
**GROWTH AT THE BALLOT BOX:
ELECTING THE SHAPE OF COMMUNITIES
IN NOVEMBER 2000**

Phyllis Myers
State Resource Strategies

Robert Puentes
The Brookings Institution Center on Urban and Metropolitan Policy

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ABOUT THE AUTHORS

Phyllis Myers is president of State Resource Strategies (SRS), a conservation policy and finance consultant firm in Washington, D.C. founded in 1989 to help public officials and citizens develop and fund effective resource conservation initiatives in an era of devolution and decentralization.

Robert Puentes is a senior research manager at the Brookings Institution Center on Urban and Metropolitan Policy responsible for the Center's Metropolitan Initiative.

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ABSTRACT

On Election Day 2000, voters across the country considered a wide range of ballot measures that will affect the pace, quality and shape of growth in their states and communities. The survey finds that: 1) There were 553 state and local ballot measures on Election Day 2000 that were related to growth. Of these, approximately 72.2% passed, although not every "yes" vote indicates that citizens supported smart growth ideas and policies; 2) The measures dealt with different, but inextricably related, aspects of the growth debate such as open space preservation, transportation investments, economic development and growth management; 3) Measures designed to preserve open space or build and maintain parks and recreation facilities continue to be highly popular; 4) Transportation measures received a mixed reception; and 5) Regulatory restrictions on growth were controversial and contentious. While there is still no clear consensus on how to grow differently, these ballot measures reflect citizens' and governments' willingness to experiment with strategies and policies that will shape growth in their states, counties and localities.

The paper also includes a comprehensive listing of the Election Day 2000 ballot measures related to growth, case studies of some key measures, and maps plotting each measure by state.

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GROWTH AT THE BALLOT BOX: ELECTING THE SHAPE OF COMMUNITIES IN NOVEMBER 2000

I. INTRODUCTION

The power of states and local governments in the American elections process was forcefully demonstrated in the weeks after the historic Election Day of 2000. The post-election drama gave Americans a quick course on how diverse constitutions and statutes, state lawmakers and local officials, as well as the federal government and judicial system, translate “the will of the people” into leadership, policies, and programs.

Yet, in addition to the presidential drama, another election story, with dramatic lessons about state and local influence, played out as Americans in 38 states voted on a broad range of ballot measures that will affect the pace, quality and shape of growth in their states and communities.

This report presents a description and analysis of these state and local growth-related referenda considered by voters on Election Day 2000. The majority of the measures examined in this survey involve the preservation of open space, parks, and farmland and other natural resources; construction and maintenance of roads, school facilities, transit systems, and bikeways; and management or encouragement of economic development and reinvestment. Others deal with land use regulation, including urban growth boundaries, new and amended zoning, moratoria and funding caps, and state/local governance. This report is patterned after a 1998 survey sponsored by The Brookings Institution Center on Urban and Metropolitan Policy that focused on open space, land conservation and park finance ballot measures. The 1998 survey revealed grassroots dissatisfaction with disappearing open space and surprising support for modest increases in taxes and debt to pay for a range of close-to-home green improvements.¹

The design for the survey of 2000 measures goes beyond open space to provide a more comprehensive view of state and local ballot measures that influence the shape and form of community and regional growth. In the past two years, civic, citizen, and corporate leaders and elected and appointed officials have had an intensive conversation about growth. Countless stories of sprawl’s progress have filled local and regional newspapers. State lawmakers have introduced more than a thousand bills intended to curb sprawl, and important progress is being made in several states on transportation, land acquisition, infrastructure finance, and growth management.

Polls conducted by the Pew Center for Civic Journalism and Smart Growth America confirm the importance of growth issues to Americans. Basic principles have emerged as guideposts in the search for more livable, sustainable communities: revitalization of cities and older, inner ring suburbs; more compact development; expanded transportation choices; preservation of open space; fairness to stakeholders, including low income and minority citizens and a balanced (but not prohibitive) approach to development.²

¹ Phyllis Myers, “Livability at the Ballot Box: State and Local Referenda on Parks, Conservation, and Smarter Growth, Election Day 1998.” Brookings Institution Center on Urban and Metropolitan Policy, Washington, DC; 1999.

² Pew Center for Civic Journalism, “Straight Talk from Americans.” Washington, DC; 2000.

However, as communities move from general principles to the devilish details, the road to a different metropolitan future gets bumpier. There are difficult questions to resolve about the effects of proposed remedies on equity, choice, and the market, and how (or whether) to better manage the diverse forces, resources, and values that determine metropolitan form.

This close look at growth-related referenda on Election Day 2000 ballots, while not entirely comprehensive, sheds additional light on what is really happening in American communities and prospects for change. Are growth issues still important to Americans? What levers of change are officials and citizens proposing? To what reforms and revenue shifts are voters saying “yes”? How does this vary in center cities, suburbs, and rural areas, and in different regions of the country?

Additionally, this unique examination of local and state growth-related ballot measures provides insights about the little-known but critically important web of state and local policies, authorities, finance methods, incentives, and barriers that citizens and officials confront as they seek to improve the efficiency, equity, and livability of American communities. These insights can help citizens, officials, and business interests in other states and localities deal with similar issues and also assist national policy makers as they re-examine their roles and responses to metropolitan growth issues.

At the outset of this report, it is important to state that the interpretation of ballot measure approval rates needs to be approached with care. It is not enough to say that a certain percentage of growth-related ballot measures passed or failed. A “yes” vote, or passage of a particular measures does not necessarily indicate that citizens were in favor of slower growth, or anti-sprawl policies. Similarly, a “no” vote is not a vote for full-throttle development. In some cases, the opposite is true. Rezoning measures, for example, may involve higher or lower densities; leasing close-in parkland for economic development may serve “smart growth” goals or pave over precious green resources; and the effects of capital investments in highways, ports, and transit may not be known for years. Will new schools and highways increase the appeal of existing communities or facilitate new development, for example? Will a particular urban growth boundary be another zoning provision to be flouted or so strictly administered that it will be counterproductive?

The report is laid out as follows: the next section presents a concise overview of the major findings of the survey of ballot measures. Section Three discusses the categories into which the measures were divided, quantitative results, variations among states and regions, how the measures were placed on the ballot and what various measures were designed to do. Section Four discusses the measures in each category, with a detailed description of the findings. Section Five discusses the measures from a spatial perspective, i.e., by central city, suburb and rural areas. Section Six concludes with a discussion of the implications of the measures.

The Appendix contains a discussion of the methodology and definitions and ancillary tables as well as the complete list of ballot measures sorted by state, and state maps that plot each measure by location and category.

II. MAJOR FINDINGS

The Brookings Institution Center on Urban and Metropolitan Policy and State Resources Strategies tracked and analyzed growth-related ballot measures that went before voters on November 7, 2000. These wide-ranging measures have the potential to affect the pace, quality and shape of growth in states, regions, counties and towns throughout the nation.

All of these measures affect where and how places grow. Open space and park measures protect natural resources and recreation areas and keep development off some parcels of land. Infrastructure investments in new highways often facilitate widely dispersed growth, while transit investments generally encourage compact growth. Economic development initiatives make some places more attractive to business and commercial investment. Local governance measures affect localities' ability to change growth patterns or attract investments on their own or in cooperation with their regional neighbors.

This analysis reveals:

- **There were 553 state and local ballot measures that will affect the pace, quality and shape of growth that went before voters on November 7, 2000.** U.S. residents in 38 states and hundreds of cities, towns and counties were potentially eligible to vote on some aspect of growth in their communities. Overall, 72.2% of these measures passed, although not every "yes" vote indicates that citizens supported smart growth ideas and policies.
- **The measures dealt with different, but inextricably related, aspects of the growth debate.** Of the measures: nearly half (44.7%) dealt with the preservation of open space in some form; 26.1% were related to infrastructure in states and localities; 16.3% were specifically designed to manage growth; 8.5% were intended to promote economic development; and 4.3% addressed the authority and flexibility of state and local governments.
- **Measures designed to preserve open space or build and maintain parks and recreation facilities continue to be highly popular.** This is true both in terms of the number of these measures on the ballot as well as their success. Of 257 open space measures, 201 passed (78.2%). This represents a 15.1% increase in this type of measure from 1998, and a significant increase in the approval rate. Open space measures were on ballots in every region in the country, but the greatest number were found in the Northeast. Almost all of the Northeastern open space measures were approved (97.8%).
- **Transportation measures received a mixed reception.** Measures designed to boost transit and alternative types of transportation received high marks (84.6% combined). Measures that focused on road or highway construction were generally supported (72.2%), but measures that asked for voter support for both highways and alternative transportation modes did not fare as well (57.1%), possibly because separate constituencies are just beginning to forge alliances and craft cooperative strategies.

- **Regulatory restrictions on growth were controversial and contentious.** There were 94 measures designed to regulate growth in some fashion. Of all the growth-related measures, the statewide measures in Oregon, Arizona and Colorado garnered the most media attention, the greatest amount of campaign spending and almost by themselves gave the growth debate national prominence. Issues such as property rights, farmland preservation, and personal financial compensation were addressed in these measures—all of which were on ballots in Western and Midwestern states.
- **The growth debate in the U.S. is diverse and complex.** While there is still no clear consensus on how to grow differently, these ballot measures reflect citizens' and governments' willingness to experiment with strategies and policies that will shape growth in their states, counties and localities.

III. THE SURVEY

A. CATEGORIES OF MEASURES

This survey examines a broad range of ballot measures. For analytical purposes, each measure is grouped into one of five categories: (1) economic development; (2) governance and governmental flexibility; (3) growth management and regulation; (4) infrastructure, and (5) open space, natural resources and recreation. Thus, this report describes measures designed to protect open space and measures designed to fund new transit lines. There were measures that promoted economic development and reinvestment, and measures designed to sharply restrict growth. There were measures that sought to increase or limit local flexibility in land decisions or modernize governance. These measures, although diverse, all affect how communities will grow.

1. *Economic Development*

Economic Development measures involve efforts by state or local governments to guide and encourage investment, either by direct public investment or by creating institutions, providing technical assistance and promoting laws and policies that foster private investment and public-private enterprises. Economic development measures, along with open space measures, had some of the highest rates of voter approval, and were on the ballots mostly in cities and suburbs.

2. *Governance/ Flexibility*

The *Governance/ Flexibility* category, which accounted for almost a third of the statewide measures, reflects the churning in state and local relations that is occurring as metropolitan regions struggle to deal more effectively with growth—or the absence of growth. States are the principal influence on local governments' range of fiscal choices and authorities.³ These measures are quite diverse. A "yes" vote may be a vote for more local authority vis-à-vis the state or less, for regional arrangements, or for other aspects of state or local governance. Some state proposals enhance local governments' flexibility—to set differential property tax rates to shape waterfront development or form economic development districts, for example. Others restrict local officials' decision making—such as requiring a referendum prior to expanding an airport. Two measures deal with merging city-county functions and others with modernizing and clarifying local governmental classifications and authorities. Several *Governance/ Flexibility* measures actually were intended to be catalysts for growth management and economic development.

3. *Growth Management/ Regulatory*

Growth Management measures seek voter approval for traditional or innovative methods to regulate development. Such methods include: standard zoning (or rezoning), subdivision codes, building caps, height restrictions, moratoria on construction, and urban growth boundaries. Other measures restrict

³ National Conference of State Legislatures, "Critical Issues in State-Local Fiscal Policy: A Guide to Local Option Taxes." Washington, DC; 1997.

growth based on traffic projections, require voter approval for additional development, or amend general plans. This category also includes Oregon’s statewide “takings” measure to compensate landowners if existing growth management regulations reduce their land value. A “yes” vote in this category does not necessarily imply voter support for growth management strategies. In some jurisdictions, particularly in California counties and cities, competing measures on the same topic were placed before voters.

4. Infrastructure

Infrastructure measures provide basic services to communities. For purposes of this survey, four types of infrastructure are included—affordable housing, schools, transportation and water quality—in order to focus on capital spending measures with the greatest potential impact on how communities grow. *Affordable housing* measures specifically mention such housing in the text of the measure. *School* measures provide funding (almost exclusively through the issuance of bonds) for the construction of new schools. *Transportation* measures include funding or policy decisions designed to augment a particular mode of the transportation network, including major road construction and improvements, enhanced or new transit services and projects designed to promote pedestrian and bicycle travel. *Water quality* measures provide funding for water system improvements financed by capital bonds.

5. Open Space/Natural Resources/Recreation

Open Space measures are intended to protect lands with special environmental, natural resource, or recreational value from development. They also include measures that establish parks or create recreational facilities in primarily urban or suburban areas. State and local spending on such “green infrastructure”⁴ has spiked upward in recent years as a result of voter-approved bonds and dedicated taxes. These measures shape how communities grow through targeted purchases of land, conservation easements, conversion of land for recreational purposes, or activities designed to safeguard natural resources. A “yes” vote in this category means voters approved the protection of open space, development of parks or conservation of natural resources.

B. NUMBER OF MEASURES

The 2000 survey identified 553 growth-related measures (518 local and 35 statewide). However, 20 of those measures were multi-faceted and fit into more than one of the categories listed above. For example, State Issue #1 in Ohio provides \$200 million for natural resource and open space projects (*Open Space* category) and also the same amount for brownfield remediation and land development (*Economic Development* category). Table 1 breaks down the measures as they are categorized in this paper.

⁴ The Conservation Fund and U.S. Department of Agriculture Forest Service define *green infrastructure* as a “strategically planned and managed network of wilderness, parks, greenways, conservation easements, and working lands with conservation value.” See <http://www.greeninfrastructure.com> for more information.

Table 1: General Breakdown of State and Local Measures

499 single category local measures	499
17 double category local measures	34
2 triple category local measures	6
<i>Subtotal</i>	<i>539</i>
34 single category statewide measures	34
1 double category statewide measure	2
<i>Subtotal</i>	<i>36</i>
<i>Total</i>	<i>575</i>

Therefore, while citizens voted on 553 measures, the report tallies 575 measures when broken down into categories. We use the 575 number throughout the rest of this survey—except for Section V, which discusses the metropolitan geography of the local ballot measures (i.e., measures designed to affect growth in cities, suburbs, or rural areas). Table 2 lists the measures by category.

Table 2: Breakdown of State and Local Measures by Category

Category of Activity	Statewide	Local	Total	% total
Economic Development	7	42	49	8.5%
Governance/Flexibility	10	15	25	4.3%
Growth Management/Regulation	5	89	94	16.3%
Infrastructure Investments:	8	142	150	26.1%
Affordable Housing	0	15	15	2.6%
School Facilities	1	59	60	10.4%
Transportation	6	64	70	12.2%
Water Quality	1	4	5	0.9%
Open Space/Natural Resources/ Recreation	6	251	257	44.7%
<i>Total</i>	36	539	575	100.0%

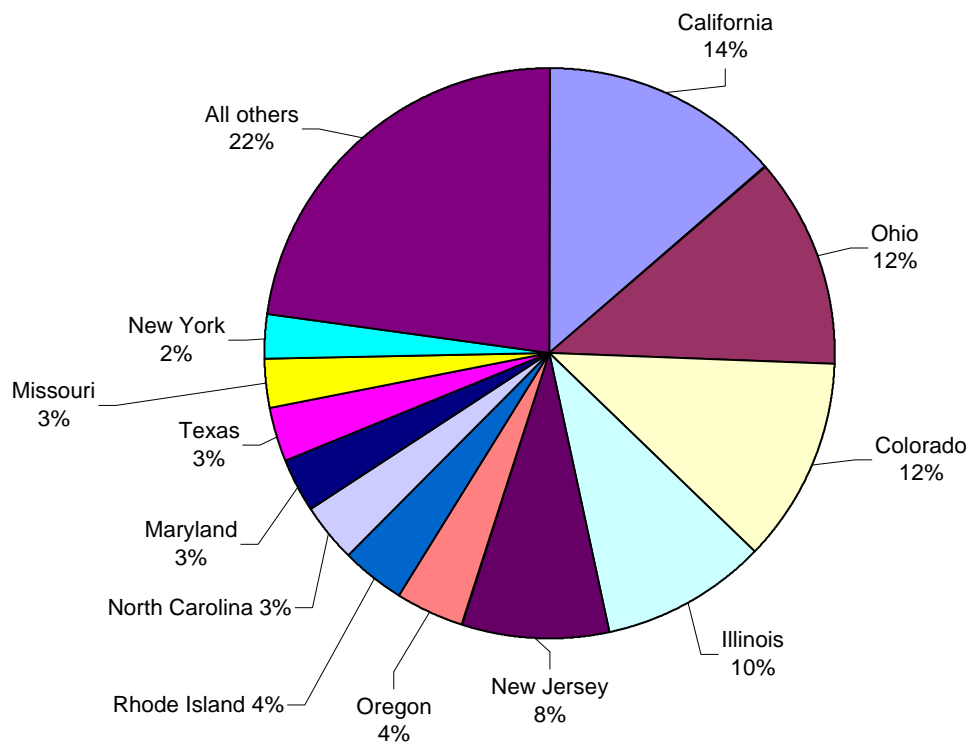
Election Day 2000 saw a substantial increase in the number of state and local open space measures, the only group of growth-related measures for which we have information from previous elections. Using similar methodology to that used in the 1998 study, the 2000 survey identified 34 more open space measures on the ballot in 2000 than in 1998—a 15.7% increase. Transit-related ballot measures are a relatively new phenomenon and still limited to a few states.⁵ Measures involving capital funding for economic development in center cities, especially those that included economic development in a larger plan for enhancing civic infrastructure and building arenas, zoos, and cultural institutions, were approved.

⁵ Telephone discussion with Don Chen, Smart Growth America, November 2000.

C. VARIATION AMONG STATES

There were, as noted above, 38 states that had statewide or local measures on the ballots in November 2000. (See Figure 1) The states with the most ballot measures were: California (78), Ohio (69), Colorado (67), Illinois (55) and New Jersey (48). These five states accounted for over half of the ballot measures in the 2000 elections. The differences in number and kind of measures on the ballot in different states are likely attributable to differences in growth pressures; relevant constitutional, and statutory provisions and judicial precedent; governmental fragmentation; citizen activism; and the propensity of governments and citizens to propose ballot action. (See Section E).

Figure 1: Percent of Ballot Measures by State



The number of measures in a particular state may change dramatically from one election to another as a result of new legislation, court rulings, or citizen activism. The large number of open space measures in New Jersey, for example, is a direct result of state enabling legislation approved in the early 1990s, that allows communities to apply modest increases in property tax revenues to local funds for land conservation, historic preservation, parks, and farmland preservation, with voter consent. The state's popular land conservation program, Green Acres, gives priority to applications from the communities that have created these funds.

Strict spending restrictions in Colorado that were approved in a 1992 constitutional amendment, require voter approval to retain budget reserves instead of returning them to state residents. Judicial rulings in California affirming voters' constitutional right to use the initiative power for amending general

plans and other land use decisions, provide the legal impetus for the flurry of land use measures in that state.⁶ California's Proposition 13 also appears to have created a climate of initiative activism.⁷

Local government fragmentation provides another explanation for the number of measures in some states. Illinois and Ohio, for example, have so many ballot measures in part because of governance reforms more than a century ago, which led to the proliferation of small and often single purpose governments. While a large number of measures can reflect healthy grassroots debate over growth, it can also be a sign of multiple overlapping governmental units that can foster NIMBYism in the absence of broader planning mandates and impede growth responses reflecting broader perspectives.⁸

D. VARIATION AMONG REGIONS

A significant regional shift in open space measures is evident in the last few years. Specifically, there has been a recent increase in measures floated and approved in the West. A 1996 survey found the most open space measures in the Northeast, followed by the Midwest, with the West and South trailing, reflecting conservative approaches to planning and ballot initiatives in the latter two regions. In 1998, as Western states grappled with the nation's highest growth rates, manmade and natural limits on development, and scarce water, voters in the region approved the second-highest number of open space measures (38), with a 67.8% approval rate compared to 48% in the Midwest. On Election Day 2000, Western states approved 44 open space measures - a rate of 64.7% (See Appendix Table 2). The West also led the rest of the country in the number of overall growth-related measures with 197, or 34.2% of the measures. (See Table 3)

In general, all measures tended to have the highest success rate in the Northeast. Over 90% of the measures in the Northeast passed – by far the highest percentage of the four regions. Measures in the South passed at a rate of 79.8%, the Midwest saw 66.4% pass, and 62.4% passed in the West.

Table 3: Breakdown of State and Local Measures by Region

	All Measures				Statewide Measures			Local Measures		
	Total	Passed	Failed	% Passed	Total	Passed	% Passed	Total	Passed	% Passed
Midwest	161	107	54	66.4%	4	2	50.0%	157	105	66.9%
Northeast	108	98	10	90.7%	10	4	40.0%	98	94	95.9%
South	109	87	22	79.8%	7	4	57.1%	102	83	81.4%
West	197	123	74	62.4%	15	7	46.7%	182	116	63.7%

E. HOW THE MEASURES REACHED THE BALLOT

Measures were placed on the ballot in two ways, by legislative referral or citizen initiative:

⁶ Joseph Zimmerman, *The Initiative: Citizen Law-Making*. Westport, CT: Praeger Publishers, 1999.

⁷ Telephone discussion with Peter Detwiler, California Senate, Local Government Committee, January 30, 2001.

⁸ Telephone discussion with David Beach, ECO-CITY Cleveland, December 29, 2000.

- *Legislative referrals*, which comprise 90.4% of the measures, are placed on the ballot by elected officials including state legislators, county commissioners and town boards. Three-fourths of these measures passed. Many legislative referrals are money-related, and arise because elected officials need voter approval to issue general obligation debt, levy new taxes, or earmark revenues for a specific purpose. These requirements vary from state to state and among different units of governments within each state. Legislative referrals also include mandatory and discretionary referenda on regulatory measures such as charter amendments, development reviews, and rezonings. Citizen pressure can also lead to legislative referrals; in the 2000 elections, citizens played a strong role in growth management, open space, and transit measures referred by legislatures by gathering information on needs, educating the public and working with officials. Some measures that ended up as legislative referrals actually began as citizen initiatives.
- *Citizen initiatives*, which account for 9.6% of the survey group, are placed on the ballot pursuant to a successful signature campaign conforming to constitutional, charter, and statutory requirements about the required number of signatures, time frame for collecting and verifying signatures, issues that initiatives can address, etc.⁹ It is important to note that these initiatives are not necessarily placed on ballots by volunteer community groups—increasingly, initiatives are the work of well-financed individuals or interest groups that hire people to gather signatures. Results of the citizen initiatives were mixed, as only 52.7% of them passed.

Twenty-four states provide for citizen initiatives. Most are placed directly on the ballot, although some are first sent to the state legislature (these are known as *indirect initiatives*). The influence of citizens is far greater than the low percentage of citizen initiatives suggests. Citizen initiatives tend to be among the highest profile measures. The Arizona and Colorado statewide planning proposals were advanced by the Sierra Club and other environmental groups, and Oregon’s Measure 7, which revamps Oregon’s land use law, was proposed by conservative taxpayer groups. Almost one-third of the statewide growth-related measures are citizen initiatives. In California, citizen initiatives played a large role in setting the agenda for recent local land debates.

Table 4: Breakdown of How State and Local Measures Were Placed on the Ballot

Category of Measure	Citizen Initiative	Legislative Referral
Economic Development	2	47
Government/ Flexibility	3	22
Growth Management /Regulation	39	55
Infrastructure: Affordable Housing	1	14
Infrastructure: Schools	1	59
Infrastructure: Transportation	4	66
Infrastructure: Water Quality	-	5
Open Space/Parks & Recreation	5	252
Total	55 / 9.6%	520 / 90.4%

⁹ See the Initiative and Referendum Institute’s web site, <http://www.iandrinstute.org>, for a list of initiative states and recent research on local initiative powers. See also Zimmerman, 1999; Schmidt, 1989; and Broder, 2000.

F. WHAT THE MEASURES ARE DESIGNED TO DO

In general, the growth-related ballot measures before voters in November 2000 were specifically designed to do one of three things:

- *Authorize funds.* More than two-thirds of the measures asked voters to approve financing for a specific project or program. Examples include authorizing bonds for highway construction, raising sales taxes for economic development purposes, or increasing property taxes for open space purchases. Almost half of the states require a referendum for authorizing a general obligation bond.¹⁰ Measures that earmark revenues and finance measures may require a state constitutional amendment, also subject to referendum. Local governments' referendum requirements for authorizing bonds and raising taxes vary by state and type of jurisdiction.
- *Amend administrative rules and regulations.* Voters were also asked whether changes should be made to governance or administrative rules. Examples include the creation of a park district to manage a region's open space; authorization for a local government to develop affordable housing units in a city; or approval of a state constitutional amendment requiring jurisdictions to develop growth management plans.
- *Provide advice.* Citizens or officials may refer nonbinding measures to the ballot in order to obtain "a sense of the electorate" about an action being considered, or a member of a board or commission may place an advisory measure on the ballot to strengthen his or her hand in advancing certain proposals. Examples of advisory measures include ballots seeking voter opinion on creating and funding a downtown park, on earmarking utility taxes for parks and beautification, on rezoning for a large subdivision, and on restricting location of electrical installations to industrial zones. Almost all of these measures passed – 94.7%.

Table 5: Breakdown of State and Local Measures by Category and Purpose

<i>Category</i>	<i>Funding</i>	<i>Advisory</i>	<i>Regulatory</i>	<i>Regulatory & Funding</i>	<i>Total</i>
Economic Development	33	1	13	2	49
Governance/ Flexibility	0	10	15	0	25
Growth Management/ Regulation	0	12	82	0	94
Infrastructure Investments:	133	4	11	2	150
Affordable Housing	8	1	6	0	15
School Facilities	58	0	2	0	60
Transportation	64	2	2	2	70
Water Quality	5	0	0	0	5
Open Space/ Natural Resources/ Recreation	227	11	17	2	257
TOTAL	393 / 68.3%	38 / 6.6%	138 / 24.0%	6 / 1.0%	575

¹⁰ Leslie McGranahan, Federal Reserve Board of Chicago, in 1998 Proceedings of the National Tax Association's 91st Annual Meeting.

IV. SURVEY RESULTS BY CATEGORY

The following section discusses the ballot measures in greater detail, by category.

A. ECONOMIC DEVELOPMENT

Of the 49 measures designed to promote economic development, 71.4% passed. The seven statewide economic development measures proposed new state authorities, institutions and guarantees to facilitate business development and local finance, and also provided direct financial assistance for major capital development in distressed areas. In effect, these measures allow states to facilitate or initiate responses to urban and metropolitan problems.¹¹

Several states sought authority to facilitate local efforts to find opportunity in a generally robust economy that has left some places behind. Alabama's statewide Amendment 1, for example, successfully proposed a \$350 million bond to promote local economic development through port and harbor expansion and by creating trust funds to help localities develop their own capital infrastructure to attract private investment. Alabama's statewide Amendment 3 earmarks 10% of oil and gas revenues for capital improvement assistance to counties and municipalities. Ohio voters approved \$200 million in revenue bonds (backed by pledged state revenues) for development and re-use of restored brownfields.

In other approved measures, Idaho proposed a state bond bank to help localities finance investments, and Arkansas authorized cities and counties to form development districts with authority to issue bonds and short-term debt. A Nevada measure to create a state entity to help diversify the state's economy failed, however, as did a Louisiana measure to establish a state corporation to promote economic development.

At the local level, cities, suburban communities, and counties sought voter approval for an array of investments to attract and sustain growth opportunities. Forty-two local governments floated proposals for funding economic development projects, with a 73.8% approval rate. Eighteen economic development measures were initiated in center cities.

Economic development proposals fared very well when they were part of broad measures that included open space or affordable housing elements. Eight of the ten combination measures passed. For example, Winston-Salem, North Carolina officials successfully proposed a \$71 million bond package with \$12.5 million for economic development and \$40.6 million for streets and sidewalks improvements. The package also included security improvements and affordable housing elements. Philadelphia successfully sought voter consent to a \$162 million bond for renovating parks, recreation, and museum facilities, funding economic and community development projects, financing transit and street improvements, and repairing municipal buildings.

Several downtown development plans reflect the business community's support for renovations of historic buildings, expansion of museum facilities, and spiffed-up zoos and waterfronts. Cities that successfully sought funds last November for these kinds of projects include Baltimore and Detroit. Both

¹¹ Zimmerman, *State-Local Relations: A Partnership Approach*. Wesport, CT: Praeger Publishers, 2995.

cities also floated bonds for neighborhood economic development. Corpus Christi, Texas, voters approved a 25-year sales tax increase to develop a multipurpose sports arena, and a \$43 million bond for seawall repairs to protect downtown properties, part of a concerted business-driven plan to bring entertainment and jobs to the city.

Suburban Volusia County, Florida, successfully floated a \$40 million proposal for an array of investments to further tourism, including a downtown cultural arts center and restoration of neighborhood historic landmarks. Maricopa County, Arizona, approved financing for a major sports arena.

B. GOVERNANCE/FLEXIBILITY

Another important state response to urban and metropolitan development involves the removal of constitutional and statutory barriers to local problem solving and innovation. Ten statewide measures, from all parts of the country, dealt with an array of governance and local flexibility issues. These measures exemplify changing state/local relationships in the wake of growth and devolution. Some, though seemingly innocuous and technical, are locally very important, such as the modernization and clarification of local government designations and authorities in Utah. This successful proposal facilitates local plans, accountability, and funding.

However, several proposals to give a wider range of powers to localities failed at the ballot box. A proposal to grant municipal home rule in New Hampshire was supported by business groups who complained about the burden of seeking state authority. Others thought it would hamper budding regional collaborations on environmental and growth issues. The measure failed, as did a proposal in Maine to allow communities to lower coastal property assessments for fishing uses. Voters rejected bids by two Maryland counties for eminent domain authority for economic development projects, and a Michigan measure that would have required a two-thirds vote in the state legislature for laws affecting local governments, except for enabling legislation.

Two measures strengthening and streamlining county governance, in Jefferson County/Louisville, Kentucky, and in Bernalillo County/Albuquerque, New Mexico were supported by business and civic interests, who believed the measures would allow officials to better manage growth pressures or seek new economic opportunities. Both were approved (the New Mexico measure is the first step in a two-year process).

Regional governance was affirmed in Barnstable County (Cape Cod), Massachusetts, in a measure submitted by county officials, which would inoculate the county against state efforts to eliminate county government (which for the most part is quite weak in Massachusetts). However, regional governance was rejected in Berkshire County, Massachusetts.

Measures to increase (or decrease) governmental flexibility and capacity represented the smallest portion of all ballot measures (4.3%).

C. GROWTH MANAGEMENT/REGULATION

Of the 94 state and local growth management/regulation measures, 54.2% passed, but in this category, a “yes” vote does not necessarily imply voter support for growth management strategies. Table 6 lists the types of local growth management regulatory measures identified for this survey.

Table 6: Breakdown of Growth Management/ Regulation Measures by Type

Type	Passed	Failed	Total	% Passed
Landowner Compensation	1		1	100.0%
Zoning (advice, new and rezoning)	31	23	54	57.4%
New Referendum Requirements	6	4	10	60.0%
Urban Growth Boundaries	8	7	15	53.3%
Building Caps	3	2	5	60.0%
Billboard Ban	1	1	2	50.0%
Moratoria	1	3	4	25.0%
Traffic Impact Requirement		1	1	0.0%
Comprehensive Growth Management Plans	2		2	0.0%
Total	51	43	94	54.3%

The five statewide measures in the growth management/regulation category are all citizen initiatives, and with one exception, they appeared on ballots in the West. In fact, there were no growth management/regulation measures at all in the South or in the Northeast. There were 94 such measures at the state and local level—42 in the Midwest and 52 in the West. The applicability of the initiative process to local land use decisions varies by type of decision, language in a jurisdiction’s charter, relevant state constitutional and statutory provisions, and judicial precedent. These measures exemplify the complexity of evolving prescriptions for the ills of sprawl.

Arizona Proposition 202 (known as the “Citizens’ Growth Management Initiative”) and Colorado Amendment 24 (called the “Responsible Growth Initiative”) would have required local officials to formulate new growth plans for voters to approve, and to seek voter permission for changes in these plans. Both measures were promoted by coalitions of environmental, planning, and citizen groups. While the details vary, both measures proposed the nation’s most stringent planning requirements, and were initially very popular but saw support plummet after costly campaigns by opponents.

Amendment 24 in Colorado would have required local governments to describe the impacts of development allowed by their proposed growth plan. Impacted elements to be considered included housing, traffic, air quality and water supply. The measure would have also required localities to describe how their growth plans conflicted or coordinated with approved or pending plans of adjacent local governments. The Arizona measure called for developers to meet the full costs of infrastructure and authorized a broad standing to sue for noncompliance, but was silent on regional coordination. Neither created a statewide planning responsibility. Opponents to these two initiatives spent nearly \$10 million to defeat them. Following the measures’ defeats, opponents and supporters said they would work together on achieving consensus on more acceptable solutions to growth’s challenges in the 2001 legislative session.

Measures 2 and 7, in Oregon, proposed by taxpayer groups, targeted the state’s pioneering land use law. Measure 2 would have created a cumbersome legislative review process for administrative

decisions, while Measure 7 would require full compensation for regulation-driven reductions in property value. Measure 2, which referred specifically to the law, was defeated, while Measure 7 was approved.

Missouri's Save Our Scenery 2000, a citizen initiative designed to ban future billboards on interstate and primary highways, stop billboard companies from cutting down trees on public lands to increase the visibility of billboards, and affirm the right of local governments to regulate billboards, was defeated narrowly. Missouri has nearly three times as many billboards as eight nearby states.¹² In Reno, Nevada, by contrast, Citizens for Scenic Reno gained approval for a local ban on new billboards with a 57% yes vote.

San Diego officials successfully asked voters to relax a voter-imposed height limit in the coastal zone so an ambitious Gateway of Americas project could be completed. This project will include a large shopping and office complex along the U.S. border with Mexico and a 150' high pedestrian bridge to link Tijuana with San Diego.

Nearly half (44) of the local measures were on ballots in California jurisdictions. The Solimar Research Group has documented a revival of ballot box zoning in California at a pace not seen for more than a decade.¹³ Other measures appeared on ballots in Oregon, Colorado, Ohio, Illinois, Michigan, and Arizona. The measures have a range of purposes, from slowing growth to speeding it up, and there are some with effects that are difficult to predict. Voters approved eight urban growth boundaries with new referenda requirements (several of these were in competing measures backed by officials and citizen groups).

When presented with the opportunity (or responsibility) to say yes or no to land use decisions—the authority embodied in local urban growth boundaries and the defeated Arizona and Colorado measures—what do citizens do? Research shows that voters do not predictably turn down all development, as developer groups have feared. The Solimar study, for example, found that in a 15-year period, Californians voted to limit growth 57% of the time, with the approval rate for pro-growth measures rising in recent years.¹⁴

Results in our survey are also mixed. The highest profile local measure that failed was in Coconino County, Arizona, where voters rejected county-approved rezoning of a 272-acre site south of the Grand Canyon. The zoning change, from “open space” to “planned community,” would have accommodated a large visitor complex, with lodging, retail shops, employee housing, and a community activity center. The Grand Canyon Trust, Sonoran Institute, Natural Resources Defense Council, National Park Service, and local tribes supported the plan as a sustainable approach to accommodate the growing number of visitors at this spectacular resource. The county permit had 60 conditions, including assurances on importing water and funds for land conservation. Critics, including the Sierra Club and local businesses, said the development was far too large and environmentally intrusive, involved lands

¹² Save Our Scenery, “Campaign Flyer on Proposition A.” <http://www.saveourscenery2000.org>.

¹³ William Fulton, Paul Shigley, Alice Harrison and Peter Sezzi, “Trends in Local Land Use Ballot Measures, 1900-2000: An Analysis of City, County, and Statewide Trends.” Ventura, CA: Solimar Research Group, 2000.

¹⁴ Ibid.

transferred to the developer from public ownership at below market rates, and would harm the local economy.¹⁵

Westlake, Ohio residents, by contrast, approved rezoning for a contentious 75 acre, 1.7 million square foot retail and residential development, which the developer said advanced New Urbanism principles such as compact housing and pedestrian paths. Citizen groups, who criticized the project as a too-big, traffic-inducing mall, unsuccessfully appealed to the state Supreme Court to keep the measure off the ballot.

In other measures, Escondido, California, voters rejected all but one of a series of rezoning requests triggered by a referendum requirement. Sacramento County voters rejected a request to alter the county's urban services boundary to accommodate a 3,000-unit subdivision. San Marcos, California, voters supported a measure to require zoning changes to be consistent with the town's general plan for long-term development.

Local confidence in planning was at the core of the advisory votes in nine towns in McHenry County, Illinois, near Chicago, where voters overwhelmingly approved a series of coordinated measures urging county officials not to grant conditional use permits for electrical installations known as "peaker plants"¹⁶ outside of areas zoned for heavy industry. They also asked that some permits require a three-fourths, rather than majority, approval by town councilors. (Illinois restricts the initiative and referendum process to municipal advisory measures.) Supporters criticized the absence of planning safeguards in the county and argued for the preservation of the area's rural heritage; critics called it an example of NIMBYism between the still rural western reaches of the county and the suburban areas closer to Chicago.

D. INFRASTRUCTURE

November 2000 saw the second highest level of voter-approved capital funding in fifty years. These measures will finance \$21.8 billion in infrastructure investments across the country, and many of these are growth-related.¹⁷ In a number of instances the measure specifically requested authority for a modest tax increase to finance the costs of repaying the bond. Thus, voters were not lulled into thinking that a bond, and the resulting infrastructure, was "free." Nevertheless, voters still approved 74.7% of all infrastructure measures.

1. Affordable Housing

Fifteen local ballot measures addressed issues of affordable housing in communities with intense growth pressures, including Berkeley, San Francisco, and Sonoma City, California; Boulder and Aspen, Colorado; and Raleigh, North Carolina. Eleven were approved. The proposals took several forms: Raleigh, North Carolina, approved a \$14 million bond for affordable housing programs; Berkeley and Sonoma, California, authorized public and private entities to develop a specific number of low-cost housing units; Rohnert Park, California, voters authorized the city to provide money, land or other assistance to

¹⁵ Coconino County, Arizona Elections 2000, "Arizona Information Pamphlet and Sample Ballot, Canyon Forest Rezoning Referendum, Proposition 400." Coconino County, AZ, 2000.

¹⁶ Peaker plants are those that would provide supplementary power in peak periods such as the summertime.

¹⁷ Doug Peterson, "State Leagues Active on Ballot Issues." *Nation's Cities Weekly*. 23(45), Washington, DC: 2000.

developers to build affordable rental housing, with a limit of 15% of the new affordable housing units in any one section. Four of five affordable housing measures in California passed.

Although affordable housing is not mentioned specifically in any statewide measure, the effect of growth restrictions on the supply of housing for lower and middle income persons surfaced as a potent issue in 2000. In Colorado, several housing advocacy groups, including Habitat for Humanity, opposed Amendment 24 on grounds that it would aggravate the already heated housing market and adversely affect the supply of affordable housing. They pointed to the high cost of housing in Portland, Oregon, which has a growth boundary and statewide planning mandates. Supporters of the Colorado measure argued that housing prices in Denver have increased as much as in Portland, although the city does not have an urban growth boundary.¹⁸ On the flipside, the four affordable housing measures that were part of broader initiatives (open space, transportation and economic development) were all in the state of Colorado and all passed.

2. Schools

The second largest flow of state infrastructure funds from the November 7, 2000 ballot measures is dedicated to school facilities construction (transportation garnered the most funds).¹⁹ In California alone, hundreds of millions of dollars are expected to be approved by local governments following approval last November of Proposition 39, lowering the threshold for local approval of school bonds from two-thirds of voters to 55%. Prior to this change, more than 40% of local school bonds for construction and repair of school facilities were rejected, although a majority of local voters had approved them.²⁰ A measure that would have changed the threshold for approval to a simple majority, Proposition 26, failed earlier in 2000.

Two counties in Maryland unsuccessfully sought pay-as-you-go taxes and fees, rather than bonds, to finance school facilities—Wicomico County sought a real estate transfer tax, and Cecil County aimed for a developer impact fee. The Maryland legislature, which approved the placement of these measures on the county ballots, required a local referendum before these decisions could be implemented.

The survey identified 47 school construction bond measures on suburban ballots, and these had an 83% approval rate. Most bonds in rural areas were turned down, however. No bonds were floated in center cities, where schools are typically funded by appropriations, rather than independent districts with authority to raise funds directly from voters. Trends in school funding show states picking up more of the capital costs of school facilities, in response to court judgements on the inequities of school district funding and pressures to elevate educational standards.

¹⁸ Anthony Downs, "Dealing Effectively With Fast Growth." Brookings Institution Policy Brief 67, 2000.

¹⁹ Since school districts are separate entities that do not necessarily plan in concert with affected communities, their construction plans could work at cross-purposes with local efforts to manage growth. See Beaumont, 2000.

²⁰ Tim Herdt, "Battle Over School Bonds." Ventura County Star, 2000.

Table 7: Breakdown of Revenue Source for Infrastructure: School Measures

Revenue Source	Total	Passed	Failed	% Passed
Bond	55	42	13	76.4%
Tax	2	1	1	50.0%
Real Estate Transfer Tax	1		1	
Property Tax	1	1		
Impact Fee	1		1	0.0%
N/A	2	2		100.0%
Total	60	45	15	75.0%

3. *Transportation*

The largest number (70) of state and local infrastructure ballot measures were for funding for transportation improvements. Four of the six statewide measures were in the Northeast but almost 90% of the local measures were on ballots in the South and West.

New Jersey voters approved system-wide improvements in highways, transit, trails, and pedestrian and bikeway improvements, funded by an ongoing \$400 million annual set-aside from existing sales and gas taxes. Rhode Islanders approved a \$62.5 million bond to finance transportation system preservation improvements and the state’s share of realigning I-195 in downtown Providence. Voters also directed Florida officials to study and finance high-speed rail connections between the state’s five largest cities, a proposal that had earlier failed to garner the support of legislature. This initiative was proposed by a Florida investor who reportedly spent \$2 million marketing the successful signature campaign. In Washington State, voters decisively defeated an initiative that would have mandated a higher share of the transportation budget for highways, and in Massachusetts, voters rejected a substantial tax credit for automobile tolls. New York State turned down a \$3.8 billion bond for transportation when supporters failed to forge a winning alliance between mass transit advocates in the city and highway boosters upstate.

Table 8: Breakdown of Infrastructure: Transportation Measures by Type

Type	% of category	Passed	Failed	Total	% passed
Road Construction/Improvements	51.4%	26	10	36	72.2%
Transit	31.4%	19	3	22	86.4%
Multi-Modal	10.0%	4	3	7	57.1%
Non-motorized	5.7%	3	1	4	75.0%
Other	1.4%	0	1	1	0.0%
Total		52	18	70	74.3%

Successful local transit measures include one from Santa Clara County, where voters approved extension of a ½ cent sales tax dedicated to transportation, which will help finance a 22-mile extension of the Bay Area Rapid Transit (BART) line to San Jose. Business, planning, and transit coalitions also backed winning measures to raise sales taxes to improve bus service in Colorado’s Roaring Fork Valley resort region, a complex arrangement requiring voter approval in two counties and five communities, and bus and possibly rail service in Utah’s exploding Upper Wasatch Corridor, a three-county collaboration. The Roaring Fork measure cobbles together revenues from existing and new sales and hotel taxes, two sources that the Colorado legislature agreed it could tap in 1997, in order to better serve its diversifying

economy, retirement population, and workers.²¹ Cache County, Utah, voters expanded their transit district to improve commuters' access to transit alternatives that will serve the county's largest employers.

Boulder, Colorado voters said "no" to a property improvement tax to finance free transit passes for 3,000 households in seven neighborhoods. An ambitious light rail proposal to raise the local match for federal funds from earmarked sales tax revenues was narrowly defeated in the Austin Capital Metro region. The measure was supported in downtown communities near the proposed line, but not in farther-out suburbs.

In several places, funding for open space was combined with funding for roads, or roads and transit in a single finance measure. A narrowly defeated measure in Charleston County, South Carolina, strongly supported by the county executive and city mayor, proposed a sales tax increase that would raise \$1.2 billion for highways, transit, parks and farmland preservation over the next 25 years. Given that supporters were late in forging alliances, and shortcomings in both the highway and transit programs surfaced in the campaign, supporters were encouraged by the strong showing for the measure.²² The parks/transportation alliance fared better in Gwinnett County, Georgia; Leon County, Florida; St. Cloud, Minnesota; and Albuquerque, New Mexico.

Several measures reflected a desire to combine traditional highway funding with money for transportation alternatives. Austin's \$150 million bond for highway "capacity improvements" will also fund high-occupancy vehicle (HOV) lanes, bicycle and pedestrian projects. Ballot language ensured that proposed roads would be subject to environmental reviews in order to protect the city's drinking water protection zone. In Novi, Michigan, a suburb of Detroit, voters approved an \$18.4 million transportation bond measure that officials redesigned because of voter criticisms of an earlier roads proposal. The revised measure emphasizes rehabilitation of existing roads and reduces funding for new highways that citizens criticized as likely to induce sprawl.

Elsewhere, voters approved substantial funds for highways as a remedy for congestion. Given the emerging research that demonstrates that highway expansion may facilitate sprawling development, how and where these funds will be spent will make a critical, and as yet unknowable, difference in their impact on metropolitan form.

Finance Methods

Sixty-four measures sought funds for transportation, many to match federal and state funds. A breakdown of the local transportation finance measures appears in Table 9.

Most of the measures requested bond or tax financing, with an equal division between the two approaches. The predominant tax revenue source was the sales tax, and almost three-quarters of measures to allocate sales tax revenues to transportation were approved. Attempts to tap other revenue sources had some modest success.

²¹ Telephone discussions with Stephen Holbrook, Envision Utah, October 2000 and Alice Hubbard, Roaring Fork Transportation Authority, October and November 2000.

²² Telephone discussion with Ken Driggers, Palmetto Conservation Foundation, Columbia, South Carolina, December 2000.

Table 9: Breakdown of Revenue Source for Infrastructure: Transportation Measures

Revenue Source	Total	Passed	Failed	% Passed
Bond	30	26	4	86.7%
Taxes	30	19	11	63.3%
Benefit Tax	1		1	0.0%
Hotel Tax	1	1		100.0%
Property Tax	3		3	0.0%
Sales Tax	23	17	6	73.9%
Use Tax	1		1	0.0%
Utility Tax	1	1		100.0%
Appropriation	4	4		100.0%
N/A	6	3	3	50.0%
Total	70	52	18	74.3%

Voters may have rejected measures because they were unfamiliar with the funding sources or with the projects themselves. The successful sales tax measures were typically extensions of existing taxes or linked to transit improvements. Gaining voter support for costly transportation investments and new types of taxes takes time and considerable public education. Transit advocates are now engaged in an effort to build the support network—including alliances with business and community groups in metropolitan regions around the country—needed for success at the ballot box.

4. Water Quality

Around the country, older cities, growing suburbs, and rural counties face serious issues of water quality due to aging or inadequate infrastructure. Residential growth, farmland operations, and commercial and recreational development exacerbate the challenge of ensuring clean waterways and adequate water supplies.

Only one statewide measure provided funds for capital investments in improved water quality, a \$60 million general obligation bond approved by Rhode Island voters by a 3 to 1 margin in the first significant statewide water quality bond since 1990. More than 2 billion gallons of raw sewage are dumped into the Narragansett Bay annually because heavy rains overload the state’s old combined sewer system.

The bond funds will be matched with federal and other state funds in zero percent and subsidized loans to municipalities, governmental entities, and nonprofits for water pollution abatement and drinking water improvements. The result will be a pool of \$215 million to be spent over a 20-year period. The Narragansett Bay Commission will receive at least \$70 million for a tunnel to manage the overflow, a project that will, along with the relocation of I-95, be among the state’s largest public works projects ever. The remainder will be spent on community water systems, wastewater treatment, conversion from septic systems to sewers, restoration of aquatic habitats, and other non-point pollution abatement projects.

Locally, voters approved Warwick, Rhode Island’s request for a \$4 million bond for the local share of a water quality infrastructure project that is a high state priority. With 85,000 people and 39 miles of shoreline, Warwick anticipates additional growth from an expansion of T.F. Green Airport, improved rail

service, and increased recreational traffic. Water quality is also an important impetus for some of the open space measures in Rhode Island, since extensive discussions over water quality in the past decade have focused on the links between development and water quality.

Water quality issues are somewhat different in Palmer Lake, Colorado, which is experiencing “extreme water rationing” due to the drying up of surface water supplies and the town’s inability to tap other groundwater sources because of demands by higher priority users. Voters approved borrowing \$1.7 million to drill a deep well in Denver’s aquifer, purchase water, and improve the town’s distribution system. Acknowledging that the shortage will probably require more wells, the town manager successfully convinced voters of the need to approve an immediate “fix.” In recent years, other towns have also mined the aquifer to serve growing populations, although this is a nonrenewable resource.²³

Monroe, Oregon, an hour and a half south of Portland in fast-growing Benton County, received voter support for a small bond for improvements to its below standard water system, but voters turned down a water bond in affluent West Linn, eight miles west of Portland.

E. OPEN SPACE/NATURAL RESOURCES/RECREATION

Measures designed to preserve open space or build and maintain parks and recreation facilities continue to be highly popular. Of 257 open space measures, 201 passed (78.2%).²⁴ This represents a 15.1% increase in this type of measure from 1998. Open space measures were on six statewide ballots and on local ballots in every region in the country, but most were found in the Northeast.

The two successful statewide open space measures combined open space funding with other growth-related spending. Ohio’s \$400 million bond measure, a constitutional amendment, uniquely combines funding for brownfield revitalization and land conservation, including natural areas, open space, agricultural lands, forests and state and local parks. The measure authorizes financial assistance for nonprofits as well as local governments and exempts them from possibly conflicting constitutional provisions. Proposed by Governor Robert Taft, the measure attracted bipartisan support from city, suburban, and rural advocates. The \$34 million Rhode Island measure, along with water quality and transportation bonds also approved by state voters last November, provides capital financing for key elements in the state’s bold revitalization plans. Bond funds will be used to buy land and easements to protect natural and recreational sources for open space preservation, ground water protection, and purchase of development rights by the state’s agricultural commission. Funds will also develop and promote public recreational facilities.

Two defeated statewide measures, while billed as land conservation proposals, received mixed reviews from state environmental communities. The Maine Coast Heritage Trust urged a “no” vote for the referendum to impose stricter tree cutting regulations on privately owned forests enrolled in the state’s Tree Growth program, on grounds that its regulatory ardor could lead property owners to drop out of the program and “undermine conservation.”²⁵ This was one of two open space measures that failed in the

²³ Official election information provided by the town manager.

²⁴ These figures do not include significant ballot successes earlier in 2000 such as the approval by California voters of some \$4 billion of land and water conservation bonds.

²⁵ Letter from James Espy, Maine Coast Heritage Trust, October 19, 2000.

Northeast. The Sonoran Institute and Nature Conservancy opposed Arizona's Proposition 100, which would have protected up to 3% of the state's 9+ million acres of trust lands, as an unwise cap on conservation management of state owned lands in the path of growth—lands now managed for maximum economic benefit to education.²⁶

All but two of the 90 measures designed to preserve and promote open space passed in the Northeast. Fully half (45) of the approved measures were in New Jersey, the most densely populated state in the nation. The number and approval rate of state and local open space measures in the West has increased noticeably since 1996.

The diverse local Open Space measures include a \$2 million bond to help a Massachusetts suburb purchase open land; a \$2.625 million bond for wetland restoration and shoreline stabilization to reduce sedimentation of the Chesapeake Bay; a \$38 million bond in Washoe County, Nevada to acquire open space and construct trails and libraries in the fast growing region centered on Reno and Sparks; and a seven-year, \$198.2 million tax measure to funds 100 park projects in Seattle, the largest infusion of public funds ever approved by city voters. Seattle will use the funds to maintain and improve existing parks and trails and expand and preserve threatened green spaces, protect creek corridors and restore wetlands and wildlife habitat.

Voters in Parma, Ohio, a heavily developed inner ring suburb of Cleveland, approved a \$3 million bond to enlarge a woodland park. Erie County, Ohio voters turned down a similar finance measure for purchase of a 1,400 acre natural site. Upscale developers are said to be interested in the land, which is within commuting range of Cleveland.

A trend to advance local open space measures in a broader strategic context was evident in Leon County (Tallahassee) and Volusia County (Daytona Beach), Florida, where land purchase funds are key elements in economic development initiatives. Cities that placed park funding measures on ballots as part of comprehensive revitalization bond packages, include Atlanta, Georgia; Hartford, Connecticut; Philadelphia, Pennsylvania; Baltimore, Maryland; Detroit, Michigan; and Raleigh and Greensboro, North Carolina.

Finance Methods

Voters have shown a preference for measures that are very specific about how new revenues will be spent, as typified by the Rhode Island open space measure, which lays out how much will be spent on different funding categories. They approved diverse earmarked revenues or bonds for specific open space or related measures or for these kinds of measures combined with other growth-related programs. Of 257 measures, voters approved 201, or 78.2 %, with a larger approval rate (89.1%) for bonds than for tax measures (69.7%). Property taxes accounted for more than 70% of the tax measures and sales taxes for 19.7%.²⁷ Property tax measures had a slightly higher approval rate (68.6%) than the sales tax measures (62.5%).

²⁶ Arizona Secretary of State, 2000 Ballot Propositions and Judicial Performance Review, November 7, 2000, <http://www.sosaz.com/election/2000/info/ElectionInformation.htm>.

²⁷ Property taxes were used to back almost half of the bonds as well.

Table 10: Breakdown of Revenue Source for Open Space Measures

Revenue Source	Total	Passed	Failed	% Passed
Bond	101	90	11	89.1%
Tax	122	86	37	69.7%
Benefit Tax	1	1		100.0%
Property Improvement Tax	1	1		100.0%
Hotel Tax	2	1	1	50.0%
Income Tax	4	4		100.0%
Parcel Tax	3	3		100.0%
Property Tax	86	59	27	68.6%
Real Estate Transfer Tax	1	1		100.0%
Sales Tax	24	15	9	62.5%
Lottery	1	1		100.0%
Appropriation	5	5		100.0%
N/A	28	20	8	71.4%
Total	257	201	56	78.2%

Other revenue sources include the local income tax, benefit assessment tax, real estate transfer tax, parcel tax, and hotel tax (revenues of the latter tax are typically shared with tourism promotion activities). Four advisory measures recommended that elected officials create earmarked funds for open space purchases.

V. THE METROPOLITAN GEOGRAPHY OF BALLOT MEASURES

In order to more completely understand the spatial distribution of the measures within each state, the applicable jurisdiction for each measure was plotted on a map and (using Census designations) labeled either central city, suburban or rural. There are limitations inherent in using these three geographic categories. The work of the Brookings Center on Urban and Metropolitan Policy and others shows cities, suburbs and rural areas are not homogeneous and suburbs in particular are not all experiencing the same growth concerns. Some are grappling with explosive growth and the accompanying traffic congestion, overcrowded schools, etc. At the same time, older, inner-ring suburbs are finding they have much more in common with the central city than the newly developing suburbs: population and job loss, declining household incomes and tax bases, changing demographics, and aging housing stock and infrastructure. Of course, all older suburbs are not declining. Some of the most stable and affluent communities in the country are older suburban areas. The term “suburb” is often used in a very general way to describe a residential area or a community outlying a city. Indeed, that is how we categorized them for our analysis, relying on Census definitions and existing work by prominent scholars. (See the Appendix for more information on how we categorized the measures spatially).

Of the local ballot measures, 395 (73.3%) were on ballots in suburban jurisdictions, 64 (11.9%) were voted on by central city residents and 80 (14.8%) were on ballots in rural locations. The location of the measures indicates that the promulgation of growth-related measures is primarily—but not exclusively—a suburban phenomenon. (See Table 11). Suburban and primary central city growth-related measures passed at a rate of 77% and 80% respectively. However, growth measures in rural areas passed at a much lower rate of 60%.

Table 11: Spatial Breakdown of State and Local Measures by Category

Category	Central City Measures	Suburban Measures	Rural Measures	Total
Economic Development	18	15	9	42
Governance/ Flexibility		15		15
Growth Management/ Regulation	7	72	10	89
Infrastructure: Affordable Housing	5	7	3	15
Infrastructure: Schools		47	12	59
Infrastructure: Transportation	15	35	14	64
Infrastructure: Water Quality		3	1	4
Open Space	19	201	31	251
Total	64	395	80	539

Forty of the 45 (88.9%) citizen-led ballot initiatives were found in suburban areas, (See Table 12) and 35 of these were growth management/regulation measures. Central city citizen campaigns also put four measures on the ballot, half of which were related to managing office development in San Francisco. The sub-sections below discuss the spatial distribution of the ballot measures, which are plotted on the maps at the end of the report.

Table 12: Spatial Breakdown of How State and Local Measures Were Placed on the Ballot

	Citizen Initiative	Legislative Referral	Total
Central City	4	60	64
Rural	1	79	80
Suburb	40	355	395
Total	45	494	539

A. SUBURBAN AREAS

Nearly three-quarters (73.3%) of the growth-related ballot measures were voted on by people in suburban jurisdictions. Of these, 201 were in the open space category and 80.2% passed. All of the 46 open space measures in New Jersey applied to and were voted on in suburban jurisdictions and all but one passed. Other states with large shares of suburban open space measures include Illinois (20), Ohio (16), Colorado (15), and Rhode Island (14).

All of the governance/ flexibility measures at the local level were voted on in suburban jurisdictions. Ten of these –all of which passed—were from McHenry County, Illinois.

Measures in the growth management/regulation category were also predominantly found in suburban jurisdictions (72 of 89). Thirty-nine of these were found in California. The types of measures before California voters included urban growth boundaries, building moratoriums, rezoning, and referenda on particular growth issues. However, less than half of the suburban California growth measures passed.

Suburban school infrastructure measures were generally supported by voters (39 of 47 passed, or 83%). More than half of all of the transportation infrastructure measures (35 of 64) were voted on in suburban jurisdictions. Voters passed all eight measures for funding to support public transit systems.²⁸ Six of the seven suburban measures that supported affordable housing were passed.

Growth-related ballot measures went before voters in 6 of the 10 fastest growing counties in the nation,²⁹ suggesting a link between rapid suburban population growth and ballot measures proposing funding and policy responses. (See Table 13)

²⁸ A transit measure went before voters in a special district that included portions of Williamson and Travis counties and the city of Austin, Texas. For our purposes, the measure is considered to be a central city measure and is included in the central city analysis.

²⁹ These counties are ranked by ranked by absolute population change between 1990 and 1999.

Table 13: Ballot Measures in the Ten Fastest Growing Counties

<i>County</i>	<i>Rank</i>	<i>Countywide Measure</i>	<i>Local Jurisdiction Measure</i>
Maricopa County, AZ	1	Economic Development	Infrastructure: Schools
Clark County, NV	2		
Los Angeles County, CA	3		Growth Management; Open Space; Transportation
Harris County, TX	4		
Riverside County, CA	5		
Orange County, CA	6		Growth Management; Open Space; Transportation
San Diego County, CA	7		Growth Management
Broward County, FL	8	Open Space	
San Bernadino, CA	9		Growth Management
Miami-Dade County, FL	10		

B. CENTRAL CITIES

Of the three types of jurisdictions, central cities had the smallest number of ballot measures (64) but the most economic development measures (18). Voters in Philadelphia, Baltimore, and Detroit (which were among the five cities that had the greatest population losses in the 1990s) passed almost \$233 million in funds for economic development.

However, the most successful type of central city measures were open space proposals. Nineteen such measures were identified and 18 of them passed, 15 of which provided funds for park facilities. Voters in central cities also approved five out of seven growth management/ regulation measures.

Infrastructure measures also fared well with city voters. Measures to create light rail systems in Austin, Texas, and Kansas City, Missouri, both failed but a measure in Seattle to fund the construction of a monorail system passed. Measures designed to improve pedestrian safety, and promote non-motorized transportation (usually bicycles) passed in Greensboro, North Carolina, Austin, San Francisco, and Atlanta. Baltimore and Raleigh passed \$26 million and \$14 million in bonds to strengthen neighborhoods and fund affordable housing projects. There were no school or water-related infrastructure measures, and no governance/flexibility measures identified in central cities.

C. RURAL AREAS

Open space measures were also the most successful in rural areas, with 20 of 31 measures winning voter approval. However, only three out of 10 countywide measures passed. All five of the rural countywide open space measures in Colorado failed.

Nine of the 10 rural growth management/ regulation measures were on ballots in Ohio, and voters approved three of them. The only other rural growth management/ regulation measure to pass was found in Lassen County, California, where voters approved zoning changes to allow the development of a mountain resort and subdivision.

More than half (56%) of rural infrastructure measures passed. Rural measures providing funding for schools were the least popular—only five of 12 were successful (42%). Two of three rural affordable housing measures passed, both of which were on ballots in Aspen and linked to open space-related

measures. The only water quality measure before rural voters was found in Monroe, Oregon, where voters authorized \$575,000 in bonds for water system improvements.

Rural voters approved six of nine (67%) economic development measures. Three of the approved measures were on ballots in Alabama, where voters in two counties (Clay and Randolph) approved the creation of countywide economic development corporations. Voters in Chilton County, Alabama, gave the county and its local governments several authorities to promote economic development.

VI. IMPLICATIONS

In recent years there has been an extraordinary national conversation on the causes and consequences of prevailing metropolitan growth patterns, which are decried by critics as economically inefficient, environmentally destructive, and socially inequitable. This survey of state and local growth-related ballots considered by voters on November 7, 2000 suggests that the debate is intensifying. As citizens and officials move from talk to action, we see a stronger focus on the authority and resources that state and local governments have to improve regional livability and grow in a sustainable way.

A recent poll found that citizens have more confidence in decisions by state and local, rather than federal, officials on land use issues affecting their communities.³⁰ It hardly matters whether the respondents believe that state and local officials have more relevant influence, or are more familiar with the problems, or are more trustworthy. What is striking is that citizens recognize the importance of state and local decisions—a finding borne out by the large number of ballot measures on growth-related issues and the outcomes.

Each of these measures has its own story—each could be the end product of the deliberations of a community task force, a citizen response to inaction by local officials, a sudden conservation opportunity or development threat, a risky bond or tax increase proposed by a newly elected official, a measure hastily put on the ballot or else shaped by political consultants on the basis of telephone interviews and focus groups, or citizen initiatives filed by developers and taxpayer groups as well as environmental advocates.

The ballot measures speak to differences among places—the preponderance of measures in suburban locations; growth pressures in the conservative, fast growing West, and a revival of substantial capital investments in revitalizing center cities. They speak to the variety among states in the decisions that come to ballots, including citizen's ability to initiate measures and their propensity to use this ability. Finance sources and ballot language provide clues about state constraints on local government authority and recent actions that give localities more flexibility, such as in tapping revenue sources.³¹

And they speak to trends: more county measures than in earlier years, possibly reflecting a sensible understanding of the importance of larger geographic reach to growth programs; more alliances among different constituencies that influence growth; and citizens preference for earmarking funds for specific purposes rather than authorizing general purpose funds.

A. LIMITS TO LESSONS FROM THE BALLOT MEASURES

While this survey breaks new ground in tracking and analyzing voter responses to growth-related ballot measures, limitations in its portrayal of state and local trends mean that caution is needed in interpreting the results, and further research beyond the scope of this report is warranted. Some of these limitations include:

³⁰ Smart Growth America, "Greetings from Smart Growth America." Washington, DC: 2000.

³¹ National Conference of State Legislatures, 1997.

- The ballot measures, by definition, include only public actions that require voter approval. Legislative developments or executive action around growth issues are not captured in this survey.
- The ballot results reflect voter sentiment. But in some cases, voter sentiment was highly influenced by campaign spending, ballot measure language, media coverage, and other factors.
- The measures are a snapshot in time. Since these votes were cast, there have been significant changes in national leadership and the economy which will certainly have a strong influence on the trends examined in this report.
- The ballot measures do not capture the diversity in local and state governance. It is difficult to identify all relevant measures and there is little solid information on comparative, evolving local-state legal and statutory authorities and relationships relevant to growth and development. We need more information about differences among state and local governments in order to craft workable remedies to growth's challenges.

B. WHERE DO WE GO FROM HERE?

The growth-related ballot measures from November 2000 go a long way in demonstrating how governments, citizens and organizations are responding to the tremendous challenges of growth in this country. This is seen not only in the results of the measures but also in the fact that these measures were placed on the ballot in the first place. Measures can fail for many reasons, but it takes a concerted effort, by elected officials or citizens, to place measures before voters. What we have witnessed is tremendous frustration with growth's consequences, and subsequently many proposals for dealing with growth.

As diverse as the growth-related ballot measures are, they teach us five important points about the role of ballot measures in influencing future metropolitan growth patterns:

1. **This country is highly diverse.** Our survey of the growth-related ballot measures illustrates that various parts of the country use the ballot box differently and for an assortment of reasons. Rules governing the use of ballot measures vary across the country, and also vary from election to election within the same jurisdiction. The degree of governmental fragmentation in a state or metropolitan area affects the reach of a particular ballot measure. In addition, regions are experiencing different market realities, which affects the number, subject and scope of measures brought before voters. Irrespective of that diversity, the role of citizens in promoting growth solutions is critical whether citizens are actively engaged in directly placing initiatives on the ballot or indirectly influencing the nature and scope of legislatively referred referenda.
2. **States and localities need more systemic approaches.** The popularity of open space measures is very encouraging, yet in order to fundamentally change growth patterns, citizens and public officials need to think in broader terms than preserving or expanding green infrastructure or open space. Land preservation needs to be planned strategically and where possible, linked with suburban and central city revitalization. There are many examples where jurisdictions have preserved open space in a piecemeal and ineffective fashion. Similarly, measures that augment existing transit systems may present an opportunity for coupling with policies that increase the amount and quality of affordable housing. Narrow or uncoordinated solutions are unlikely to change metropolitan growth patterns in the long run.

3. **The key relationship between affordable housing and growth-related measures is becoming evident.** The ill-fated growth management measures in Arizona and Colorado had several things in common, one of which (but by no means the only) was the lack of a specific way to deal with affordable housing in those extremely fast-growing states. As we have seen in this report, although there were relatively few affordable housing measures, those that were on the ballot were quite successful-particularly those that included other elements such as open space or economic development.
4. **Growth restrictions, when applied, should be metropolitan.** In examining the growth management measures in Arizona and Colorado, Anthony Downs points out that regional growth patterns are determined by broad forces well beyond the purview of local governments. Therefore, when localities pass growth regulations within their own boundaries, the region's future growth is not substantially affected-rather, growth simply leaps into other jurisdictions or into unincorporated areas. (Downs 2000). In order for growth management to be truly effective, it must be regional and supported by citizens. The survey shows that such support, while difficult to achieve, can be attained when the need is pressing and ballot proposals are well developed.
5. **Measures that align urban, suburban and rural constituencies seem promising.** Alliances often need to include urban, suburban and rural constituencies to make statewide measures, in particular, more successful. This is true in terms of developing the measure and the campaign plan. Having a coalition in place helped the Clean Ohio Fund measure soar to victory, but the lack of a similar coalition in New York state led to the defeat of that state's \$3.8 billion transportation bond. In this analysis, regional coordination measures also had generally positive results. For example, in approving regional park systems and small sales tax increases to support such systems in the city of St. Louis and adjacent counties and towns in Illinois and Missouri, voters sent a strong message that they were receptive to regional approaches to open space preservation. Other regional measures flourished in Westchester County, New York, Utah's Wasatch Front, and Eagle and Pitkin Counties in Colorado.

VII. CONCLUSION

The 1998 open space ballot measures sent a message of grassroots dissatisfaction with metropolitan settlement patterns. By 2000 the number and complexity of ballot measures increased measurably, as did the grassroots messages. While no clear consensus has yet emerged on how to grow differently, the measures show voters' willingness to act on and experiment with a variety of solutions.

Of course, longstanding growth challenges will not be resolved with a simple flip of a lever in the voting booth. This country has embarked on a serious effort to change the on-the-ground results of complex, interacting policies, programs, investments, and individual decisions. Voters sent another message this past November of continued concern about community quality, commitment to change and experimentation and a future of more, not less, citizen involvement in the decisions that shape their communities and regions.

APPENDIX A: CASE STUDIES

The following case studies were selected for special attention because of their visibility on the national level, their uniqueness, or because they exemplify the type of measure included in a certain category. These measures did not necessarily pass, nor should they all be considered smart growth, or anti-sprawl or pro-growth measures. The case studies are discussed below by category.

Economic Development

Ohio State Issue #1 Establishment of a Clean Ohio Fund

Category: Economic Development and Open Space/ Natural Resources/ Recreation

State: Ohio

Jurisdictions: Statewide

Referral: Legislative

Cost: \$400 million

Result: Approved, 57% - 43%

This \$400 million bond measure was a response to a proposal by Governor Robert Taft, who asked the General Assembly to put the issue on the ballot. The strength of this particular measure was that it enjoyed broad political support because it linked several disparate, but inextricably related, issues under the rubric of curbing sprawl. The \$400 million in bonds will be repaid through general state revenues and excess liquor profits.

The statewide measure (which was supported by over 100 groups and public officials) authorizes \$200 million for environmental conservation with a maximum of \$50 million per year over four years. It also authorizes \$200 million for development and re-use of land for brownfields clean up—also at a maximum rate of \$50 million over four years. The state Legislative Budget Office found that Ohioans would pay \$212 million in interest on top of the \$400 million in principal by the time the bonds are paid off in 2018.

The Ohio departments of Agriculture, Development, Natural Resources, and the Environmental Protection Agency formed a spending plan for the bond. It includes:

- *\$200 million for brownfields redevelopment and mitigation.* Of that amount, \$175 million will be administered by the Department of Development in collaboration with the U.S. Environmental Protection Agency (EPA) and others for redevelopment of brownfields selected by local communities as having potential for economic revitalization. The remaining \$25 million will be administered by the Ohio EPA to focus on sites posing a public health risk.
- *\$200 million for environmental conservation.* There are four components to this element of the spending plan: 1) The Ohio Department of Agriculture, in partnership with local governments and land conservancies will administer a \$25 million Farmland Protection pilot program to purchase agricultural easements. Money set aside under this program would be put toward local programs for purchase of development rights. 2) The Ohio Department of Natural Resources and Ohio EPA will administer \$100 million in Green Space Preservation grants to establish, preserve, and protect green space and green ways including river corridors, forests, and wetlands. 3) \$25 million for

recreational trails. Much of the funding will serve as matching dollars to go with local monies for federal grant programs. 4) \$50 million to provide funding for matching local grants for voluntary local stream and watershed clean-up programs.

Question 03

Category: Economic Development

State: Maryland

Jurisdiction: Baltimore County

Referral: Citizen Initiative

Cost: n/a

Result: Failed, 70% - 30%

This bill, which was soundly defeated by more than 2 to 1, was referred to as the Condemnation Law and it would have given Baltimore County the power to condemn certain properties for economic development. It originated as a bill before the state's General Assembly (at the request of the Baltimore County Executive) and was passed by that body in April of 2000.

The bill listed 312 addresses the county is considering acquiring through eminent domain and then selling to developers for the purposes of economic development and reinvestment. The addresses are in areas considered to be in social and fiscal distress with many abandoned and vacant properties. However, opposition to the legislature's bill was so strong that citizens gathered enough signatures to force a referendum. This opposition was strongest in an area along the Baltimore waterfront envisioned for upscale housing, marinas, shops and restaurants. Although the bill would not have granted sweeping condemnation authority, it did target areas that had some owner-occupied properties. Citizen fears that the County would be able to somehow overstep its bounds and intervene in private projects appear to have doomed the bill.

Economic Development Bonds

Category: Economic Development

State: North Carolina

Jurisdiction: Winston-Salem

Referral: Legislative

Cost: \$12.5 million

Result: Approved, 59% - 41%

The measure asked voters to approve \$12.5 million in economic development bonds as part of the city's \$71 million bond package. The economic development bonds included \$6.5 million for downtown development, \$4 million for a proposed airport business park and \$2 million for commercial and industrial sites.

Although the bond measure passed relatively easily with 59% of the vote, it garnered likely opposition since taxpayers' dollars were being targeted for private development. The funds will be used for the purchase and preparation of land for class A office buildings, an entertainment district, a restaurant row and housing. The property will then be sold to private developers. The bond also includes money to

purchase land near a proposed airport business park and relocate over 100 renters, homeowners, and businesses. No housing is planned for the new development—only office and light industrial, employing up to 1,000 people.

The remaining \$2 million in the package will be used to develop unspecified commercial and industrial sites, and will be used to purchase and assemble land, construct new roads and extend water and sewer lines.

Governance/ Flexibility

Home Rule Question

Category: Governance/ Flexibility

State: New Hampshire

Jurisdiction: Statewide

Referral: Legislature

Cost: n/a

Result: Failed, 51%- 49% (would have needed two-thirds approval to pass)

With the active support of the New Hampshire Municipal Association, the state legislature placed a constitutional amendment on the statewide ballot to grant municipalities “home rule authority”. The measure would have expanded local legislative bodies’ authorities by giving them the ability to adopt ordinances related to their community without having to seek permission from the State Legislature.

Critics of the measure suggested that it would hinder cooperation by giving local authorities the ability to conduct activities not explicitly granted to them by the legislature. Among other things, they felt that it would have created more burdensome bureaucracy by giving localities too much authority to adopt policies and ordinances regulating citizens and businesses. The result of these potentially burdensome ordinances, they contended, would be rapid increases in legal expenses by businesses and ultimately, taxpayers. Supporters of the home rule question felt the measure would give localities the more appropriate ability to make decisions that effect their community.

Merger Referendum

Category: Governance/ Flexibility

State: Kentucky

Jurisdictions: Louisville and Jefferson County

Referral: Legislative

Cost: n/a

Result: Approved, 54% - 46%

This referendum was the highly visible merger plan to combine Louisville and Jefferson County into a single government with one mayor and legislative council. The new government will take effect after voters elect a mayor and 26-member legislative council in November 2002. The passage of this referendum elevates Louisville from the 64th largest city to the 23rd, ahead of cities such as Charlotte, Denver and Washington, D.C. This is the largest merger of local governments since 1969 when Marion County and Indianapolis merged.

The new officials will replace the current mayor of Louisville, the Board of Aldermen, the Jefferson County judge-executive and the Jefferson County Fiscal Court. The new council members will represent single-member districts, with only those voters in the respective council districts eligible to vote for a particular member—currently, every voter casts a ballot for each and every council seat.

Previously, Louisville and Jefferson County had been operating under an agreement known as the City-County Compact. Under this agreement, the county government gives the city nearly \$10 million in county tax revenue to spend as it desires. In return, the city cannot annex any unincorporated property in the county to bolster its declining tax base. Since the agreement took effect 13 years ago, the county has paid the city nearly \$45 million. Proponents of the merger had the benefit of this history and also recognized that the compact expires in 2008 and annexation battles were likely to begin well before then. The new merger plan bans annexation by any city until 2015.

Under the new law current taxes and services must remain in place unless changed by vote of the new legislative council, with support of the new mayor. State law already requires the voters to approve property tax increases, and the law prohibits the council from raising occupational taxes.

The 1969 Indianapolis merger was ordered by the state legislature. The last big-city merger that went before voters was in 1968 when Jacksonville, Fla. merged with Duval County. Prior to that, Nashville voters approved a merger in 1962.

Growth Management

Proposition 202, the Citizens' Growth Management Initiative

Category: Growth Management

State: Arizona

Jurisdictions: Statewide

Referral: Citizen

Cost: n/a

Result: Failed, 29.8% - 70.2%

This measure was initiated by citizen as well as national and local advocacy groups and placed on the ballot after obtaining over 100,000 signatures. The measure proposed some of the nation's most stringent planning requirements. Proposition 202 would have, by statute:

- Required all counties, cities and towns with populations of 2,500 or more to adopt "growth management plans" with specific environmental and growth regulations – including urban growth boundaries with a ten-year projection of growth.
- Banned rezoning for homes or businesses outside of the urban growth boundaries except for "extraordinary ... circumstances" which, if affecting more than 20 acres, must be approved by voters.
- Required any other boundary change to be justified by official population projections and approved by voters. Voters would have been able to, by initiative, adopt or amend the boundary.

- Required counties and cities to levy impact fees on developers to meet full costs of public services, including mass transit and preservation.
- Given counties authority to regulate “wildcat” subdivisions located far outside of cities and towns, including lot splits.
- Required management of the state’s 9.3 million-acre legacy of trust lands to conform to county and municipal plans, and give priority to keeping these in their “natural state” to maximum constitutionally allowed.
- Eliminated the requirement that landowners consent to rezoning their land.
- Enabled any person, regardless of residency in the community, to sue any person, public official, etc., for violations of Proposition 202.

This measure followed on extensive dialogue in recent years on growth by citizens and state lawmakers. Pushed by the threat of this Sierra Club-backed initiative two years ago, state lawmakers, with Governor Jane Hull’s support, approved a broad based Growing Smarter Commission to present recommendations on legislation to deal with the state’s unprecedented growth pressures. Approved in 2000, the Arizona legislation made significant changes in local planning for growth management. However, citing lack of progress, this initiative appeared back on the ballot and mounted a million-dollar campaign.

Arguably one of the nation’s most contentious measures, it was defeated in every county in the state. Supporters of the bill blame its failure on the intensive campaign real estate and construction forces waged against it – spending over \$4 million in the process. According to the Arizona Republic, before the media blitz started the initiative enjoyed a 68% favorable rate. Opponents, including Senator John McCain, believed that the initiative would have negatively impacted Arizona’s economy, citizens and businesses by placing limits on how the state’s rural communities could grow. Others declared the measure would exacerbate the region’s affordable housing shortage. Proponents argued that the state’s residents and businesses were already suffering as the result of rapid and poorly planned growth. The purpose of the bill, then, was to develop growth management plans to get a handle on sprawl and to give local voters the control to adopt and amend these plans.

With the defeat of the measure, both sides are re-trenching for 2001’s initial legislative session. While the issue has, of course, not gone away it is unclear what steps the legislature will take in the near term.

Amendment 24: Responsible Growth Initiative

Category: Growth Management

State: Colorado

Jurisdictions: Statewide

Referral: Citizen

Cost: n/a

Result: Failed, 30% - 70%

After the Colorado legislature failed to pass major smart growth legislation in 1999, nature photographer John Fielder led the campaign for Amendment 24: the Responsible Growth Initiative. This initiative was a constitutional amendment that would have:

- Required certain counties, cities, and towns to delineate geographic areas committed to development or growth areas for future development on growth area maps (with text) approved by voter referendum.
- Required affected local governments to designate “commitment areas” in which development may occur without voter approval because the areas met certain qualifications.
- Allowed local governments to change growth areas once a year, with voter consent, at regular elections with proposed development is held in abeyance until such elections.
- Provided impact information on proposed growth areas such as open spaces and parks, infrastructure, roads, school, housing units, including affordable housing, services, etc.; effects of proposed growth on population, traffic, air quality, water, etc., and how proposals fit or conflicted with plans of adjacent governments.

The measure applied to counties with more than 10,000 persons, and cities and towns within these counties with more than 1,000 persons. Counties with fewer than 25,000 residents would have been able to vote for exemption in addition to cities and towns within these counties. Seventeen counties were subject to the proposal. Sixteen would have been able to vote to opt out.

This measure was defeated in all 64 counties throughout the state except Pitkin County, home to Aspen, Snowmass and other winter resorts. As late as June 2000, polls showed that Amendment 24 was favored by 78 percent of voters, although local governments generally opposed the bill from the outset. Nevertheless, Colorado residents were inundated with a \$6 million media blitz insisting that the initiative would, among other things: infringe upon property rights, escalate housing costs, generate countless lawsuits, halt school building and clog classrooms. The media blitz also conveyed the message that putting growth management in the hands of citizens by giving them exceptional oversight would be too time-consuming and would require them to invest time analyzing complicated planning documents when they should be home with their families. This strategy was apparently quite effective as the initiative failed by a more than 2 to 1 margin.

Leading up to the election, Colorado’s Amendment 24 was often discussed in the national media as if it were a twin to Arizona’s Proposition 202. Although the measures were different in many ways, they did share one ill-fated element: neither measure explicitly addressed affordable housing. Opposing the measure, Habitat for Humanity’s Colorado division took a stand on a public policy issue for the first time in 21 years.

Since the defeat of Amendment 24, both sides have been working to draft other growth-related legislation. Among other things, the newly proposed legislation does not include Amendment 24’s requirement that voters approve comprehensive plans. It does, however, include a clause to allow communities to change those plans if necessary. Officials who publicly opposed Amendment 24 appear to be recognizing they must address growth in some fashion.

Measure 7: the “Takings Measure”

Category: Growth Management

State: Oregon

Jurisdictions: Statewide

Referral: Citizen

Cost: State Fiscal Estimate at \$5.4 billion per year: \$1.6 billion as direct costs to the state and \$3.8 billion in direct costs to local governments.

Result: Approved, 53% - 47%

Ballot Measure 7 amends the Oregon Constitution to require the state government and all local governments to pay private real property owners when a state or local government regulation restricts the use of real property and reduces its value. The Oregon Constitution previously prohibited taking private property for public use without compensating the owner for the value of the property; however it did not require any payment when the value of property is reduced by a regulation that only restricts the use of private property.

Measure 7 (the so-called “takings” measure) requires payment to a landowner if an existing or future regulation is adopted, first enforced or applied after the current owner became the owner and still applies to the property 90 days after the owner seeks payment. It specifically identifies requirements to “protect, provide, or preserve wildlife habitat, natural areas, wetlands, ecosystems, scenery, open space, historical, archaeological or cultural resources, or low income housing” as regulations requiring payments to landowners. However, its stated coverage is broad enough to cover almost every regulation that arguably decreases property value by restricting its use.

Analysts say that support for the measure was clearly along the urban / rural split with the cities of Portland, Eugene and Corvallis voting it down, and the rural districts throughout the rest of the state overwhelmingly supporting it. Although Measure 7 does not overturn Oregon’s pioneering land use laws; it does make them impossible to implement. Under the new rules, government officials could not afford to enforce the land use strategies since the \$5.4 billion estimated price tag is just about the size of the state’s general fund budget for the entire year. While this measure does not directly repeal the state’s urban growth boundaries, the government will likely be forced to simply ignore them due to the prohibitively high costs of having them enforced.

An expected lawsuit appeared soon after the measure was passed and on December 7, 2000 a Marion County judge blocked passage of the measure fearing irreparable harm that would likely result from ensuing months of litigation. The judge expressed concerns that the measure does not meet constitutional requirements that state that multiple amendments cannot be included on the same ballot. Specifically, the judge contends that the bill changes the definition of “just compensation” with regard to two different elements: regulations already in effect – *and* also newly proposed regulations. The measure also includes exemptions for businesses such as liquor stores and adult businesses. In addition, the measure did not contain the full text of the proposed law, which would also be in violation of the state’s constitution. Prior to this injunction, landowners had already begun seeking claims based on the measure –including a gravel mining operation that is suing for \$50 million due to a denied mining permit. A restaurant is also planning to sue for losses attributed to a smoking ordinance. And a private citizen is seeking damages caused by

restrictions on the number of cats he can house. Local governments have subsequently begun developing guidelines for handling the resulting takings claims.

Propositions K and L: Office Development Controls

Category: Growth Management

State: California

Jurisdictions: San Francisco

Referral: Proposition K: Legislative; Proposition L: Citizen

Cost: n/a

Result: Both Failed

Both of these ballot initiatives were designed to place controls on office development, including space for computer-based services. Although some development would have been allowed under each, tight restrictions would have been the result. Proposition L would have also placed controls on live/work units.

Both measures were reactions to the influx of dot.com companies that have altered the real estate landscape of San Francisco. Both would have limited the office development that has proceeded rapidly through the city. Rents have soared and have contributed to a devastating homeless situation. Working poor households can no longer afford rents of \$2,000/month and are moving hours away from the city in search of affordable housing.

Proposition K was initiated by Mayor Willie Brown and would have imposed a two-year moratorium on new projects larger than 25,000 square feet in the Mission and Potrero Hill areas. It would have allowed more dot.com development in South of Market street areas currently zoned for light industry. Also included was a one-time adjustment in annual growth cap of 950,000 more square feet of office space to be built during the next 15 months. It did not address live-work loft construction. It would have allowed office development to resume after a planning moratorium, while doubling construction taxes to subsidize housing, mass transit, job training, day-care programs and the arts.

Proposition L was sponsored by artists and activists who gathered 30,000 signatures to put it on the ballot. It would have permanently banned new development in some districts through the placement of an indefinite moratorium. It did not include a provision for a one-time adjustment of annual growth cap but did include a permanent ban on live-work loft construction.

The current laws, created in 1986 by Proposition M, would allow 5.5 million square feet of new offices by the end of 2004. Unfortunately for San Francisco officials, there are significant projects that are about to be built on federal property (which is outside the city's control but within the Proposition M limitations). These federal projects could potentially consume all the space available under the annual cap. Both of the proposed initiatives would have exempted federal property from limits.

Infrastructure

Question 1B

Category: Infrastructure: Affordable Housing *and* Transportation

State: Colorado

Jurisdiction: Denver

Referral: Legislative

Cost: \$5.8 million

Result: Approved, 55% - 45%

This bill will allow Denver to spend roughly \$5.8 million in excess budget surplus as well as all other surpluses generated over the next four years to be spent on affordable housing and public transportation projects. Due to the state's Taxpayer Bill of Rights (TABOR) passed in 1992, governments are restricted as to the local and state level taxes that can be levied and spent in a given year. Officials are then required to explore creative budget alternatives or, to keep surplus money, seek voter approval.

Officials touted the measure as a way to make it possible for citizens to live and work in Denver by building more affordable housing and combating congestion within the city. These funds will be used to make low-interest loans and subsidies available to developers so they can build affordable housing units. They will also be used to take the next steps in the development of Denver's light rail system.

Opponents of Question 1b simply wanted the existing funds returned to residents. Proponents on the City Council maintained that since the surplus was generated primarily from sales tax revenues it would have been impossible to track exactly who paid it, and therefore, it could not be equitably returned.

The Transportation Infrastructure Bond Act of 2000

Category: Infrastructure: Transportation

State: New York

Jurisdiction: Statewide

Referral: Legislative

Cost: \$3.8 billion

Result: Failed, 48% - 52%

Measure would have issued \$3,800,000,000 in state bonds for transportation spending – the largest proposed bond measure in the country. Funding included planning, design, construction and augmentation of new infrastructure, as well as rehabilitation and preservation of existing infrastructure. It included all modes (transit, highways, pedestrian, bicycle, freight) and facilities (transit systems, roads, bridges, seaports, airports, border crossings, canals, pathways and for the purchase of land related thereto). The funding was broken down as follows: \$1,900,000,000 (50%) mainly for state highway and bridge projects, \$1,600,000,000 (42%) for the New York City rail and bus system and \$300,000 (8%) for other state transit projects as well as seaports, canals and airports.

The single purpose of this act was to improve and enhance the quality of the state's transportation infrastructure. It would have funded a five-year, \$34.2 billion capital program originally planned by the

Department of Transportation and the capital program planned by the Metropolitan Transportation Authority (MTA) allowing for the creation of a \$17.1 billion five-year State Transportation Plan and a \$17.1 billion MTA Capital Plan. It would have paid for some of the engineering work for the long sought-after Second Avenue subway line in Manhattan. The measure clearly was designed to appease both upstate and New York City voters by including every transportation mode.

The measure actually won by a considerable margin in New York City (72 percent to 28 percent) and enjoyed a 10-point positive margin in the New York City suburbs. However, the funding package failed because almost 70 percent of voters throughout the rest of the state rejected it. Analysts cite three elements as responsible for the failure:

- One was the split between upstate and New York City area voters. The former felt that they would not get their “fair share” noting that \$1.6 billion of the total was allocated for the MTA. City voters no doubt felt the funding was justified since it represented 42% of the funding and City residents make up approximately 41% of the population of the state (7,428,162 of 18,196,601)
- Second, opponents were loathe to add to the state’s already high level of debt. They felt that the state surplus would have been a better source of project funding since there would be no interest to be paid back.
- Third was the apathetic support of a number of key officials. Although Governor George Pataki did endorse the measure, New York City Mayor Rudolph Giuliani was concerned over the lack of specificity as to precisely how the money would be spent. Mayor Giuliani remained skeptical that the bond money would have replaced—not augmented—state funds previously dedicated for the city.

With the defeat of the measure, transportation projects throughout the state will have to be scaled back, delayed or eliminated. Governor Pataki has suggested stretching out the MTA’s five-year plan to a six or seven year program. This goal would be to keep the plan intact without committing more money.

Public Question No. 1 – Transportation Funding

Category: Infrastructure: Transportation

State: New Jersey

Jurisdiction: Statewide

Referral: Legislative

Cost: \$400 million over four years

Result: Approved, 63% - 47%

New Jersey voters approved this constitutional amendment that doubled the portion of the state’s gas and sales tax for construction, rehabilitation and maintenance projects on the state’s highway system. Although no new taxes will be raised, this amendment diverts the existing taxes from the state’s general treasury (where they could be spent on any project) directly to the Transportation Trust Fund.

The amendment dedicates at least \$100 million in revenues from the petroleum products tax in fiscal 2001, and \$200 million a year thereafter, for transportation projects. It also dedicates at least \$80 million in sales tax revenues in fiscal 2002, \$140 million in fiscal 2003, and \$200 million a year thereafter.

The revenues associated with the amendment are part of New Jersey's four-year \$3.75 billion transportation program, the key provision of which requires lawmakers to vote on the construction of any new highway, a "fix-it-first" transportation policy. The funds are designed to be spent on road improvements, public bus routes and train lines.

The measure was almost derailed when the state's League of Women Voters filed suit to get the question taken off the ballot. The League contended that the dedication of two revenue streams (gas tax and sales tax) violated the public's right to vote on specific amendments "separately and distinctly."

Initiative 745 – Transportation Funding

Category: Infrastructure: Transportation

State: Washington

Jurisdiction: Statewide

Referral: Citizen

Cost: n/a

Result: Failed, 45% - 65%

This measure would have required 90% of state and local transportation funds (including local transit taxes but excluding ferry and transit fares) be spent on road construction, rehabilitation, operations and maintenance. Road construction would then be officially considered the primary way to improve the state's transportation problems and construction materials and labor used in the construction and maintenance of roads would be exempt from sales taxes. Also, transportation agencies (including transit) would have been subject to performance reviews and local transportation plans would be updated to adhere to such a statewide transportation policy.

As of mid-October 2000, the Asphalt Paving Association spent over \$500,000 to put I-745 on the ballot. Proponents argued that since transit makes up 3% of the state's trips, it should be able to survive on 10% of the transportation budget. The current spending split is as follows: 80% of current two-year budget, or \$5.7 billion, goes for roads, ferries and the state patrol; the other 20%, \$1.4 billion, goes for mass transit. Had voters approved the measure, road budget would have grown to \$6.3 billion. Transit budgets would have shrunk by \$685 million. Sponsors suggested finding efficiencies, using money saved from a new sales tax exemption (worth \$53 million a year) and selling bonds to be repaid from sales taxes on cars. Opponents maintained that transit would have been devastated by the funding deficit.

San Jose – Measure A Valley Transportation Authority 1/2 Cent Transit Sales Tax

Category: Infrastructure: Transportation

State: California

Jurisdiction: Santa Clara County

Referral: Citizen

Cost: \$6 billion

Result: Approved, 70% - 30% (needed two-thirds approval to pass)

The measure will allow for the Santa Clara Valley Transportation Authority (VTA) to enact a 30-year, half-cent sales tax to begin when the current transit tax expires in 2006. The plan provides \$2 billion in local funding for the \$3.8 billion, 21.7-mile extension of the Bay Area Rapid Transit (BART) heavy rail

line through downtown San Jose to Santa Clara, including the airport. It also includes \$4 billion for a host of other projects, such as expanding the regional commuter rail service and expanding the light rail and bus system.

Since the VTA is a transit agency, only transit projects are, of course, included. However, during the campaign proponents of the measure stressed that \$2 billion of state money would be “freed up” and could then be spent on road projects. The measure was fervently opposed by some of the county’s commissioners as well as some organized rail and environmental groups. They felt that the plan was precariously financed—but also objected that it was developed without any type of comprehensive public participation and does not address housing.

Rhode Island Question #3 – Transportation Bonds

Category: Infrastructure: Transportation

State: Rhode Island

Jurisdictions: Statewide

Referral: Legislative

Cost: \$62,510,000

Result: Approved, 68% - 32%

Rhode Island Question #3 approves \$62,510,000 in general obligation bonds to match federal funds and finance improvements to the State’s highways, roads and bridges and to purchase buses for the Rhode Island Public Transit Authority’s fleet. The bonds will leverage about \$360 million in federal funds with about \$23 million of the state bond money slated for use in relocating Route 195 through Providence. Approximately \$2 million will be used to match spending by the Transit Authority for buses. Priorities for the remaining \$35 million will be set through a series of meetings with local communities.

This measure was a relatively non-contentious issue. In order to leverage the federal money, a comparatively small state contribution was required for at least one high-visibility project, namely, the relocation of Route 195. That project will free up 35 acres for public parks and private development by moving the road and rejoining the Jewelry District with downtown Providence. The state plans by next spring to have purchased about 50 properties for the project’s right-of-way and relocated about 84 residents. This is a major component of Mayor Vincent “Buddy” Cianci’s “New Cities” plan, a series of proposals to reclaim Providence’s waterfront. The idea is to reconnect older neighborhoods with the waterfront, which was previously cut-off by the elevated highway. Over 150,000 cars a day use this link into the city.

Open Space/ Natural Resources/ Recreation

Proposition No. 1: Neighborhood Parks, Green Spaces, Trails and Zoo Levy

Category: Open Space/ Natural Resources/ Recreation

State: Washington

Jurisdictions: Seattle

Referral: Legislative

Cost: \$198.2 million

Result: Approved, 55% - 45%

The measure will allow the City of Seattle to increase regular property taxes for up to eight years for a total of up to \$198.2 million. The levy is intended to support more than 100 projects based on a review and prioritization of projects already identified in parks and open space studies and plans. It includes improved maintenance and operation of existing parks and the city zoo and the acquisition of land for development and maintenance of new public parks, open space, playfields and trails.

The measure was advanced by the Pro Parks 2000 Citizens Committee after a number of studies and plans identified unmet parks needs in Seattle. The committee reviewed those existing studies and land use plans and developed criteria for prioritizing identified needs to be included in this proposal. A 16-member citizens committee will oversee implementation.

The proposal has four major funding categories: \$26 million for new land acquisition, \$108 million for new parks, \$10 million for projects to be identified by neighborhood and community groups, and \$61.4 million for maintenance programming, environmental programming and increased recreational programming for youth and seniors, and increased operational support for the city zoo.

The levy is the largest voter-approved measure in the city's history. Both the Mayor and Municipal League supported it. Levy funds are "new" funds and must be used in addition to existing funds and cannot be used to supplant existing funds to be used for non-parks purposes. It will cost the average Seattle property owner about \$91/year initially, and rise to about \$112 by 2008.

Sales Tax Referendum for Transportation and Open Space

Category: Infrastructure: Transportation *and* Open Space/ Natural Resources/ Recreation

State: South Carolina

Jurisdiction: Charleston County

Referral: Legislative

Cost: \$1.2 billion over 25 years.

Result: Failed, 49.5% - 50.5%

This measure was strongly supported by the mayor of Charleston, the chairman of the Charleston County Council and the director of the Charleston Area Regional Transportation Authority. This referendum integrated planning initiatives on transportation, transit, and green space protection that have been discussed for several years. Many of the local officials were quoted as saying that this measure was a growth management effort designed to get a handle on development. There is general agreement that

the region is facing a transportation and open space crisis: the public transportation system is nearly bankrupt, and 40 square miles of undeveloped property has been developed in the past decade.

The measure would have enabled Charleston County to increase the sales tax by ½ cent for 25 years to raise \$1.2 billion for transit, roads, land preservation and parks. Just prior to the election, the County outlined a spending plan: 25 percent would be used to purchase land for preservation and buy property for future parks, and 40 percent would go for road maintenance and drainage ditches. One-quarter of the measure's funds would have kept the Charleston Area Regional Transportation Authority (CARTA) operating past 2003. Currently, it is surviving because of a private subsidy provided by the South Carolina Electric and Gas Company.

Despite the failure of the measure, supporters are encouraged that it only failed by only 1% of the vote. Although coalitions were built between rural, urban, environmental, and construction interests, county officials never articulated exactly how money for public transportation or mass transit would be spent. They did not decide precisely what roads or drainage systems would be improved or exactly what land would be preserved. Analysts point to this lack of clarity as the reason the measure was rejected: voters were not sure what they were getting for their money.

Learning from this experience, officials are already preparing a public education and outreach effort designed to explain to voters why these solutions would solve problems with congestion, urban sprawl and the rapid loss of open space.

St Louis Missouri/Illinois Gateway Parks

Category: Open Space/ Natural Resources/ Recreation

States: Illinois and Missouri

Jurisdictions: Missouri: St. Louis City; St. Louis and St. Charles counties; Illinois: Madison, Monroe, St. Clair and Clinton counties

Referral: Legislative

Cost: \$23.8 million per year (\$20.4 million in Missouri and \$ 3.4 million a year in Illinois.)

Result: Approved in 5 jurisdictions. Failed in Monroe and Clinton counties.

These jurisdictions asked voters to approve the creation of a regional park district supported by a 20-year one-tenth cent sales tax. The measures were identical except for minor differences: voters were asked to create two separate districts, the Metro East Park District in Illinois and the Metropolitan Park and Recreation District in Missouri. An intergovernmental agreement will link the two entities to coordinate planning and development, which will focus initially on creating a system of connected parks and trails.

The plan behind this region-wide effort was to stitch the region together through a network of parks. Half the tax money will go to develop trails and linear parks. The other half will go to counties and municipalities. In Missouri, 30 percent will go to the county where the money was raised and 20 percent to municipalities. In Illinois, counties will receive 25 percent of the money they raise and local municipalities and park districts will get 25 percent.

Proposition 100, Arizona Conservation Reserve
Category: Open Space/ Natural Resources/ Recreation
State: Arizona
Jurisdictions: Statewide
Referral: Legislative
Cost: n/a
Result: Failed 48% - 52%

Billed as a competing measure to the state's Proposition 202, Proposition 100 was a constitutional amendment that would have designated 70,000 acres of state trust land for inclusion in a Conservation Reserve. This land in this reserve would be permanently protected from development. The measure also provided a framework for designating up to 200,000 acres more, or up to 3% of its 9+ million acres of trust lands. It would have set guidelines for exchanges of trust lands and donations for school sites; and extend agricultural and grazing leases beyond ten years without auction.

However, despite being billed as an "open space" measure it was opposed by almost every conservation organization in the state, as well as many community groups, recreational organizations, and neighborhood coalitions. Their opposition stemmed from the fact that the measure would have permanently capped the amount of state trust lands eligible for conservation at 3%. Opponents also contended that the lands proposed for inclusion in the Conservation Reserve were lands virtually undevelopable in the first place – mountain tops, lakes, washes, and ridges.

The passage of Proposition 100 would have completed Governor Jane Hull's Growing Smarter Plus legislation, which had already been passed by the Arizona legislature.

Westchester County, NY: Coordinated Open Space Measures
Category: Open Space/ Natural Resources/ Recreation
State: New York
Jurisdictions: Bedford, Irvington, Lewisboro, North Salem, Pound Ridge, Somers, Yorktown
Referral: All Legislative
Cost: Approximately \$17 million total
Result: All Approved

Concerns that sprawl and growth would change the "look" of their communities led an alliance of citizen groups in Westchester County, north of New York City, to propose a series of coordinated open space bond measures in seven towns and villages. These measures, all handily approved, total about \$17 million. The coordination of these measures was accomplished through the efforts of the Westchester Open Space Alliance which is made up of community organizations and officials from each of the seven jurisdictions.

The Alliance lobbied the town councils into placing proposed referenda on the ballot after an intensive public outreach and education campaign. Among other things, this campaign surveyed residents and discovered that they would be willing to increase their taxes in order to protect some of their town's open space and preserve the character of their communities.

The measures are a reaction to the rapid consumption of land in the County over the past two decades. Undeveloped land in Westchester declined by nearly a quarter between 1986 and 1996. The success of the measures is attributed to the rapid organizing and outreach campaign of the Alliance, which worked with each jurisdiction and coordinated the measures regionally. In effect, these coordinated measures establish a de facto urban growth boundary—as halting growth was one of the objectives of the measures’ proponents.

The New York Times estimated annual costs per average household for each of the jurisdictions’ proposals:

Bedford: \$46
\$4 million bond issue

Irvington: \$80
\$3 million bond issue

Lewisboro: \$38
\$2 million bond issue

North Salem: \$68
\$2 million bond issue

Pound Ridge: \$154
Tax increase of \$1 a year per \$1,000 of
assessed value over 10 years

Somers: \$30
\$2 million bond issue

Yorktown: \$30
Tax of \$30 annually per tax lot, requires state
approval

APPENDIX B: METHODOLOGY AND DEFINITIONS

A. METHODOLOGY

The 553 measures in this survey were selected from tens of thousands of state and local ballot measures placed before voters on Election Day 2000. The goal was to identify the public investments and actions that influence the pace and form of community and metropolitan development and to shape them into a broadbrush picture of diverse grassroots growth issues and public responses. Such an effort, made possible by improved reporting of local issues and electronic advances in recent years, obviously involves many judgments, although we relied on objective criteria to the extent possible.

To our knowledge, this is the first research effort to survey, select, and classify growth-related state and local ballot measures. Some of the measures involve capital funding for open space, parks and recreation, school, highway, transit, affordable housing, and water quality improvements—activities that will physically shape community and regional development. Non-monetary measures include regulatory and administrative actions—creating a park board, reviewing a rezoning decision, adopting a charter amendment, banning new billboards. Although most measures are public efforts to shape or guide rapid development, and often promoted as anti-sprawl remedies, some involve routine funding for schools and transportation and others are efforts by communities and regions to seize growth or development opportunities they have missed.

In identifying relevant measures, we relied principally on information gathered directly from state and local officials, boards of elections, local and regional media, and networks of individuals and groups for single-state information, including the *California Planning & Development Report*, Colorado Municipal League, and Pennsylvania Heritage Conservancy. Additional sources include: for green measures, Sprawlwatch, The Conservation Fund, Trust for Public Land, and American Farmland Trust; for school construction and transportation bonds, *Bond Buyer*, the industry newspaper; for transit measures, the Surface Transportation Policy Project and TransitVote. The Initiative and Referendum Institute web site (www.iandrinstute.org) is an excellent source of information on the legal framework for state and local citizen ballot action.

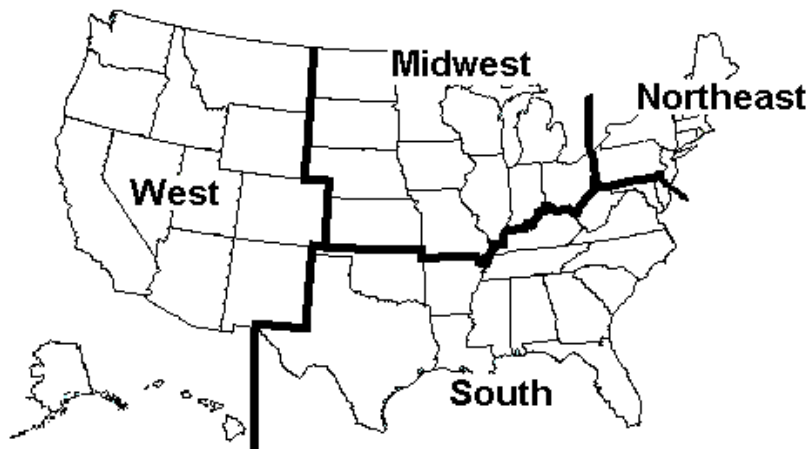
Information on local measures, while much improved in recent years, still is difficult to ferret out. Probably the information about green measures—open space, farmland and habitat protection, parks, outdoor recreation—is most complete, helped by improved information gathering by citizen groups, the media, and officials. Transportation measures include state and local capital investments for highways, transit, bikeways, and pedestrian improvements and exclude maintenance and routine street improvements, to the extent this was discernable from the text and interviews. Similarly, state and local bond spending on school construction and renovation is included, and program funds excluded.

The ballot measures in this survey involve public spending and administrative decisions for these programs requested on Election Day 2000. Amounts approved at special elections held earlier during the year, appropriations or general obligation bonds not requiring voter consent, and support from other government and private sources for ballot-funded activities are not included.

B. DEFINITIONS

The definitions for jurisdictional designations (e.g., rural county, central city, etc.) in this analysis were obtained from a variety of sources, including the Bureau of the Census and the Department of Housing and Urban Development's State of the Cities Data System. Only those jurisdictions in which growth-related measures went before voters in November 2000 are included in this report and by the definitions set forth below:

- **Counties in an MSA** are those defined by the Office of Management and Budget Statistical Policy Office, Bulletin No. 99-04. This Bulletin provides guidance on the use of the statistical definitions of metropolitan areas. See <http://www.whitehouse.gov/omb/inforeg/msa-bull99-04.html>.
- **Rural counties** are those counties that are not in an MSA.
- For **Central City** designations, we referred to the *primary central city* classification set forth in "Where Are The Jobs?: Cities, Suburbs and the Competition for Employment," John Brennan and Edward W. Hill, Brookings Institution Center on Urban and Metropolitan Policy survey, November 1999.
- **Open Space Districts** and **Park and Recreation Districts** are established to provide parks, recreational facilities and recreational programs for residents of a specified area. They often consist of appointed or elected officials and are sometimes created after successful voter referenda. Some are not under the jurisdiction of any city, county or state agency and are occasionally given the authority to raise revenue through the taxation of property in the community the agency serves, or are appropriated funding from the relevant state and local governments.
- For the analysis of **regions** we used the designations from the U.S. Census Bureau. The Census Bureau established these four groupings of states (Northeast, South, Midwest, and West) in 1942 for the presentation of census data. See http://factfinder.census.gov/home/en/epss/glossary_r.html.



Appendix Table 1: Number of State and Local Ballot Measures by State

STATE	statewide	Local	total	ballots rank
California	2	76	78	1
Ohio	2	67	69	2
Colorado	2	65	67	3
Illinois	0	55	55	4
New Jersey	1	47	48	5
Oregon	3	18	21	6
Rhode Island	4	17	21	6
North Carolina	0	19	19	8
Maryland	1	17	18	9
Texas	0	18	18	9
Missouri	1	15	16	11
New York	1	13	14	12
Florida	1	10	11	13
Georgia	0	11	11	13
Michigan	1	9	10	15
Virginia	0	10	10	15
New Mexico	1	7	8	17
Pennsylvania	0	8	8	18
Alabama	2	5	7	19
Connecticut	0	7	7	19
Washington	1	5	6	21
Minnesota	0	6	6	21
South Carolina	0	6	6	21
Arizona	2	3	5	24
Louisiana	2	3	5	24
Massachusetts	1	4	5	24
Utah	1	4	5	24
Maine	2	2	4	28
Nevada	1	3	4	28
Wisconsin	0	3	3	30
Idaho	2	0	2	31
Oklahoma	0	2	2	31
Arkansas	1	0	1	33
Kansas	0	1	1	33
Kentucky	0	1	1	33
Montana	0	1	1	33
New Hampshire	1	0	1	33
South Dakota	0	1	1	33
Wyoming			0	39
Nebraska			0	39
North Dakota			0	39
Vermont			0	39
Indiana			0	39
Mississippi			0	39
Iowa			0	39
West Virginia			0	39
Delaware			0	39
Alaska			0	39
Hawaii			0	39
Tennessee			0	39
Dist. of Columbia			0	

Appendix Table 2: Breakdown of State and Local Ballot Results by Region and Category

	Passed	Failed	Total	% Passed	Statewide	Passed	% Passed	Local	Passed	% Passed
Midwest	107	54	161	66.5%	4	2	50.0%	157	105	66.9%
Economic Development	3	2	5		1	1	100.0%	4	2	50.0%
Governance/ Flexibility	10	2	12		1		0.0%	11	10	90.9%
Growth Management	27	15	42		1		0.0%	41	27	65.9%
Infrastructure: Affordable Housing	0	1	1					1	0	0.0%
Infrastructure: Schools	24	10	34					34	24	70.6%
Infrastructure: Transportation	3	2	5					5	3	60.0%
Infrastructure: Water Quality	0	0	0					0	0	
Open Space	40	22	62		1	1	100.0%	61	39	63.9%
Northeast	98	10	108	90.7%	10	4	40.0%	98	94	95.9%
Economic Development	1	2	3		1		0.0%	2	1	50.0%
Governance/ Flexibility	1	3	4		2		0.0%	2	1	50.0%
Growth Management	0	0	0							
Infrastructure: Affordable Housing	0	0	0							
Infrastructure: Schools	2	1	3					3	2	66.7%
Infrastructure: Transportation	4	2	6		4	2	50.0%	2	2	100.0%
Infrastructure: Water Quality	2	0	2		1	1	100.0%	1	1	100.0%
Open Space	88	2	90		2	1	50.0%	88	87	98.9%
South	87	22	109	79.8%	7	4	57.1%	102	83	81.4%
Economic Development	21	5	26		3	2	66.7%	23	19	82.6%
Governance/ Flexibility	2	2	4		3	1	33.3%	1	1	100.0%
Growth Management	0	0	0							
Infrastructure: Affordable Housing	3	0	3					3	3	100.0%
Infrastructure: Schools	9	2	11					11	9	81.8%
Infrastructure: Transportation	23	5	28		1	1	100.0%	27	22	81.5%
Infrastructure: Water Quality	0	0	0							
Open Space	29	8	37					37	29	78.4%
West	123	74	197	62.4%	15	7	46.7%	182	116	63.7%
Economic Development	10	5	15		2	1	50.0%	13	9	69.2%
Governance/ Flexibility	3	2	5		4	2	50.0%	1	1	100.0%
Growth Management	24	28	52		4	1	25.0%	48	23	47.9%
Infrastructure: Affordable Housing	8	3	11					11	8	72.7%
Infrastructure: Schools	10	2	12		1	1	100.0%	11	9	81.8%
Infrastructure: Transportation	22	9	31		1		0.0%	30	22	73.3%
Infrastructure: Water Quality	2	1	3					3	2	66.7%
Open Space	44	24	68		3	2	66.7%	65	42	64.6%

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