiding document.

- **Local Land Use Planning**

In this section, the role of local governments as the implementers of state growth management policies will be discussed. Both municipalities and counties create local land use plans in Oregon. Counties plan for urbanized areas that are not part of incorporated cities. Counties are also responsible for seeing to it that the land use and service plans for the jurisdictions and service areas within their jurisdiction are coordinated (Howe 1993, 62).

*Local Land Use Planning Requirements*

As discussed above, each city is required to draft a comprehensive plan and to have it approved by LCDC. Each must also create a UGB with enough land for the next 20 years of growth. Within UGBs, undeveloped and agricultural land inside the boundary is designated as “urbanizable” (Howe 1993, 64). Comprehensive plans must include measures to control the process of parcelization of this land in order to enable efficient infrastructure provision. Each city and the county that surrounds it must coordinate planning for unincorporated areas inside the UGB (in Portland, Metro governs the UGB).

Outside the UGB, the two primary zoning districts are Exclusive Farm Use (EFU) and Forest Land (Howe 1993, 64). Counties must consider for EFU zoning all lands designated by the Soil Conservation Service as prime for that purpose as well as land that has available irrigation water, is suitability for grazing or is part of an existing farm unit. Forest Land zoning is used to protect all forested land and also to protect areas with soil, air, water and fish resources. Areas adjacent to forests that are necessary for forest operations are also designated as Forest Land. Uses permitted in EFU or Forest Land must support resource management. Dwellings not related to those functions are allowed as a conditional use and are subject to extra impact restrictions.

After EFU and Forest Land areas have been designated, counties can set aside Exception Land (Howe 1993, 64). Exception zones are areas where agriculture and forest activities are not viable or appropriate. In these
areas, urban development is permitted. Counties must justify why land is not appropriate for forest or agricultural use. They can justify Exception Land designation if existing uses on the site or adjacent to it preclude agricultural or forest activities, or if there are other reasons the resource protection goals should not apply. The purpose of the Exception Land designation is to accommodate needed development in rural areas.

The Land Approval Process

Administrative rules detail the process for local review of proposals (Howe 1993, 68). Public input is built in, but the public cannot control the process because all decisions are based on findings of fact. Local governments are required to take action within four months. The emphasis on precise standards and procedures means greater certainty for developers. Howe suggests that these features may have increased Oregon’s attractiveness for industrial and economic development. The emphasis on precise standards and fact-based decisions also seems to reduce the number of appeals (about 1 percent of appealable decisions are appealed).

Local Government Initiative within a State Framework

Local governments must meet the minimum requirement of compliance with state goals, locate development within UGBs and follow procedural requirements. Cities and counties in the Portland region have additional requirements from Metro, such as setting minimum density standards residential zones (Metro website). However, within that framework they still have considerable discretion in formulating policy.

For example, the City of Portland has engaged in local policy entrepreneurship for promoting economic growth. An industrial sanctuary policy creates a zoning overlay district protecting inner city manufacturing and warehousing from incompatible uses like big box retail, thus supporting those uses in remaining in the center city (Abbott, 17). Tax Increment Financing (TIF) has been the primary financing mechanism for redevelopment in Portland and has resulted in “an onslaught of new development” (Nelson and Duncan, 130). Thus, top down techniques such as required state goals, performance standards are balanced by the fact that initiative for development comes from local governments and the private sector, a bottom up orientation.

The City of Portland has also taken steps to promote higher densities, while encouraging developers to provide public amenities. Density bonuses, for the area described by Portland’s Central City Plan, 1988, are available for developers who provide public amenities including daycare, retail, public art, rooftop gardens, theaters, water features and residential units in mixed use projects (Lassar, 20). Thus, Portland employs a balance of regulating and incentive tools.
• Positive Results and Ongoing Challenges

This section will broadly outline the state’s goals for transportation, economic development, the environment, housing and urban form. In Oregon’s comprehensive system, these sectors are closely linked to spatial planning. Then the on-the-ground results of Oregon’s planning system will be discussed for the Portland region. Focus is on this region because of its relative importance in terms of population, because it has been on the cutting edge of state planning and, finally, because there is less data available for other areas.

Transportation Planning in Oregon

Oregon’s Goal 12 aims to provide a “safe, convenient and economic transportation system,” and instructs communities to address the needs of the “transportation disengaged” (LCDC website). LCDC requires that local jurisdictions make transportation plans that will accomplish a 20 percent reduction in vehicle miles traveled (VMT) per capita over next 20 years (Abbott, 30). Abbott states that, “it makes local land use planners and the Oregon Department of Transportation into allies while the federal Intermodal Surface Transportation Enhancement Act is forcing highway builders to rethink their jobs”. This represents a major reversal of the long-standing national emphasis on car mobility. As part of its comprehensive approach, Oregon has created a clear link between transportation and land use planning and is placing emphasis on getting people out of their cars.

Transportation Planning in Portland

Starting in the early 1970s, Portland has taken decisive steps toward a less auto-oriented transportation network. Portland built a downtown transit mall, removed a waterfront auto expressway and established Tri-Met, the transit agency that today operates the city’s light rail system—MAX (Abbott, 26). The MAX light-rail network began with an east-side line in 1986. Since, a west-side extension is under construction and a north-south line is in planning stage. Statewide, voters approved funding for the first two projects. However, state voters rejected a state contribution to the north-south line. Meanwhile, MAX has spawned a corridor of economic development along its existing lines (stores reported 20 to 50 percent increases in sales in MAX’s first year) (Leo, 9). From 1990-96, transit ridership increased by 24 percent to 50 million rides per year (Framework 2040 Fall 1997, 11). However, auto usage also increased during that time. Because of national trends toward de-centralization and auto dependence, meeting the state’s transportation goal of 20 percent less VMT in 20 years may prove to be infeasible.

Oregon’s Economic Development

Oregon’s growth management system is not antigrowth (Leo, 6). Rather, it seeks to promote development by maintaining an attractive environment—to manage growth in order to promote it. This is a key part of
Oregon’s comprehensive approach. In fact, Leo argues that economic development is the chief aim of the core coalition controlling the growth management regime in Portland. Oregon’s Goal 9 calls for economic diversification and improvement (LCDC website). Further, it asks communities to take inventory of commercial and industrial land, project future needs for such lands, and plan and zone enough land to meet those needs. The fact that a primary source of support for growth management has from the beginning been the business community supports the view that Oregon’s system is receptive to growth.

Economy of the Portland Area

By most indications, downtown Portland is doing quite well, especially when compared to other large cities. According to Abbott, central Portland has retained its economic and institutional dominance within the region (Abbott, 13). Central Portland’s office core has increased job totals and upgraded average job quality over the past 20 years. The central district also has an unusually high share of office space within region—in 1989 the center had 66 percent of class A space, while the average downtown share for all large markets is 40 percent. Downtown’s share of retail sales is decreasing, but remaining strong overall as it shifts toward an increasingly upscale orientation. The vacancy rate for retail space was four percent in 1995. Finally, the number of jobs in the core census tracts is increasing. In 1994 alone, major employment centers within two miles of downtown added 100,000 new jobs (Nelson and Duncan, 130). On the other hand, Leo argues that high housing costs downtown and the predominance of suburban sprawl have meant that inner-city streets are largely empty well before midnight (Leo, 4).

Unlike many U.S. cities, Portland does not have a “dead zone” of declined industrial and residential areas surrounding its downtown (Abbott, 16). Rather than the typical American pattern in which older central neighborhoods either gentrify or are abandoned, Portland has seen little gentrification or abandonment, but instead steadier and more gradual reinvestment. Downtown is bordered by a number of viable residential areas of a variety of incomes, including upper income areas. Middle ring streetcar suburbs continue to support unusually strong neighborhood business districts and good public schools, and there is no evidence of flight from these areas to private or suburban school districts (Abbott, 17). It should be noted that race plays a relatively minor role in Portland, which is one of the whitest large cities in the U.S. (minorities comprised 7.8 percent in the core counties of Multnomah, Washington, and Clackamas in 1980 and 11.4 percent in 1990) (Abbott, 19). In contrast to other cities, white flight has not been a cause of a shift toward suburban housing (Abbott, 26). Outer ring suburbs have 65 percent of the population of the primary MSA and 45 percent of MSA jobs. However, they do not rival downtown in terms of providing concentrated job or activity centers (Abbott, 18).
Environmental Planning in Oregon

From the beginning, Oregon emphasized environmental protection as part of its comprehensive state planning. Oregon’s state goals place a heavy emphasis on preserving environmental quality and protecting sensitive and scenic areas. These goals require that pertinent areas be inventoried, that attempts be made to preserve sensitive or scenic areas, and that plans be developed or zoning put into place to address needs for environmental protection and maintenance of open space or recreation areas.

The Environment in the Portland Area

*Metro* is active in planning for the protection of environmentally sensitive areas within the UGB (Stephenson, 14). In 1992, *Metro* made a *Greenspaces Master Plan* for a cooperative regional system of parks, natural areas, open space, trails and greenways (2040 Framework, Fall 1996/Winter 1997, 4). Although a 1992 referendum for $200 million for parklands site acquisition failed, voters in 1995 gave *Metro* a $136 million bond issue to acquire parklands (Abbott, 34). Despite acquisition programs, however, open space sites are being lost at an unprecedented rate (Stephenson, 12). Planning to protect sensitive areas has not always been effective. For example, *Region 2040* designated 16,000 acres of environmentally sensitive land as unbuildable. However, *Metro* did not adopt regulatory provisions to protect wetlands until June of 1998. Since 1990, 1,100 housing units were constructed on floodplains within the UGB.

Housing Planning in Oregon

The 1980s saw a decline in federal spending on affordable housing, though housing problems persisted (Connerly, 185). This shifted the arena for public housing to the state and local levels. Under Oregon’s *Goal 10*, each city is required to “plan for and accommodate needed housing, to inventory buildable residential lands and to zone enough land to meet those needs” (LCDC website). State planning requirements also prohibit localities from excluding any needed housing type. Coupled with UGBs, *Goal 10* mandates that each community take on a “fair share” of each type of housing unit (Abbott, 29). The phrase “needed units” in LCDC’s regulations explicitly includes government-assisted housing, attached and detached single-family units, multi-family units, manufactured homes, and owned and rental property (Leo, 6).

Promoting high-density housing is one of the most politically difficult goals of a growth management system (Leo, 6). Current residents frequently fear density and react in NIMBY fashion. Also, critics argue that growth management systems, inasmuch as they limit land supply, drive up the cost of housing. Finally, as noted above, critics of compact urban form policies frequently argue that housing consumers do not desire to live in high-density neighborhoods (developer perceptions of market preferences are one reason density goals in the Portland area have not been met). On the other hand, Leo argues that including provisions to maintain a supply of affordable housing is crucial to maintenance of political support for the growth management system.
The system facilitates this by providing local planners with backup from LCDC on approving politically unpopular higher density projects.

**Housing in the Portland Region**

*Metro* and local governments have taken steps toward promoting housing affordability and maintaining a variety of housing choices. These include supporting community development corporations; provisions that allow accessory units to be built in single-family residential zones; community development block grants; and density increases (Metro Housing Needs Analysis Final Draft, 1997). Despite these efforts, affordability continues to be a major issue in the Portland area. Though housing costs are still below most other large West Coast cities, Abbott asserts that there is a “serious shortage of affordable housing” in Portland (Abbott, 34). In constant dollars, median sale price of a single-family house in the Portland area increased by 50 percent from 1988 to 1995. Less fashionable areas are rapidly closing the price gap with areas that have historically been more expensive.

Affordability will increasingly be an issue in Portland, given that real annual income per worker has not recovered from mid-1980s lows (Abbott, 13). By 1995, the availability of affordable housing was compounded by a 2.5 percent annual increase in population (Metro Housing Needs Analysis Final Draft, 1997). During the period from 1990 to 1995, the region experienced an annual increase in real housing prices close to 10 percent per year. *Metro* asserts that those facing the most severe cost burdens are low-income groups (Metro Housing Needs Analysis Final Draft, 1997). The Portland region has clearly made the connection between land use patterns, density and affordability. However, that approach probably not sufficient to ensure that low-income groups have adequate housing. An increase in means tested subsidies could be put in place to fill the gap.

**Urban Form that complies with State Goals**

Oregon’s growth management system is generally credited with shaping urban form, containing development and preserving prime farm and forest land (Weitz, 64). More than 90 percent of new residents between 1980 and 1989 located inside UGBs. Still, there are significant problems, including the low-density ring near the UGB and the failure to achieve target densities inside the UGB. Also, the Portland region may be losing its safety valve—Clark County, Washington has been the fastest-growing segment of the Portland metro area (Abbott, 37). Now Washington state’s *Growth Management Act*, passed in 1990, will begin limiting development in Clark County, with unknown effects on the Portland area.

Weitz and Moore discuss the need for methods to assess the success of growth management (Weitz, 64). Oregon’s goals are relatively silent on what should happen inside UGBs. *Goal 14* specifies that UGBs should be located based on the “maximum efficiency of land use”. What defines efficiency in this case is not
specifically stated. Furthermore, the absence of a database on land use patterns and changes makes assessing the system’s results difficult.

Because planners and policy-makers perceived that UGBs were not achieving optimum performance, Oregon’s Department of Transportation and DLCD created the Transportation and Growth Management (TGM) program in 1993 to identify ways to improve growth management. TGM sponsored a study that looked at residential development over a five-year period (1990-1995) in three UGBs. Though Oregon’s goals do not explicitly call for contiguous development, Weitz and Moore suggest that contiguity of new developments to existing ones is implied by several state goals. Building on the TGM study, Weitz and Moore created a rating system for urban form, rating development that takes place inside urban cores as most desirable and development not contiguous or within one quarter mile of existing development as least desirable. Their assessment found that recent development inside three Oregon UGBs has tended to be contiguous to the urban core rather than dispersed, though they note that there is considerable room for improvement. Perhaps addition of new growth management tools, being explored by TGM, will help to improve growth management performance. Still, until some methodology for measuring the effectiveness of growth management techniques in employed, it will be difficult to identify new policies to address the system’s current shortcomings.

- **Summary**

Oregon’s growth management program has made major strides toward achievement of its goals relating to land use planning. Oregon has been successful at diffusing state policies to the local level (Howe 1993, 65). State involvement in approving local plans has caused locals to draw tighter UGBs than they would have, to designate less exception land, to allow for higher densities and more diverse housing stock, and to increase the amount of land zoned for industry. Unfortunately, the system suffers from a lack of hard data on its results. However, it is clear that in each sector, there is room for considerable improvement. Though Oregon is outperforming other states, and is ahead of where it would be without growth management, it has only been able to slow trends toward urban sprawl and car mobility. The 2040 Framework Plan process has taken positive steps toward concentrating power at the regional level. However, in the Portland area and throughout the state, there may be a need for strengthened planning power and new policy tools that can be used to work toward goal achievement.
III. Improving Oregon’s Growth Management Program

This section will summarize some of the challenges and shortcomings of Oregon’s planning system. Then it will discuss the balance Oregon strikes between top down and bottom up planning.

• Criticisms of Oregon’s Approach

Lack of Data

The lack of hard data places a significant limitation on scholars’ ability to discuss Oregon’s growth management system (Howe 1994, 275). Oregon’s lack of a database on land use patterns and changes is one of the greatest shortcomings of the system. Howe proposes a research agenda consisting of monitoring, evaluation, applied research and visionary research. Some steps have been taken by DLCD toward formulating a research agenda, but it is uncertain whether sufficient support will be forthcoming from the legislature. The following sections will discuss the issues of Oregon’s approach and policy implementation, but the reader should keep in mind that more research is needed before final conclusions can be reached.

Implementation Problems

Implementation in Oregon has been “a fascinating story of conflict, negotiation and compromise” (Howe 1993, 65). Interest groups have played big role in defining policy implications and marshalling support (particularly, 1000 Friends of Oregon). There are many examples of uneven local plan enforcement. 1000 Friends serves to mitigate this with their willingness to take action, and other new organizations are forming to ensure the process works, (e.g. the Urban Land Use Council of Oregon has been formed to promote development inside UGBs).

Protecting Farm and Forest Lands

Howe argues that based on what data is available, farmland protection policies appear to have been largely successful (Howe 1993, 68). Evidence supporting this view is that land values in rural areas tend to reflect agricultural, not development prices. However, a recent study attempting to determine if Oregon’s land use planning system was effective in protecting farms and open space from converting to other uses produced uncertain results (Kline, 12). The study looked at conversion of private-owned forest and farmland to developed uses. It showed that the likelihood of plots being developed within UGBs in western Oregon increased following adoption of mandated land use plans. This result is positive, since part of the purpose of UGBs is to concentrate development inside their boundaries. However, the likelihood that land will be developed outside of UGBs has in fact remained the same as before growth management was in place. This could imply that the program has not succeeded in slowing rural development. However, these results are not
conclusive, since they could be reflecting the fact that land close to urban areas has always been more likely to develop, and that there were therefore not enough instances of development in rural areas prior to land use planning to detect a statistically significant difference (Kline, 13). It remains uncertain whether growth management has been effective in protecting rural areas.

In any case, there is room for improvement. Between 1985-89, 5 percent of development in Portland area was outside UGB, and in three other metro areas exurban development ranged from 24 percent to 57 percent. LCDC has responded to these concerns by requiring local governments and Metro to designate urban reserve area that will be incorporated into UGB within 50 years. These areas come with rules guiding parcelization of land, intended to prevent obstacles to future expansion.

Meeting Density Goals in the Portland Area

As discussed in Section II, density targets have not been reached in the Portland area (according to one study, actual densities ranged between 33 percent and 75 percent of allowed densities) (Howe 1993, 70). This failure led to discussion of minimum densities for the Portland area, which have been incorporated into the 2040 Framework Plan. However, there are no minimum density requirements outside of the Portland area. Though sufficient data is not available, it seems likely that other rapidly growing Oregon cities (e.g., Eugene, Bend) are having similar difficulties in increasing density.

Missing Tools

Along with required local plans, UGBs are the mainstay of Oregon’s controls on land development and the key tool used to prevent urban sprawl. However, though UGBs define the border between urban and rural land, they do little to influence the shape or location of development within their boundaries. Easley argues that by themselves UGBs do not achieve most of the goals of the Oregon growth management program (Easley, 2). Because UGBs place limits on the supply of developable land, UGB success depends on achieving minimum densities (Easley, 14). Indeed, failure to reach target densities in the Portland area created the need for the region’s late 1990s UGB expansions. This points to a need for enactment of other, related policies to direct the density and type of development within the boundary. As Weitz and Moore argue (above), achievement of several of Oregon’s goals will depend largely on contiguity of new development. The 2040 Framework Plan incorporates this concept by placing emphasis on growth centers and corridors. However, this is a new role for Metro and the results are not yet known. The power to enforce its regional growth plans is new. Metro may need new tools and additional capacity to handle this responsibility. Furthermore, in the rest of the state there is a continuing lack of tools to promote contiguity.
Inadequate Support

The ability of LCDC, Metro and other growth management agencies is limited by their budgets. Budgets, in turn, are subject to fluctuations as a result of political shifts, economic changes or (in the case of Metro) “no” votes on bond referendums. An unreliable and insufficient funding stream is a major obstacle to monitoring and enforcing even the existing system, let alone any expansion, addition of new approaches or research efforts. LCDC receives state funding, but has historically been inadequately funded and understaffed (Nelson and Duncan, 23). According to Nelson and Duncan, the result has been slow progress on goal attainment. For example, the process of reviewing and acknowledging local plans proved to be more onerous and took longer than had been anticipated (Howe 1993, 66). Again, not enough resources were allocated for the job, prompting suggestions that the system be reviewed.

Vertically integrated?

As discussed in Section II, Oregon’s system is predicated on strong vertical integration between state agencies and local governments. However, Armstrong and Jacobs caution that there are spots in the system that are vulnerable to inefficient relations between governmental institutions (Armstrong, 7). The most vulnerable areas are those where the relationship between the state and local governments have become adversarial, such as in rural development regulations. In such areas, consensus-building techniques might produce better results.

Legalistic Approach

Since 1973, the goal-setting process has largely occurred at the state level in a relatively top down fashion. This is a departure from practice prior to 1973, when local governments had wider discretion in setting goals. Now, though local governments can go beyond state goals, the emphasis is on demonstrating compliance (Howe 1993, 66). The main avenue for resolving disputes is appeal to LUBA and the courts. This has led to a pattern of court cases to set precedents and an emphasis on compliance. Howe reports that some people complain that planning is becoming too legalistic—the province of lawyers, not planners. This is a result of moving to a top down orientation in which enforcement from above is a possibility.

Anti-rural Bias

Rural politicians and residents criticize Oregon’s growth management system for a supposed bias against rural living (Howe 1993, 68). The system is predicated on an untested bias that rural development will harm resource management. Exception lands are meant to accommodate rural development, but designation of exception areas is based purely on the presence of previous development, not taking into account other factors
that affect suitability. As is the case with criticisms of the system’s legalistic approach, the perceived anti–
rural bias is part of the “growing pains” of developing a more top down system.

- **A Top Down Planning System, with a Strong Bottom Up Emphasis**

  **Balancing Market and Planning Considerations**

  As discussed above, the Oregon system does not seek to limit or prevent growth, but to guide it. UGBs are predicated this concept. The legislature’s concern about placing too much pressure on the private sector, which would then be passed on to consumers, led to the requirement that UGBs encompass enough land for the next 20 years of growth. Easley argues that for UGBs to be successful, they require that a sufficient market factor be built in (market factor is a term describing the amount of land within the boundary that is available for future development). If the market factor is not sufficient, developers, businesses and housing consumers may suffer the effects of increasing prices or scarcity of land, and the growth boundary could be threatened (Easley, 10). Therefore, the success of planning efforts depends on finding the proper balance between top down control and bottom up market initiative.

  Councilor Don Morissette (Metro District 2) articulates this logic: “While the UGB is easy to defend politically, there are tradeoffs to this popular but narrow approach. I fear that land and housing costs will be driven up, hurting people economically and promoting a new kind of sprawl by increasing long-distance commutes from surrounding areas” (2040 Framework, Fall 1996/Winter 1997, 14). The concern that government interventionist policies can have unintended consequences is characteristic of Oregon and the U.S. as a whole. One commonly cited negative consequence is an alleged exclusionary element to UGBs. Lang and Hornburg argue that Portland’s growth management system primarily benefits property owners by increasing the value of their investment (Lang, 8). They liken the Portland system to a “giant homeowners’ association” with a UGB serving the function that a wall around a subdivision would serve—to keep out people with lower incomes. This logic can pit affordability advocates (and advocates of other social issues) against the growth management system and can lead to a watering down of land use regulations. Oregon has taken steps to incorporate equity concerns into the state system, notably through housing policies.

  Conducting a balancing act between various sectors is necessary. Still, it can be argued that pitting various sectoral claims against each other prevents the formulation of strong substantive goals, fosters reluctance to depart from the status quo and narrows the range of policy choices available. Because state goals are only a framework, local communities need to engage in normative discussions of how they want to grow. This logic suggests a need for stronger planning. Taking the example of the Portland region, Lang and Hornburg point out that increases in land costs (caused by land regulations) will not have a negative impact on housing costs as long as builders can compensate with smaller lots and denser housing. However, there is some limit to how
much density is desirable. Therefore, they argue that Portland needs to decide what its ideal density should be, then plan UGB extensions at that density (Lang, 8). This would suggest a well-supported, comprehensive planning process for the Portland area and a willingness to make binding plans (much like the 2040 Framework Plan process). Placing too much emphasis on accommodating the private sector precludes usage of strong planning tools that could prove to be effective, when used in combination with correspondingly strong tools to mitigate potential unintended consequences (e.g., stronger housing policies for low income people). The question then becomes one of political feasibility—will citizens support a strengthened planning process? This issue is discussed below.

Is Planning People Led, or Expert Led?

Oregon’s Goal 1 is “To ensure the opportunity for citizens to be involved in all phases of the planning process” (Howe 1993, 64). This emphasis on citizen participation is highly visible in the Oregon system. Oregon’s growth management system has been legitimized by voter support several times, as has Metro. Metro is highly oriented toward following citizen leadership. From its creation in 1978, Metro has been delegated its power directly from the citizenry. When Metro assumed home rule powers in 1992 and adopted a charter to undertake the Region 2040 process, it was, again, instructed to do so by the region’s voters (Metro Facts, Fall 1998). The process started with an intensive effort “aimed at getting answers to some basic livability questions from the people of the region”. With language that connotes the relationship between a firm and its clients, Metro refers to a “dual consumer demand for using land efficiently and creating “good density” through innovative, quality design”. Metro also answers to the region’s 27 local governments. This orientation to planning agencies as public servants implementing the will of the people is indicative of a system that is highly bottom up and people led, rather than expert led.

Public Support for Growth Management

Lang and Hornburg argue that the system accrues additional support as a result of its own momentum—when people live in higher density neighborhoods, they take a greater stake in transit systems and other community infrastructure, whereas in other cities the city-suburb divide means support is divided as well (Lang, 8). “Portland’s UGB is one means to ensure that even the edge of the region still looks, feels, and correspondingly, thinks like the center” (Lang, 8). According to this logic, as long as voters and politicians are happy with its results, growth management institutions will continue to receive support. The problem is, this also leaves little insulation for the planning system from shifting political movements. Dependant as it is on legitimization from the public and approval of bond measures, the growth management institution must employ a cautious approach and may be subject to erosion of the strength of its policies. On the other hand, it may mean that Oregon planning agencies are in better touch with the wishes of citizens.
Each session sees a number of bills targeting growth management. The current state legislature is particularly aggressive, with several bills designed to weaken measures and place more emphasis on property rights (Robertson, 1). Robert Liberty, Director of 1000 Friends of Oregon described the last legislative session as the worst in the last 30 years. Proponents of these measures see them as eliminating red tape or rectifying inequities for landowners. “Why so many bills? It is an awareness that’s growing in our state about the inability of property owners to use their property,” said Sen. Veral Tarno (Robertson, 2). Oregon growth management does benefit from strong public support, making it unlikely to be defeated directly. However, it stands at risk of being watered down.

Voters have also directly denied support to some growth management policies through bond referendums (Abbott, 26). Abbott speculates that the recent statewide “no” vote on light-rail could signal “the first fracture in the city-suburb coalition, fallout from political infighting in Clackamas County, general anti-spending sentiment, downstate response to environmentally oriented ballot measures that could be seen as anti-rural—or all of the above” (Abbott, 26). This may be a time when proponents of growth management need to be especially vigilant and active in both public education and defense of the system’s achievements. Such dangers are indicative of the fragility of the system.

Abbott warns that unheeded voices can be the beginnings of movements that can eventually become powerful (Abbott, 37). The Portland style of consensual decision-making leaves little room for dissent on basic values. Already, most elections pit outer neighborhood “antitax populists” against central neighborhood “quality of life liberals” (Abbott, 37). “The most likely counter coalition [opposing growth management] would combine antitax populists with local activists mobilized to defend moderate-income neighborhoods against higher densities and social changes” (O’Toole cited in Abbott, 38). Examples of the seeds of such coalitions can be found—Forbes reports that leaders of the Multnomah Village neighborhood have organized against what they say is a city attempt to increase density by 20 percent—a policy in line with Metro’s Region 2040 plan (Ferguson, 5).

According to Leo, resistance to growth management tends to come from two groups who think growth and other goals are mutually exclusive (Leo, 18). One group is the advocates of low-income neighborhoods subject to pressure from rising costs (an example is Portland Organizing Project), who have largely been pushed to the sidelines in Portland. The other group is property rights advocates (Oregonians In Action frequently speaks for this group) who pursue landowner compensation for restrictions on land usage. Though the two groups have drastically different political outlooks, both work outside the coalition system to pursue their goals. Ironically, both groups could effectively weaken growth management by pursuing their own disparate goals.
• Conclusion

This section will briefly sketch current shifts in the distribution of decision-making authority between the tiers of government and between government and the private sector. Figure 6 provides a sketch view of the current distribution of power among the main governmental actors and the private sector in the Portland metropolitan area.

FIGURE 6: Oregon--Decision-making Authority for Land Development

<table>
<thead>
<tr>
<th>Least Emphasis</th>
<th>Most Emphasis</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
</tr>
<tr>
<td>Metro</td>
<td></td>
</tr>
<tr>
<td>Local</td>
<td></td>
</tr>
<tr>
<td>Private Sector</td>
<td></td>
</tr>
</tbody>
</table>

The national level is only indirectly involved in land use planning. Therefore, they have little power to direct it (however, many national policies have a strong connection with land use patterns).

The position of the state government for planning appears to have remained fairly stable over the course of the 1990s. The state creates a loose framework for growth, leaving the specifics to local governments. It also monitors and occasionally takes enforcement action.

Metro’s position has been strengthened during the course of the 1990s. The 2040 Framework Plan and Metro’s home rule charter represent steps toward a strengthened position for planning in the Portland area.

In the Portland region, local governments have given up a share of autonomy to Metro. They now are required to comply not only with state goals, but also with the regional plan.

Finally, it could be argued that the private sector has given up a share of autonomy. Development is now subject to additional control as a result of coordinated government policies in the Portland region. However, the private sector still occupies a leading position in formulating growth management policies. Also, it could
be argued that regional cooperation would benefit the private sector by further streamlining the development approval process.

The process is characterized by negotiation, coalition building and finding a package of policies that can strike a balance between the various goals of the state. The last decade saw a reassessment of planning in the Portland area. Rather than renouncing the planning system, policy-makers responded by strengthening regional planning powers. Though the changes to Metro’s mission and powers were significant, the process has been characterized by gradual evolution. Now, Metro is in a position to try out its increased authority and to explore the option of incorporating new tools into it approach. However, given the citizen-led nature of Oregon and Portland planning, Metro will have to tread lightly, careful not to overstep what the public sees as its bounds.
CHAPTER 3: Theoretical Comparison and Opportunities for Learning

Introduction

This exploration of two very different planning systems has revealed some common issues. To start, both have “successful” interventionist governments. Next, both systems share some common problems, such as an implementation gap. Finally, both wrestle with common theoretical issues. This chapter will review the key commonalities between the two systems, including shared challenges, then discuss both in terms of several theoretical issues. Finally, the paper will conclude with an attempt to make recommendations for both systems. In fact, the realm for mutual learning is vast and could take any number of forms. Therefore, the recommendations are intended to create a groundwork for future exchanges.
I. Some Common Features

• General International Trends

Political shifts in the last two decades have followed similar patterns in both countries. In the Netherlands, the emphasis since the mid-1980s has been on decentralization, liberalization and deregulation of the spatial planning, environmental and housing sectors. Though the central government has maintained a strong role, the regional and local levels are increasingly responsible for formulating policy. In the U.S., the 1980s saw a decline in federal spending on affordable housing (Connerly, 185) and declining funding for substate regional agencies (DeGrove and Metzer, 9). The tax revolt of the early 1990s reduced property tax revenues (Nicholas, 200). National level intervention has continued to be considered undesirable in the U.S. Paralleling the trend in Netherlands, emphasis is placed on local and state policy-making. In both places, the late 1980s and the 1990s have been somewhat turbulent for planning issues. In the Netherlands, planning underwent considerable reforms. In Oregon, while voters approved stronger powers for *Metro*, the legislature has tended to take an anti-planning stance.

• Similar Governmental Structure for Planning

The two systems are structured in a similar fashion. Both systems employ a system of interlinked governmental bodies in which the higher levels create a policy framework and monitor policy implementation by the levels below. Figure 4 (on page 33) depicts the mutually dependent relationships between all the actors that impact on the built environment. A similar diagram could also be made for Oregon. The differences would be the relative size and importance of the various levels. The primary difference would be that in Oregon, the private sector has a larger role than in the Netherlands.

• The Implementation Gap

There is a parallel between Oregon’s *Region 2040* planning process and the Netherlands’ *Vinex*. Both plans were formulated because policy-makers perceived that prior practices were failing to meet goals. This perception prompted the shifts in both places that moved the two systems closer together in terms of government control. Both perceived that there was an implementation gap, but they reacted in very different ways. The Netherlands concluded that there was too much government control, while Oregon concluded that there was not enough.

Chapters 1 and 2 discussed the perceived gap between planning and implementation. In Oregon, density targets were not reached, sprawl-type development was seen within Portland’s UGB and growth still occurred outside the UGB. In the Netherlands, despite a strong effort by the national planning agency, growth has not
stopped in restricted areas such as the Green Heart. Also, the ABC Location policy failed to produce a high level of compliance. Though the situation would undoubtedly have been worse without the planning controls, substantive goal achievement in both countries has been less than ideal.

It should be noted that it may be unfair to judge the success of each system by its own goals. First, there is a lack of data about the results of the Oregon program. Second, Dutch goals are probably more ambitious than Oregon’s. Leaving aside the many indicators of the success of the Dutch system (see Chapter 1), a visit to any Dutch city will demonstrate that planning indeed has a strong impact. The criticisms leveled at planning performance are simply judging each system by its own standards. Oregon may be doing as much as is politically feasible, but clearly the standards in the Netherlands are higher. Because the focus here is not to explore goal attainment itself but rather the systemic responses to perceived problems, this discussion will proceed under the assumption that each place should be judged by its own standards (further comparative research into the validity and scope of goal-setting itself would be valuable).

Both systems have already attempted to address the implementation gap through reform of their approaches. Interestingly, they both changed the amount, and redistributed, government control over development. In Oregon, policy-makers perceived that controls were not strong or coordinated enough, and chose to concentrate authority at the regional level. In the Netherlands, policy-makers perceived that controls were too strong, limiting market and local government freedom, and chose to reduce controls and deconcentrate authority. We return here to the original premise of this paper—that these two systems are moving closer together, but from opposite directions. Now we come to a central question—will the changes both systems are making hit the target—the implementation gap?

It has now been seven or eight years since the advent of Vinex and the adoption of home rule by Metro (but only three since Metro’s 2040 Framework Plan was adopted). In the Netherlands, Voogd reports that these reforms were not very successful at addressing the problems targeted, and in Oregon the results of the reforms of the 1990s are not yet known. However, we can speculate that Metro will not be completely successful in leading the Portland area upstream against national trends toward deconcentration and car mobility. The implementation gap is proving to be a formidable foe. What type of change, if any, would be needed to address the alleged implementation gap? Is there a real problem? The answer may be both yes and no.

Ways of Judging Planning Success

Voogd argues that there are two ways to evaluate the success of planning efforts. The traditional one is to see if substantive targets were reached (Vinex was largely unsuccessful in these terms) (Voogd 2000, 20). The second is to judge the plan’s effectiveness in terms of influencing political behavior (a similar concept to plan performance as discussed by Faludi and Van der Valk, 1994). This he refers to
as “the performance” of a plan. By these terms, Voogd argues that Vinex was very successful as a marketing tool of ideas. The same can be said of Oregon’s planning efforts, which have undoubtedly done a great deal in influencing political behavior. In these terms, Oregon’s state planning system and Metro’s Region 2040 planning process have probably performed well.

Mastop offers another way to think about the implementation gap. He suggests the possibility that a lot of “implementation” could take place without or alongside planning and policy-making (Mastop, 809). Thus, planning does not have to control everything in order to be successful (as Voogd argues, it may be successful in other ways). In fact, Mastop disputes that the performance of Dutch spatial planning up to the 1980s was really poor (this logic could be extended to Vinex’s performance as well). Despite criticisms, the basic planning approach was reaffirmed in the 1985 revisions (ibid., 813). The change was in terms of style (the system became more liberal, selective, communicative, adaptive and intercorporative). In a broad view, the system has been “quite robust and at the same time flexible”. This offers strong evidence that in 1985 and subsequently the majority of Dutch policy-makers did not believe that the implementation gap was indicative of a fundamental failure of the system.

This logic may or may not apply to the same extent to Oregon. Because of lack of data, it is not clear how well Oregon and Metro have performed. However, the same logic would probably be a valid defense of the system even in the case that substantive goals were not being reached. Voogd and Mastop’s arguments (as well as Faludi and Van der Valk’s discussion below) identify planning not as a blueprint, but as a method of framing decisions. Thus, plan performance can be judged based on the plan’s success in informing the decision-making process, not solely on substantive goal attainment.

These arguments on the one hand suggest that planning has value in terms other than achievement of substantive goals, and on the other question whether the gap is as bad as feared. However, this issue cannot be entirely sidestepped in either of these ways. Though plans can have value as framing devices for decision-making and “implementation” can take place in ways other than through formal planning, there is clearly still a need for the traditional approach to plan assessment in terms of substantive goal attainment. One underlying question in the following section on planning models will be whether something can be learned that could help to address this concern.
II. Planning Approaches

In this section, Oregon and the Netherlands will be compared in terms of various types of planning approaches. These approaches are each central to the differences between Oregon and the Netherlands, and offer opportunities for them to learn from each other. In the conclusion, some suggestions will be offered for both systems.

• Market Orientation

Limitations Planning Places on the Free Market

A fundamental criticism of Vinex is that its policies are too limiting on the freedom of choice for local governments, firms and consumers (Huis in’t Veld). This argument applies to government land intervention in general, and was leveled against previous Dutch growth strategies as well. The Fourth Report and Vinex took steps to incorporate a “more selective market-oriented approach” (Mastop, 807). However, Vinex is still criticized from the perspective of local government and the private sector for not allowing enough flexibility. The argument that the Dutch economy is being drastically undercut is belied by the long history of strong government, necessitated by the land and water, and by the current strength of the Dutch economy (the Netherlands is a wealthy nation and the world’s third largest exporter). Nonetheless, current trends are toward allowing the private sector a freer hand.

Detractors of Oregonian planning use the same criticisms. Nivola points out that by concentrating growth, planners in Oregon will inevitably drive up the cost of land (Nivola, 61). This, he argues, has already begun to discourage business investment in the state. However, Beatley argues that dense, compact cities may actually enhance a city’s competitiveness (Beatley, 31). Oregon has been able to harness the support of key private sector actors. For its part, the Home Builders Association of Metropolitan Portland has been a strong supporter of growth management (Leo, 13). The group has shown willingness to join the opposition, but as long as the system allows speedy approvals with understood rules, they support it and go along with density and housing type policies. Local developers also benefit from their familiarity with Oregon’s regulations since it gives them an advantage over competition from other cities. While in the long-term concerns about limiting the market may become important, currently the system enjoys strong private sector support.

While both systems place emphasis on reaching a balance between market and other considerations, Oregon’s system is much more oriented to meeting market demands. The contrast is evident in the approaches each country adopts to land development. In the Netherlands, regulations play a key role. In Oregon, incentives are much more emphasized.
Current thinking in the Netherlands is that planning should develop the type of private sector involvement and leadership that characterizes Oregon’s planning system. In Oregon, the coalition supporting growth management incorporates the private sector. They support the system because they believe that they can gain by it. Thus, for the Netherlands to emulate Oregon’s position, planners will have to convince the private sector that the system benefits them. This may be difficult to do, given the limitations that planning places on land development there. In contrast, Oregon’s system is predicated on the need to adequately supply land for development (e.g., UGBs must incorporate a 20-year supply of land). In Oregon, market considerations are at the forefront. In the Netherlands, a host of issues are given equal weight. How far would the Netherlands have to go before the private sector would buy into the planning system? The distance could easily be further than most Dutch planners would think wise.

• **Unintended Consequences of Controlling Growth**

Growth management programs effectively intervene in the market. Such interventions can have unintended consequences. Social scientists have frequently argued that growth management techniques create an artificial scarcity of land that drives up land costs, ultimately resulting in higher housing costs (Lang, 7). Institution of a UGB certainly does interrupt the trickle down of housing (a theory heavily relied upon in the U.S. as a way to provide affordable housing) by limiting the supply of new housing and creating stronger incentives to maintain the value of housing units (Abbott, 36). Oregon, especially the Portland region, is indeed seeing rapidly increasing housing costs. In contrast, the Netherlands’ strong housing support for low-income people means that the equity issues of raising the cost of land do not attach themselves to spatial planning. The problem in the Netherlands, in contrast, is not housing cost but the scarcity of the type of housing that people want—large, detached units.

In fact, it is not entirely clear whether Oregonian growth management is to blame for increasing costs. Instead, the problem in Portland may be booming demand, largely caused by what could be a one-time influx of Californians (Abbott, 34). Portland’s price increases are in fact in line with other growing communities like Albuquerque, Indianapolis, Charlotte, Denver and Salt Lake City which do not have growth management or UGBs in place. Growth management could also have some affordability benefits. Advocates assert that compact urban form promotes affordability through reduced infrastructures costs and through encouraging small lots, infill and accessory units (Abbott, 35). Also, transportation savings for people with access to public transit can make up for higher housing costs.

Another argument is that growth management is raising costs, but that that is its purpose. Fischel points out that communities enact growth controls for a reason—often because they are facing high growth pressures (Fischel, 33). The purpose of growth controls is to “create residential amenities, or, for that matter, prevent impending disamenities. Hence the higher housing prices could be taken as evidence that growth controls do
what they are intended to do”. Fischel would argue that the fact that growth control measures have been enacted in Portland is an indicator that the perceived benefits of protection outweigh the costs (Fischel, 44). Indeed, the Portland area appears to be enjoying the effects of a strong economy resulting from the concentration of investment in the center city due to growth management techniques.

Nonetheless, housing affordability is a key issue in Oregon. While the number of homeless people is increasing, downtown Portland lost 1,337 (26 percent) of affordable housing units from 1978 to 1994 (Leo, 3). According to the National Association of Home Builders, Portland is second only to San Francisco in housing unaffordability in terms of income (Ferguson, 3). The same can be said of other growing cities in Oregon. Bend is one of the fastest growing Oregon cities and least affordable home markets (Berton, 1). Whether or not growth management is the cause, housing affordability, especially for low-income people, is becoming a serious problem and a rhetorical weapon against the system. But would it ever be possible for Oregon to emulate the strong subsidies for housing of the Netherlands? Without a major shift in national political thinking, this seems unlikely but worthy of pursuing. Oregon is doing what it can with land use regulations, however. By raising densities and creating secondary units, they are increasing the stock of affordable units.

In the Netherlands, spatial planning was born as a dependent of housing policy. Housing was “public enemy number one” in the Netherlands between World War II and the 1980s. Everyone has the right to a place to live. Fundamentally, housing is the responsibility of the central government. Though they no longer directly provide the housing, they still facilitate its creation and guarantee it. Housing needs are addressed directly within spatial planning policy. Vinex requires that new developments include 30 percent subsidized housing. Therefore, it is not affordability but housing choice that is an issue. The two systems are still worlds apart in terms of the strength of the sectors that also interact with spatial planning (the housing, welfare and environmental sectors).

- **Flexibility versus Blueprint Planning**

Faludi and Van der Valk point to the “plan-led” nature of Dutch planning (Faludi, 9). Dutch town extensions throughout the 20th century have been systematically blueprint oriented (ibid., 44). They argue that there is a conflict between looking at planning as a process of creating a blueprint for development, or as engaging in an ongoing process of decision-making. In the Dutch system, plans are hybrids between blueprint documents and open documents allowing for the influence of non-planners. The blueprint aspect is logical considering that the Dutch environment requires a strong hand (ibid., 233). However, Faludi and Van der Valk argue that blueprint planning is overly rigid and places too much emphasis on expert opinion (Faludi, 44). One symptom of this is the overly detailed nature of the local land use plan, which they claim is “honoured more in the breach than in the observance” (ibid., 234).
Faludi and Van der Valk argue that planners should not think of plans as blueprints but instead as the frameworks for decisions, leaving room for the process of consensus-building (Faludi, 11). Planners in the Netherlands have been very successful in organizing consensus around the rational definition of decision situations—actors agree on the bases for decisions (ibid., 12). This process has not been upset by plan departures. As long as the plan has informed decision-makers, it has done its job. Faludi and Van der Valk call for planners to be “the shapers of decision situations, not the preemptors of decisions”. They praise what they describe as a “new consensus” regarding planning in the Netherlands (ibid., 239). The crux is an emphasis on a “sociocratic view” under which, “planning is not an operation on society, but of society”. Expertise is not the only source of legitimacy. In this view, planning is needed to provide the structure that will then enable participants to take action. Thus, “performance, not conformance”, is the measure of a plan’s success.

Damme et al concur with the idea that plans should be framing devices for decision-making. They call for “robust plans”, “plans that are flexible and contain enough built-in opportunities and procedures to be adjusted to different future and not yet foreseeable implementing conditions, without losing [their] usefulness as a framing device…” (Damme, 841). “Every plan should be drawn up with knowledge of the needs of developers, which include those of private developers, citizens, and public bodies…” Plans should also be updated regularly to reflect current conditions and values. Finally, they should give instructions “only where necessary…”. In rural areas, a global plan aimed at maintaining the current situation would probably suffice. As complexity increases with mixture of functions in an area, plans would need more detail. Faludi and Van der Valk concur that plan reviews should be frequent. They discuss the distinction between “espoused plans versus plans-in-use”. The difference is that plans in use include all the factors that influence the decision process, not just the ideal as written in the plan. From their perspective, the gap between these two can be narrowed by frequent plan reviews and updates (Faludi, 242).

While Damme et al and Faludi and Van der Valk are undoubtedly right that frequent plan updates would be desirable in the Dutch system, it could be argued that this is easier said than done, because municipal resources are already spread thin (part of the reason plans are out of date currently) (Drenthe Interviews). Without the frequent plan updates, it becomes dangerous for municipalities to have general plans, as then they may not be able to prevent undesired development (Huis in’t Veld Interview). Therefore, success would depend on encouraging and supporting local plan-making and amendments.

Voogd seems less enthusiastic about the current Dutch emphasis on consensus planning. He observes that evidently, the old paradigm on the role of the central government as a dominant decision-maker which sets the
rules is “not realistic in a market-oriented society” (Voogd 2000, 21). Nor is a “hierarchical steering model” that assumes decreasing power from top to bottom (see Figure 1). Rather, it is more often the case that consensus-building occurs between governmental levels than that a higher government can enforce its will (see Figure 4). This view points to consensus planning that will include “communication, persuasion, learning, mediation, negotiation and bargaining,” as a solution. This is reminiscent of Oregon’s decision-making system. Oregon’s system fits into the description of a “sociocratic” planning system. Oregon’s binding comprehensive plans are integrated vision documents.

However, Voogd expresses the concern that opening the process too much, and allowing too much public input at the expense of expert opinion, could harm substantive planning goals. In fact, he argues that the emphasis on consensus planning has already relaxed Dutch national planning goals too much, and he calls for more emphasis to be placed on implementation. Voogd’s reasoning suggests that ultimately, exchanging a top down orientation for a participatory, bottom up one is a process that should not swing too far in either direction, but rather fluctuate somewhere within a moderate range.

- **Top Down versus Bottom Up Planning**

Both the Dutch and Oregonian planning systems have been described as top down systems. However, with a national plan for spatial development, the Netherlands is more top down than Oregon (though current decentralization trends are reducing this feature). Several problems associated with a top down orientation have been identified by critics of both systems.

Critics of both systems have cited a perceived mismatch between national (or state) policies and regional and local facts. The argument is that plans made on a broad scale cannot take into account the firsthand knowledge available to local government and developers. Dutch national policies under *Vinex* have largely been oriented toward the Randstad, and some argue they do not fit as well for other areas of the country (Drenthe Interviews). Oregon’s planning also emphasizes urban issues. *Vinex* took steps to decentralize planning control, and the new plans written in the 1980s mostly had less emphasis on steering the decision-making process (Mastop, 808). Much attention was paid to attuning government policy with the interests of private organizations. The *Fourth Report* was thus more open, selective and flexible. However, in practice both systems combine top down and bottom up approaches. The formulation of the planning vision is top down, but the initiative for development is bottom up (see Figure 4). A good deal of the legitimacy of local plans comes from the fact that they are supported by higher authorities. Therefore, the potential benefits of further decentralization in the Netherlands are questionable, while Oregon is in fact moving toward greater centralization.
• **The Role of Doctrines**

Faludi and Van der Valk place great importance on the role of doctrines. Planning doctrines are metaphors that summarize the central ideas of some issue. Doctrines are useful as a tool to generate consensus and inspire support—they are banners around which supporters can rally (Faludi, 232). However, Faludi and Van der Valk argue that doctrines should be adaptive, not rigid (ibid., 244). In the Netherlands, the Randstad-Green Heart ideas are the most important doctrine. In the 1990s, the Dutch national planning agency drew a rigid growth barrier around the Green Heart. Faludi and Van der Valk fear that should that line be broken, it could have disastrous consequences for Dutch planning.

Oregon offers a contrast with its fairly flexible approach to its most important doctrine—the UGB (UGBs are probably the best known and possibly most successful aspect of Oregon planning) (Nelson, 25). UGBs are fairly flexible. They can accommodate exceptions and extensions as part of their normal functioning. According to Faludi and Van der Valk’s logic, Oregon has been successful in creating planning doctrine that is useful as a tool to rally support, but is also flexible enough to survive setbacks.

Though doctrines are useful, it could be dangerous for both systems to tie themselves too closely to their central doctrine. If the doctrine falls, so would the planners. Dutch planners may be trying to achieve the impossible in attempting to prevent growth in the highly demanded Green Heart. Perhaps it would be more pragmatic to follow Oregon’s example and be more flexible. However, this flexibility may mean that UGBs are weakened in substantive terms. Planners in both places have to strike a balance between rigidity and flexibility, based largely on perceptions of political feasibility.

• **Public Participation**

Oregon’s system is more explicitly bottom up than the Dutch system. Faludi and Van der Valk argue that people in the Netherlands tend to agree that the workings of the nation in matters such as planning are too complex for everyone to address, and to desire that experts address them for them (Faludi, 7). Oregon’s *Goal 1* calls for “the opportunity for citizens to be involved in all phases of the planning process, and requires local governments to create a committee for citizen involvement” (DLCD website). Especially in the Portland area, citizens, non-profits, advocacy groups and the public have taken an activist role in planning and have collaborated with governmental agencies on a number of successful projects. The *2040 Framework* process required significant public input (2040 Framework, Fall 1997, 3).
In the Netherlands, the tradition has been that a combination of expert opinion and input from non-planners is considered. However, the Netherlands has recently tended to move toward allowing more public participation in plan-making. The national spatial planning process follows a process called the Key Decision (planologische kernbeslissing), required by the 1986 Fourth Report (NSPA, 10). It requires extensive public participation and consultations, public display, written questions from parliament, and advice from the Advisory Council for Spatial Planning at the first stage. Then, it goes through revisions before going to the National Spatial Planning Commission for judgement. Then two policy versions are submitted to the Second Chamber of parliament. If they decide to approve any or all of it, it goes to the First Chamber for final approval and become legally binding. This process, though it is used only for major decisions, is indicative of the trend toward encouraging the public to participate in plan-making.

- **Sectoral Integration**

In Oregon, planning for transportation, economy, housing, environment and other issues is largely blended together in the planning process. Up until Vinex, the Dutch planned on a sectoral basis. Though this is still more the case, the Netherlands is increasingly integrating planning for sectors having spatial claims. There is not much to say on this subject, except that there may be trade-offs in giving up sectoral plans for comprehensive ones. Horizontal integration can amount to a loss of detail in the plans and a more general approach (Drenthe Interviews).

III. Conclusion

- **The Challenges to Sharing Approaches**

While many planning ideas from the Netherlands would be attractive to Oregonian planners, Nivola argues that without reassessing certain national policies, such as the tax structure and transportation funding, U.S. planners are in a very weak position. “Within its limited reach, it is fair to say that U.S. urban policy cannot even faintly “Europeanize” the shape of American cities” (Nivola, 52). On the other hand, introducing Oregonian market-based techniques in the Netherlands would mean making fundamental changes to Dutch planning and Dutch society. However, there is a middle ground between the two systems. The main benefit of exchange of information is that methods for reducing the implementation gap may be found. However, neither approach offers a magic bullet. Planners should take opportunities for exposure to both of these exemplary systems.

The central challenge facing Dutch planning is to evolve new approaches suited to a free market system, without losing the concern for equity that characterizes Dutch society. Allowing greater
market participation in shaping the built environment can undoubtedly have benefits. However, the market obeys its own logic. In areas with economic disadvantages, or in times of economic downturn, attracting investment will continue to be a challenge. This applies both to competition between cities, and to divergent neighborhoods within urban areas. The danger is that while the strong are getting stronger, the weak may also be getting weaker (Heins Interview). It is to be expected, and even desired, that government and the market should engage in ongoing power exchanges, tailored to the needs at that time. Planners should explore the opportunities available in adopting a more free market approach. However, government intervention remains the best tool to counterbalance the profit motive and address equity concerns. It would be a mistake to allow both real and perceived implementation problems or a slavish reliance on the market to persuade the Netherlands to renounce that approach.

For Oregon, the challenge is similar. Oregon is seeking to guide growth in order to achieve goals covering most aspects of the built environment. In a free market context, it is a challenge to find techniques that can balance the weight placed on market considerations. An example is the challenges posed by housing affordability. The affordability issue may be impossible to address sufficiently solely through land use regulations. Oregon may increasingly have to consider enacting approaches that concentrate sufficient power at the state and regional levels to counterbalance the private sector and the limited vision of local governments. Given time, Oregon may take additional steps that lead it to look a little more like the Dutch planning system.

Despite the many differences between these two systems, the fact remains that they are moving closer together. Even if no concrete techniques make the transition across the Atlantic, it is possible for planners from both systems to explore the functioning of the other system as an example of what to each is currently a distant destination, sometimes hoped and worked for. Planners should realize that no radical shift in the way they work is going to magically solve tough problems such as the implementation gap. An exchange of information and a discussion of approaches could be quite fruitful. Inevitably, and positively, such a discussion will ultimately end up addressing the central theoretical issues reviewed in Chapter 3. Planning approaches are undoubtedly deep-seated within their cultural context. However, new ideas have always found their way into the accepted ways of thinking. The broad basis of common goals and issues shared by Oregon and the Netherlands have created fertile ground for new ideas to be exchanged and bear fruit, or the opportunity to catch a glimpse of unintended outcomes before their causes have taken root.
Bibliography:


Bollens, Scott, “Integrating Environmental and Economic Policies at the State Level”, in Growth Management: The Planning Challenge of the 1990’s, edited by Jay Stein, Sage Publications, Newbury Park, California 1993, pp.143-161

Connerly, Charles and Nancy A. Muller, “Evaluating Housing Elements in Growth Management Comprehensive Plans”, in Growth Management: The Planning Challenge of the 1990’s, edited by Jay Stein, Sage Publications, Newbury Park, California 1993, pp.185-199


DeGrove, John M. and Patricia M. Metzger, “Growth Management and Integrated Roles of State, Regional and Local Governments”, in Growth Management: The Planning Challenge of the 1990’s, edited by Jay Stein, Sage Publications, Newbury Park, California 1993, pp.3-17

Easley, Gail V., Staying Inside the Lines: Urban Growth Boundaries, American Planning Association, Chicago, IL 1992

Environmental Policy of the Netherlands, An Introduction, Ministry of Housing, Spatial Planning and the Environment, Department of Information and External Relations, The Hague 1997


Ferguson, Tim W., “Down With the Burbs! Back to the City!”, Forbes, v159 n9, May 5, 1997, pp.142(6)

Housing In the Netherlands, Ministry of Housing, Spatial Planning and the Environment, Department for Information and International Relations, The Hague 1997

(Howe, 1993) Howe, Deborah, “Growth Management in Oregon”, in Growth Management: The Planning Challenge of the 1990’s, edited by Jay Stein, Sage Publications, Newbury Park, California 1993, pp.61-75


Kline, Jeffrey D. and Ralph J. Alig, “Does Land Use Planning Slow the Conversion of Forest and Farm Lands?”, Growth and Change v30 i1, Winter 1999, pp.3(2)


NEPP, National Environmental Policy Plan 2, Summary, The Environment: Today’s Touchstone, Ministry of Housing, Spatial Planning and the Environment, Department of Information and External Relations, The Hague 1994


Stein, Jay (editor), Growth Management: The Planning Challenge of the 1990’s, Sage Publications, Newbury Park, California 1993


Interviews:


Heins Interview, Gerard Heins, Lecturer for the Department of Spatial Sciences, RUG, Interview conducted March 7, 2000

Huis in’t Veld Interview, Laurens Huis in’t Veld, Senior Beleidsmedewerker Ruimtelijke Economie en Verkeer, Gemeente Groningen, Interview conducted March 6, 2000

Web Sites:

Oregon’s Department of Land Conservation and Development (DLCD), http://www-budget.net/~primrose/goals.htm

Oregon’s Land Use Board of Appeals Home Page, http://luba.state.or.us/

Portland Metro website: www.metro-region.org

Newsletters:

Metro 2040 Framework Plan Update, Fall 1995/Winter 1996, Metro, 600 NE Grand Ave., Portland, OR 97232

Metro 2040 Framework Plan Update, Fall 1996/Winter 1997, Metro, 600 NE Grand Ave., Portland, OR 97232

Metro 2040 Framework Plan Update, Fall 1997, Metro, 600 NE Grand Ave., Portland, OR 97232

Metro Facts Fall 1998, Newsletter produced by Metro Regional Services, Metro, 600 NE Grand Ave., Portland, OR 97232
Urban Growth Boundary, Newsletter produced by Metro Growth Management Department, Metro, 600 NE Grand Ave., Portland, OR 97232