

SMART GROWTH AUDIT RESULTS

ASSESSMENT OF LOCAL ZONING LAWS,
MUNICIPAL PROCEDURES, AND DEVELOPMENT ACTIVITY
IN THE 52 COMMUNITIES OF SOUTHEASTERN MASSACHUSETTS

JUNE 2004



VISION 2020

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Preface

The Smart Growth Audit was conducted by Vision 2020: A Partnership for Southeastern Massachusetts from December 2003 to April, 2004. Vision 2020 is concerned with smart growth and the negative impact of sprawl, which cut across economic development, affordable housing, transportation, environmental protection, and our overall quality of life. The issue of sprawl is particularly relevant in the state's fastest growing region of southeastern Massachusetts. The character of development in our region that has alarmed our citizens can be summed up in this statement: *We have consumed more land in the past 40 years than in the first 340 years after the Pilgrims landed at Plymouth in 1620.*

Vision 2020 was started in 1998 by three regional planning agencies:

- Metropolitan Area Planning Council in Boston (<http://www.mapc.org/>)
- Old Colony Planning Council in Brockton (<http://www.ocpcrpa.org/>)
- Southeastern Regional Planning and Economic Development District in Taunton (<http://www.srpedd.org/>)

This initiative was started to address issues related to growth and development in southeastern Massachusetts. Vision 2020 is governed by Board of Directors, a diverse group of 36 public officials and private sector representatives.

We are greatly indebted to NSTAR Corporation, whose financial assistance made this report possible.

Acknowledgements are also due to the Vermont Forum on Sprawl, for their "Growth Scorecard," that was adapted for use and the American Planning Association, for their pioneering work in this area.

For more information about Vision 2020: A Partnership for Southeastern Massachusetts, go to <http://www.semassachusetts.org/>.

What is the Smart Growth Audit?

The term “smart growth” is being used so widely that it risks becoming a cliché without precise meaning. In working since 1998 to promote smart growth, Vision 2020 has sought to apply this concept to allow us to capture the benefits of growth without losing the unique character of the 52 communities in southeastern Massachusetts. In 1999, Vision 2020 published “An Agenda for the Future” and two years later developed the “New Mayflower Compact,” endorsed by 80% of our cities and towns. But there still was a need to address the questions: “What exactly is smart growth?” and “how do we grow smart?”

The Smart Growth Audit was chosen as a means to assess the state of smart growth in southeastern Massachusetts by asking each community to evaluate its regulations and practices against accepted principles of smart growth. The audit was intended to serve four purposes:

1. Provide information for the residents and decision makers on specific actions that can be taken at the local level that constitute smart growth;
2. Provide a clearer definition of smart growth that is based upon actions and results, rather than general principles;
3. Provide a standard regional benchmark for smart growth actions, to give us all a common understanding of smart growth; and
4. Provide state and local decision makers with a better sense of where the gaps and greatest needs are that should be addressed to achieve our smart growth vision.

Community planners and administrators were asked to complete the audit as a self-appraisal with assistance from their regional planning agency members and staff.

In some cases, it was the planning board that evaluated the community. In other cases, it was an ad hoc committee or a knowledgeable individual who prepared the response. In all cases, the result was a critical review of a community’s development plans and policies. A final score placed the community within three broad categories:

- 75 – 100 points: communities growing smart;
- 50 – 74 points: communities starting to grow smart; and
- less than 50 points: communities not yet growing smart.

The results were as gratifying as they were informative. The participation rate was 88%, with 46 of 52 communities completing the smart growth audit. As demonstrated in the Findings section of this report, there is work to be done. Although some communities are growing smarter than others, all are hampered by technical and financial resources, and a reluctance to change local ordinances and bylaws. We have not published the individual community scores, but have chosen to focus on our collective strengths and weaknesses in meeting smart growth objectives. The findings provide some clear indicators of where to focus efforts and provide the statistical back-up for gut feelings about the state of smart growth in the region. The audit is not intended to reward or punish communities – but to increase awareness and understanding of this important tool.

Findings

1. While more communities are undertaking planning work, implementation remains a major hurdle.

Since 1998, when VISION 2020 began its efforts at tracking growth management, there has been an increase in the number of communities that have adopted a plan for their future. While this is progress, it does not directly translate into change on the ground. Zoning is one of the primary tools used to direct growth, yet nearly three-quarters of communities with a current Master Plan report that their zoning and plan are inconsistent. Communities often adopt an incremental approach to change, tackling implementation actions one at a time.

- *36 communities in the region report having a current (5 years or less) Master Plan. This 70 % is an improvement from 1998 data that indicated only 50% had a current Master Plan.*
- *75% of communities with a current Master Plan do not have consistency between the plan and the zoning and/or other regulations.*
- *60% of those with a Natural Resources Inventory report that the inventory is not integrated into development decision-making.*

2. Many basic smart growth zoning provisions are underutilized.

Managing growth requires making determinations about where and how the region grows. The guiding principle is an efficient use of all of the region's resources by balancing compact and mixed-use development with the preservation of natural resources. Local communities have a variety of tools for achieving this balance; some of these are well used others are not.

- *Mixed-used villages and Transit Oriented Development are basic to a smart growth approach yet 44% of communities have no such provision and another 26% characterize the local regulations for this development type as inadequate.*
- *Despite its longevity, 30% of communities still do not permit cluster or open space subdivisions. Another 57% of communities either restrict cluster to the special permit process or believe the local cluster regulations need improvement.*
- *A Transfer of Development Rights program is difficult but not impossible to establish. Four communities report having adopted a program, although only 1 of these considers it successful.*
- *On the positive side, over half of the communities have productive accessory apartment ordinances that expand housing choices.*

3. Communities need technical assistance—especially the smaller ones.

Growth management is the management of change. This is no easy task given the tendency to favor the familiar over the unknown. Volunteers serving on municipal boards often face this challenge without the support needed to do a good job. While this concern is shared among communities of all sizes, it is a particular concern for communities of fewer than 10,000. As a

group these communities scored less well on the Smart Growth Audit – a finding that in part reflects a lack of resources and limitations such as part-time or no professional staff. These smaller rural communities are the growth frontier yet they have the least resources for meeting the challenge.

- *77% of all communities of fewer than 10,000 are in the lowest scoring category.*
- *Even larger urban communities note a need for smart growth technical assistance. Of those with brownfields, 46% offer no assistance on redevelopment and another 33% believe more brownfields redevelopment assistance could be provided.*
- *71 % of those answering indicated that the community does not fund board training or there is a small budget with few board members participating in training.*

4. Infrastructure coordination makes land use and fiscal sense, yet communities do not use infrastructure investments to guide development.

The efficient use of infrastructure investment is a cornerstone of smart growth. When it comes to infrastructure investments, however, communities have traditionally been reactive rather than proactive. To get the most out of publicly or privately funded infrastructure, development should be coordinated with these investments. Such coordination is hampered by the autonomous nature of some local boards and the laissez-faire attitude of local government.

- *46% of communities do not have guidelines for evaluating infrastructure extensions.*
- *60% of communities do not have or use information on infrastructure capacity in land use planning.*
- *26 communities do not complete a Capital Planning process that is translated into a meaningful document.*
- *93% of those responding noted that their community had no or inadequate communication with utility providers.*
- *Only 20% of those without sanitary sewers facilitate the use of cluster systems.*

5. Connecting local growth management to state funding or permits is effective.

Where the Commonwealth has stepped in by providing funding or connecting state programs to good planning, local communities have responded. The Commonwealth's leadership in new program development and an incentive approach to local adoption of appropriate regulations can facilitate smart growth. To avoid unfunded mandates, this approach should be in concert with technical assistance.

- *73% of communities have a current Open Space Plan. These Plans are required to participate in state-funded land acquisition programs.*
- *The highest scoring local regulation is an Aquifer Protection Bylaw with 87% of communities having one in place. This is related to the state Water*

Withdrawal permitting process that requires the permit holder to engage in a “good faith” effort toward this goal.

- *EO-418 provided state funds for planning and implementation. In this region 22 communities participated in the state program. Six used the funds for implementation items and 16 for planning.*
- *Housing Planning is on the rise and 38% of the communities are DHCD Housing Certified for 2004. This certification is required for certain discretionary funding and the new Planned Production rules reward local implementation.*

Recommendations

Based on the findings of the Smart Growth Audits Vision 2020 and the Regional Planning Agencies call for the following actions:

- A. Change state law to require consistency between plans and regulations. This standard exists in two thirds of the states.*
- B. Provide state level leadership with funding and incentive based programs.*
- C. Fund citizen, board, and staff training in the communities, and improve web access and web-based smart growth materials.*
- D. Fund the Regional Planning Agencies to develop generic implementation tools with how-to provisions for customizing a local fit.*
- E. Establish infrastructure coordination across town boards and between government levels.*

Summary of Scores

Scores:		
75 – 100	Communities growing smart	3/46 = 7%
	Abington	
	Brockton	
	Marion	
50 – 74	Communities starting to grow smart	19/46 = 41%
	Attleboro	
	Bridgewater	
	Carver	
	Dartmouth	
	Easton	
	Hanson	
	Hingham	
	Kingston	
	Mansfield	
	Marshfield	
	Middleborough	
	New Bedford	
	Plymouth	
	Raynham	
	Scituate	
	Taunton	
	West Bridgewater	
	Weymouth	
	Whitman	
< 50	Communities not yet growing smart	24/46 = 52%
	Acushnet	
	Avon	
	Berkley	
	Dighton	
	Duxbury	
	East Bridgewater	
	Fairhaven	
	Fall River	
	Freetown	
	Halifax	
	Lakeville	
	Mattapoisett	
	Pembroke	
	Plainville	
	Plympton	
	Rehoboth	
	Rochester	
	Rockland	
	Seekonk	
	Somerset	
	Stoughton	
	Swansea	
	Wareham	
	Westport	