

barrel politics fuel growth in the overall state budget, says Foxx.

But Morton, one of Avery County's biggest landowners, strongly defends the state-funded planning program. "Having lived in New Hanover County, I know that there are many things peculiar to coastal communities that the state does for that county that it does not do for Avery," says Morton. "None of us who know the benefits of planning should undercut any responsible planning project, particularly when it deserves to be understood that the one in Avery is a pilot project on untilled soil designed to show the good that planning can do."

(4) *The state could make money or other incentives available for counties to do land-use planning, but not force them to do it.* "I would suggest that the implication that it is necessary to bypass the established and open decision-making processes of local governments made up of elected officials in order to make rational public policy bears some examination," says Jim Blackburn of the North Carolina Association of County Commissioners. "It is not unusual for groups to 'expand the scope of conflict' and seek satisfaction at one level of government when they receive an

unwanted answer at another." To justify "imposing policy from above," as Blackburn describes it, would require a clear showing of compelling need and a consensus on local government's inability to handle the problem on its own.

"I'd like to see incentives given for those kinds of plans, rather than have them made mandatory," says Furman, the Watauga County planner. "I believe if we presented our counties with the information, local support for some kind of planning would develop," adds Rep. David Diamont (D-Surry), who represents five western counties and was involved in legislative debate on the Mountain Area Management Act and the Ridge Law. "It has to be a bottom-up decision. The state should encourage planning, but local officials must be the leaders."

But a number of land-use plans were prepared for mountain counties during the 1970s, using mostly federal dollars, only to be rejected by county commissioners or to be adopted and ignored. To protect against this happening in the 1990s, the state could set out a process for preparing land-use plans that assures adequate public input and makes funds available, but requires the counties to reimburse the state if they fail to adopt a plan within a given time frame.

Land-Use Planning: What Have Neighboring States Done?

States that border North Carolina differ greatly in their approaches to land-use planning, from leaving it up to local governments to imposing a highly structured and comprehensive state planning process. In Tennessee and South Carolina, the system is much like North Carolina outside the 20 N.C. counties governed by the Coastal Area Management Act. Local governments decide whether they will create a planning commission, produce a land-use plan, or implement zoning and subdivision regulations. Virginia has moved one step further by requiring local planning, and Georgia, with its 1989 Growth Strategies Plan, has embraced one of the nation's more ambitious land-use planning programs.

The Code of Virginia was updated in the mid-1970s to require each county and independent city to have a local planning commission.¹ In turn, each planning commission is required to prepare a land-use plan and subdivision ordinance for adoption by the county or city government. Though the law lists elements to be included in land-use plans and subdivision ordinances, there is no regional or state review of these documents. Land-use plans must be updated and re-adopted by the local governing body every five years.

Georgia, however, has melded mandatory local land-use planning into a comprehensive economic development package, the Growth

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Additional incentives could be offered to counties that participate in regional planning.

Such an approach would leave gaps where counties chose not to participate, but making money available to address a recognized need may be all that is required to prompt counties to act,

If people in general could be got into the woods, even for once, to hear the trees speak for themselves, all difficulties in the way of forest preservation would vanish.

—JOHN MUIR

and local control would be preserved. The state could revisit the issue five years down the road and examine whether the response had been sufficient to protect mountain resources, or whether there was a need for stronger intervention.

The risk is that the people of the North Carolina mountains would sit

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Strategies Plan. The plan was developed from recommendations made by the 35-member Governor's Growth Strategies Commission, a bipartisan public-private group formed in 1987 by Gov. Joe Frank Harris. The genius of the plan was that it linked the bitter pill of mandatory local planning with the sweet promise of sharing the wealth of economic development that gravitates mostly toward Atlanta.

"The Growth Strategies Plan came into being because of perceived disparities in economic prosperity and quality of life in the state—with one large city, Atlanta, a few medium-sized cities, and the rest of the state predominantly rural," said Michael Gleaton, assistant director of the state's Office of Coordinated Planning.

Georgia's growth plan assigns responsibilities to three levels of governments—local, regional, and state. Local governments, both cities and counties, prepare and adopt plans. Regional development centers—similar in some ways to North Carolina's regional councils of government—review and approve local plans and use them in preparing regional plans. State government defines the framework in which planning takes place and provides needed funding.

"I believe something approaching the Georgia system would be good for North Carolina," says Bob Shepherd, director of the Land of Sky Regional Council of Governments in Asheville. "I think that approach makes a lot of sense. You look at things on a regional basis

and the legislation spells out the role of the regional development centers."²

The growth plan recognizes the interrelationship between land use and numerous other factors. Local plans must be comprehensive, which means that they must address population and demographic changes, economic development, natural and historic resources, community facilities, housing, and land use. The planning process encourages local governments to evaluate their current situation and produce a statement of community needs and goals. The local government must then produce a short-term work program, a five-year plan of specific actions to address the stated needs and goals.³

"I visit many communities—and many of them are reluctant to plan their growth," says Gleaton. "But I tell them that if they don't plan their growth, someone will do it for them. . . . By getting involved in the planning process, communities can give the private sector a guide to the way growth should occur."

Local plans are to be disapproved by regional development centers if they do not meet the state's minimum standards and may be disapproved if they are inconsistent with plans from neighboring communities. The state can deny funding assistance for infrastructure to local governments that lack an approved plan. All communities must produce a plan by October 1995, and plans must be updated every 10 years.⁴

Nationally, the traditional leaders in state land-use planning have been Hawaii, Florida, Oregon, California, and Vermont.⁵ For instance, both Florida and Oregon, like Georgia,

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on their hands and do nothing while haphazard growth worked its will on the region. There would have to be some trust—that people in small towns and rural counties could sit down and plot their own destinies. And it would take a willingness to accept that all wisdom does not reside in Raleigh or Washington. But it is at least conceivable that encouraging local people to protect their own back yards is the most efficient way to protect the North Carolina mountains. And it is clearly the least intrusive way.

Whatever the approach, the mountains are a

North Carolina treasure, and there is a clear state interest in preserving them for future generations to enjoy. How far the state needs to go in regulating growth across the region and what the state's role ultimately should be is a question that is yet to be resolved. But clearly it is a question that must be addressed—and soon. □

FOOTNOTES

¹ A brochure handed to visitors at The Blowing Rock makes two references to snow that falls upside down,

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require cities and counties to prepare and adopt comprehensive plans, and each state reviews these plans to ensure that they are consistent with plans of neighboring communities, and with regional and statewide plans. Public participation in preparing and implementing plans is an important part of the process in both states.

This spread of state mandated local land-use planning is being eyed warily in some quarters. "There is a certain amount of sharing of legislation on the part of national or regional groups, independent of whether the legislation matches the needs of other states," says Jim Blackburn of the North Carolina Association of County Commissioners, which represents more than 500 local elected officials. It is important that any kind of mandatory land-use planning program be tailored to the needs of North Carolina, Blackburn says, and that affected parties like local elected officials have a role in developing legislation to create such a program. "A certain number of local officials are reluctant to get too far out front of their constituents," says Blackburn. "If the bill were structured correctly, those folks would sign on."

And then there are the advocates of unfettered enterprise who equate these statewide planning efforts with creeping socialism. "The idea that some intellectual can plan how growth and development ought to be done is pure communism," says Bill Johnson, an Asheville real estate developer.

Still, land-use planning regulations seem to proliferate as population density increases,

and many states are stepping in to orchestrate. Florida, in trying to cope with surging population growth, has moved to make sure that infrastructure is in place to handle new development as it occurs, through what are known as concurrency requirements. These laws ensure that sufficient public facilities and services such as parks and water and sewer will be available before permits are issued to begin construction. Even road capacity is taken into account.

Florida also learned about the power of the purse in prompting local government to plan. The state's first law requiring every city and county to adopt a comprehensive plan was passed in 1975. The legislature did not allocate planning funds to local governments, however, and many cities and counties did not comply. The 1985 bill, recognizing this deficiency, initiated state funding for local planning. Since then more than \$22 million has been appropriated, and compliance has soared.⁶

—Dale McKeel

¹ Code of Virginia, Title 15.1, Chapter 11, Article 1, as amended.

² Unlike the regional development centers in Georgia, the powers of North Carolina's regional councils of government are only advisory. For more on the role of COGs in North Carolina, see "Regionalism in North Carolina," a pro-con discussion in *North Carolina Insight*, Vol. 7, No. 2 (October 1984), pp. 42–51.

³ Ga. Annotated Code 50–8–7.1(b)(1)

⁴ *Ibid.*

⁵ Ann O'M. Bowman, and Richard C. Kearney, *State & Local Government* (Boston: Houghton-Mifflin, 1990), p. 407.

⁶ John M. DeGrove, "The Politics of Planning a Growth Management System: The Key Ingredients for Success," *Carolina Planning*, Vol. 16, No. 1 (Spring 1990), pp. 35–44.