

What Does it Mean to Implement a CAMA Land Use Plan Anyway?

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County and municipal governments in coastal North Carolina have been preparing local land use plans under the state's Coastal Area Management Act (CAMA) program for almost 25 years. Local planning has always been viewed as an important part of that larger coastal management program. Both the larger program in general and local planning in particular, however, have recently become mired in controversy as the state and coastal localities attempt to address "explosive population growth and unexpected environmental dangers [that] continue to threaten the coast" (NC CFC 1994: ES-1). Much of that controversy revolves around differing interpretations of what, exactly, the state can require of the localities through its planning mandates, whether the plans being produced under those mandates are good plans, and whether the localities themselves are actually

implementing their plans.

Perhaps the sharpest disagreements on these questions come from debates that place local governments in the coastal region collectively at odds with the region's environmental interest group community. Simplifying the arguments a bit to illustrate, many localities assert both that their CAMA land use plans are good plans—they comply with the state's planning mandates and meet community needs—and that they implement their plans by using them when making local land use related policy decisions. In contrast, members of the coastal environmental interest group community assert that local CAMA plans, by-and-large, are not good plans because they do not adequately address the continued loss and degradation of regionally significant coastal resources in any rigorous way. The environmental community asserts further that to the extent that localities do appear to address environmental issues through their plans, they fail to follow through by actually implementing those plans.

Not surprisingly, these parties to the debate see very different sources behind the CAMA land use planning controversy and very different ways out of that controversy. In general, local governments want more flexibility to address more effectively their unique local conditions. Environmentalists, in contrast, want to tighten down on the state's planning requirements in order to compel local governments to address environmental issues in a more meaningful way. Local governments point to CAMA permitting requirements and the state's other environmental protection programs as the appropriate mechanism for ensuring adequate coastal resource protection. Environmentalists, again in contrast, assert that CAMA requires (or should

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Funding for this research was provided by the U.S. Environmental Protection Agency under a Science to Achieve Results (STAR) Graduate Fellowship award and by the Lincoln Institute for Land Policy, Cambridge, MA, under a Dissertation Fellowship award.

require) that local governments address coastal resource protection directly and more rigorously through their plans. Finally, local governments tend to see their CAMA plans more like vision statements, where the plan provides analyses and policies designed to help the community meet aspirational goals. Environmentalists believe that CAMA plans should be more prescriptive rather than exhortative in directing appropriate land development patterns, particularly for the purpose of providing adequate coastal resource protection.

All of the parties to this debate generally agree that there is room to improve the local planning process under CAMA so that the plans produced are both better and better implemented, although the extent to which such improvements are needed is probably contestable. Disagreement most clearly arises, however, on the questions of what makes for a "good" local CAMA land use plan in the first place and what it means to actually "implement" a CAMA plan in the second. These seemingly straightforward questions are not so simple under the surface, especially when thinking about a *state-mandated* local planning program and placing it in the context of North Carolina's legal, institutional and political setting and history. But if North Carolina's coastal community, taken altogether, is to reach some level of workable consensus on how local CAMA land use planning and plan implementation efforts ought to be (or can be) improved, the community will first need to reach some level of workable consensus on what qualifies as a good local land use plan and what good plan implementation efforts look like.

As described in more detail below, the North Carolina Coastal Resources Commission established a Planning Review Team in late 1998 that has been revisiting the local CAMA land use planning program in response to the controversy surrounding it. As part of that effort, the Planning Review Team has been struggling with a number of difficult questions.¹ Several fundamental points of disagreement in particular have persisted throughout those efforts, including in essence the core questions of what makes for a good local CAMA plan, what makes for successful local CAMA plan implementation,

and how the state can best facilitate both. The purpose of this paper is not so much to suggest answers to these thorny questions as it is to point out and discuss some of the conceptual issues and difficulties raised when asking them. Reaching a better understanding of what makes for a good plan and what it means to implement that plan successfully will hopefully contribute to the coastal community's efforts to find answers upon which all, or at least most, can agree.

This paper first presents a brief history of the CAMA land use planning program, and the recent controversy leading up to efforts to revisit that program, in order to provide some context. The paper then draws from a relatively small but growing academic literature on land use plan implementation and state-mandated growth management programs in order to discuss what a good plan and successful plan implementation mean and how they are related. The paper then offers some thoughts about how local CAMA land use planning fits into the larger North Carolina coastal management picture, what plan implementation means in the CAMA context, and what issues will need to be resolved in order to structure and administer a state-mandated local land use planning program that produces both good local plans and successful plan implementation efforts.

Local Land Use Planning under the Coastal Area Management Act

In 1974, the North Carolina General Assembly enacted the Coastal Area Management Act² in response to a quickening pace of development throughout the coastal region that threatened both the integrity of the region's natural systems and its historical, social and cultural resources (Owens 1985). While the enactment of CAMA was not easy—debate was spirited and extended over two legislative sessions—the act established a visionary comprehensive regional resource management program for the state's twenty-county coastal area (see Heath 1974; US DOC 1978; Lowry 1985; Owens 1985; Heath and Owens 1994). Since that time, the CAMA program has evolved and now comprises an integrated, four-part program, including a regulatory permitting

program for "areas of environmental concern" (AECs), a local land use planning program, a state-to-local grants-in-aid program, and a coastal land area reserves program³ (Owens 1985; Moffitt 2000). CAMA established a quasi-legislative, quasi-judicial policy-making "citizen commission," the Coastal Resources Commission (CRC), to implement the act, with advice from a larger "Coastal Resources Advisory Council" (CRAC) and administrative support provided by the North Carolina Division of Coastal Management (DCM).⁴

From its very inception, and perhaps because of the ambitious goal of creating a "comprehensive coordinated approach for the protection, preservation, and orderly development of the State's coastal resources" (US DOC 1978:54), the state's coastal management program actually consists of a complex, at least theoretically coordinated system of resource management laws, state policies and executive orders, as well as the mandates of CAMA itself. With regard to CAMA specifically, the program establishes a fairly complex approach for striking a balance between environmental protection and economic development that relies primarily on the combined and coordinated AEC regulatory permitting program and local land use planning program. State regulatory authority under CAMA is focused on the AECs, although the combined land areas designated as such have comprised until recently only about three percent of the entire coastal region (Owens 1985).⁵ Local land use planning under the act, on the other hand, has always played a major role in advancing the goals of the act, but it is difficult to decipher exactly how its role was originally intended to function in relation to the CAMA permitting program and the state's other regulatory programs (see US DOC 1978:202-23). This is especially true, and especially important given the extent of the area involved, with regard to land use activities taking place outside of AECs that might have the potential to consume fragile coastal resources or degrade coastal water quality. In particular, it is not entirely clear what the state could and should require of localities substantively in terms of their efforts to protect coastal resources through

their local CAMA plans, especially with regard to areas outside of AECs. Nor is it entirely clear how those expectations might change over time with changed conditions and improved knowledge regarding the link between local land use policy decisions and environmental outcomes.⁶

Nonetheless, as the entire CAMA program has become established, knowledgeable observers like Heath and Owens (1994) have identified the need to improve the program, and in particular the local land use planning program, in several key ways, especially with regard to water quality, cumulative and secondary impacts, and the promotion of sustainable development. More prominently, a special Coastal Futures Committee created in 1994 by the Governor as part of the "Year of the Coast," charged with assessing the management of the coastal area and charting a course for carrying coastal management into the future (NC CFC 1994:87), also found the need for a similar expansion of the planning program. Citing "explosive population growth and unexpected environmental dangers" that continue to threaten coastal resources (*id.* at ES-1), this special committee put forward a number of recommendations, listing first and foremost as "among the most important" a variety of recommendations that focus on the CAMA planning program in order to improve both the preparation and implementation of those plans for the purpose of improving environmental protection (*id.* at ES-2).⁷

More recently, given these persistent environmental problems and at least in part because of the Coastal Futures Committee's emphasis on local land use planning, controversy over the local planning program has erupted. As explained by DCM: "Despite the land use planning program's success, it has fallen under criticism from opposing sides in recent years. Environmentalists are concerned that the state program does not go far enough to protect coastal resources. On the other side, local governments feel that they have the best knowledge of their towns and should have more autonomy in their planning. Critics on both sides of the issue have complained about complicated guidelines, one-size-fits-all regulations, lack of

implementation of local plans, and inadequate public participation and understanding of the planning program.”⁸

Responding to this controversy, the CRC in 1998 placed a moratorium on the local land use planning process and established a Planning Review Team. It charged that group with reviewing the planning program and the state’s planning guidelines and preparing recommendations to restructure that program into one that will better address concerns about CAMA planning and better support the goals of CAMA.⁹ One key focus of the Coastal Futures Committee’s recommendations regarding the land use planning program, which has served at least in part to focus the Planning Review Team’s efforts, is that the program be restructured so that the localities produce “high quality” plans—plans that do a better job of, among other things, considering issues affecting basin-wide water quality protection and regional economic development strategies and considering the cumulative and secondary impacts of growth (see NC CFC 1994:ES-2). A second key focus, one closely related, is that the program be restructured so that local governments produce and “successfully implement” their CAMA land use plans (*id.*). A number of approaches for achieving both of these outcomes have been put forth and debated. Before reaching agreement on an appropriate solution, however, it may be helpful to step back and ask first—what does a high quality plan look like and what makes for implementation success? The next section draws from the academic literature to tease apart some of the subtleties of these questions and lay the ground work for thinking about them in the context of local CAMA land use planning.

Plan Making and Implementation from an Academic Perspective

By-and-large, planning scholars have focused much of their attention on the process of planning rather than the quality or use of the plans produced. Indeed, despite much exhortation on the need to focus on plan content, few empirical studies until recently have focused on characterizing or measuring systematically the quality of plans (Dalton and Burby 1994).

Moreover, while scholars in the fields of political science, public administration and public policy have generated a considerable body of research on the implementation of programs and policies, surprisingly little parallel work has been done by planning scholars on how well or in what ways plans themselves are actually implemented once produced (Talen 1996).

The work on both plan content and plan implementation that has been done has quickly stumbled into a number of theoretical and concept measurement difficulties, raising questions that are straightforward on the surface yet analytically complex, such as: What purpose does (or should) planning serve? What purposes do (or should) plans serve? How do we evaluate whether a plan is “good” or not? How do we evaluate whether the plan actually advances its stated goals? How do we evaluate how much and how well a plan has actually been implemented? Moreover, in addressing this last question in particular, it is important to bear in mind that plan making and plan implementation are inseparable concepts. Because planning is, at least ideally, a continuous and iterative process, with plan making followed by monitoring, evaluation and updating efforts, assessments of plan implementation necessarily involve questions of plan content and quality. In other words, as part of asking how well a plan has been implemented, one must ask what the plan proposed to do, how well it justified its proposed course of action, and to what extent it was structured to facilitate implementation in the first place.

Characterizing Plan Quality and Implementation Success

Talen (1996) and Baer (1997) have both surveyed implementation research in the public administration, public policy and planning literatures and have articulated typologies that link plan making, plan quality and plan implementation. Focusing more on the planning literature, Baer (1997) articulates a conceptual framework that separates planning and plan implementation analysis essentially into two fundamental components—analysis of plan making, what he calls “plan evaluation,” and

analysis of the outcomes of plan implementation, what he calls "post hoc evaluation." Plan evaluation involves making various assessments in building the plan, testing plan policy alternatives, and critiquing the plan (often done by outside researchers). These analyses speak primarily to the quality of the plan making effort and of the plan itself. Assessing plan quality from a critical or scholarly approach in particular may involve asking whether the plan policies appear to correspond to and advance the articulated plan goals (an internal quality), comparing plans across different localities (a comparative quality), and/or asking to what extent plan policies correspond to external or independent criteria, such as how well the plan will advance hazard mitigation or water quality protection (a standard-based quality).

Baer characterizes post hoc evaluations as involving the assessment of what the intended result or effect of the plan was and to what extent that result was achieved. The assessment of results necessitates asking whether the plan was essentially intended to serve as a "blueprint" for development or, at the other extreme, what might be referred to as a "vision statement"—a document merely (or at best) to be consulted and cited in working through the land use decision-making process (see Alexander and Faludi 1989). Asking to what extent the plan's goals were achieved, in turn, necessitates asking—as compared to what? Plan implementation outcomes might be compared, for example, to what was proposed—what Baer (1997:334) notes is the "normal view of plan evaluation"—or what might have occurred had there been no plan in the first place. Although not specifically addressed by Baer, implementation outcomes might also be assessed by comparing what happened in reality as compared to what might have happened had the plan itself been "better"—had it employed stronger policies or implementation measures.

Talen (1996) provides somewhat more history on the development of implementation theory across the several disciplines, focusing in particular on the question of whether quantitative and qualitative methods might be developed to more systematically and rigorously evaluate

whether a plan has been implemented successfully. Noting the difficulty inherent in predicting and molding future development, she surveys a number of approaches that have been taken to evaluate plan implementation quantitatively, such as Alterman and Hill's (1978) efforts to use grid overlays to quantify consistency between plans and actual land use, Calkins' (1979) algebraic formula for characterizing "total change" as a function of "planned change" and "unplanned change," and more recent work by Bryson et al. (1990) using regression analysis to assess the achievement of planning goals.

Talen also addresses the difficulty of characterizing the meaning of plan implementation "success" or goal achievement and does so in a way that speaks to the distinction drawn by Baer with regard to the purpose of a plan. On the one hand, if the purpose of a plan is to serve more like a blueprint, then measuring success is more of a linear process that rigidly measures plan policies against outcomes. On the other hand, if the purpose of a plan is to serve more like a vision statement, then measuring implementation success entails a more loosely defined assessment of goal achievement.¹⁰ Despite these divergent orientations, and despite the analytical difficulties of determining the causes of planning outcomes given the ever-increasing geographic, social and fiscal complexities of land development, Talen asserts that it is possible to more rigorously evaluate plan implementation outcomes. Moreover, she asserts that undertaking such rigorous evaluation of planning outcomes, in effect merging assessment of both the process employed and the substantive goals achieved, is absolutely necessary if we are to truly evaluate the effectiveness of local planning efforts.

In the Context of State-Mandated Planning

The works of Baer and Talen are both more theoretical, designed to help scholars reconceptualize what "plan quality" and "planning implementation success" mean and how they might be measured. A second, empirical body of work has also recently appeared in the planning literature. Much of this

work is based on, or has been conducted in response to, the published findings from an extensive research project headed by planning scholar Raymond Burby.¹¹ This research project focused on local efforts to plan for and mitigate natural hazards, an issue of universal concern and one that can necessitate making difficult land use development decisions. The project studied local planning efforts in five different states, including: North Carolina, Florida, and California—all with local planning mandates that cover their coastal areas; and Texas and Washington—neither having a local planning mandate at that time (Washington has since enacted such a program).¹² This body of work speaks especially to the question of plan content and plan implementation (defined as development management program development) in the context of state-mandated local hazards mitigation planning programs.

Building largely from Kaiser, Godschalk and Chapin's (1995) well known text on land use planning, these researchers generally characterize high-quality plans as those that demonstrate a strong factual basis, provide clearly articulated goals, and employ policies that both are directive (i.e., directing decision-makers to do something rather than exhorting them to support something) and appropriate (i.e., reasonably calculated to actually effect the desired plan goals). Strong plans also incorporate the concept of spatial specificity—clearly relating policies to geographically identified areas—and several types of consistency, including "internal" (between facts, goals and policy), "horizontal" (between the locality and neighboring jurisdictions), and "vertical" (between the locality and state and federal mandates). A final aspect of plan quality, one that has not been culled out and emphasized as a separate factor in the empirical literature, includes the extent to which the plan incorporates ongoing monitoring and evaluation procedures, particularly in terms of assessing past implementation success at the front end of a plan update effort (see Kaiser, Godschalk and Chapin 1995).

Closely related to the concept of plan quality more generally is the notion of development management planning. Development

management planning efforts (or programs) are essentially designed specifically to limit and/or control land use development patterns so as to achieve management-oriented substantive goals like hazard mitigation, natural resource protection and/or the adequate and efficient provision of community services (Kaiser, Godschalk and Chapin 1995; Landis 1992). In general terms, therefore, strong development management plans (as well as programs developed independently or derived from those plans) have the same attributes of high-quality plans as described above and may have additional components like coordinated capital improvement programs and land acquisition programs (Kaiser, Godschalk and Chapin 1995). In the recent empirical literature on plan implementation, strong development management programs designed to address hazard mitigation have been defined as those that employ a balanced mix of land use controls, site design requirements, building standards, and knowledge enhancement techniques (Dalton and Burby 1994). Such programs, when balanced so as to rely as much or more so on land use controls and site design requirements as on knowledge-building techniques, have also been characterized as more sophisticated, tending to be more anticipatory or preventative in focus rather than passive or reactive (*id.*).

Drawing from this work in particular and the planning literature on implementation and growth management more generally, several sets of key policy-related factors¹³ appear to influence the implementation of state-mandated local land use planning efforts. These include the state's planning mandate, with regard in particular to the complexity and emphasis of that mandate; the state's administrative policy and oversight of local planning efforts; state capacity-building, technical assistance, and outreach or education efforts; local capacity for and commitment to planning; and finally, with regard to plan implementation efforts in particular, the quality of the plan itself.¹⁴ Table 1 lists these factors, along with local situational factors that appear to be most important, and briefly describes their function. The table also notes the source or sources in the literature that discuss the operation

of each variable most directly or thoroughly.

Some General Answers

Boiling this academic literature down, it is possible to provide some initial and general answers to the questions at hand—what makes for a good plan and what does implementation success mean. First, a “good” local land use plan can be defined as one that employs a strong factual base, provides clearly articulated goals, presents strong policy statements, and specifies a reasonable development management program (and/or implementation and monitoring program) that clearly establishes mechanisms, responsibilities and time frames for implementing the plan. The policies of a good land use plan in particular are directive rather than merely exhortatory, reasonably calculated to achieve the plan’s stated goals, and spatially-specific. Evaluating whether a plan is good or not, in turn, requires thinking about what purpose the plan is to serve (i.e., vision-statement, blueprint, or something in between) and whether it speaks to that purpose taken as a whole; thinking about whether the plan “hangs together” (i.e., whether the facts, goals, policies, and implementation program are coherent and internally consistent); and possibly setting the plan against other plans for comparison. Answering all of these questions and concluding whether a plan is good also requires thinking both in terms of process (did the planning team take all of the right steps and conduct the right kinds of analyses in preparing the plan?) and substance (is the plan taken as a whole reasonably designed to advance the community’s goals?).

Second, successful plan implementation can be determined by asking, in a larger sense, whether the way the plan is used in practice squares with the way it was intended to be used in light of its intended purpose or function (i.e., vision statement, blueprint, or something in between). In other words, does the locality consult and use the plan as intended when enacting or revising local land use ordinances, making site-specific land use-related policy decisions, or making capital improvement decisions? In a more narrow sense, successful plan implementation can be determined by asking

whether specific policies have been followed or carried out. More particularly, successful land use plan implementation occurs when the locality’s adopted development management program components—whether they include land use ordinances (e.g., zoning, subdivision), site design requirements, building standards, outreach and education efforts, or some combination of these and/or other efforts—serve to carry out and are consistent with the land use classifications and policies established by the plan. Evaluating whether implementation has been successful, in turn, requires assessing to what extent and in what ways the on-the-ground land use development outcomes compare with what the plan itself called for. It might also involve thinking about what might have been had there been no plan or what might have been had the plan been different. And again, answering all of these questions requires thinking both in terms of process (did the locality do all of the things the plan called for?) and substance (are the on-the-ground outcomes consistent with what the community hoped to achieve?).

In addition to the questions of plan quality and implementation success generally, the academic literature also sheds light on what the *state* can do to facilitate local planning efforts so that they produce high quality plans and yield successful plan implementation. Before discussing the important factors at play, however, it would be useful to make explicit and consider an important distinction that is reflected implicitly in that literature. The distinction to be drawn is whether the planning effort in question was initiated locally, presumably to promote primarily local goals, or initiated by the state, not only to facilitate good local planning but also expressly for the purpose of prompting local governments to internalize transboundary regional concerns or state-level goals.

Specifically, one thread of this academic work has addressed the questions of what it means in general to make a good local land use plan and to implement that plan, as well as how those implementation efforts might be evaluated rigorously. This first body of work comes out of a more traditional view of what planning is and what it aspires to do. That is, planning is seen

Table 1. Principal factors that appear to affect the outcomes of state-mandated local plan making and plan implementation efforts as synthesized from the planning literature

<i>Outcomes are a function of:</i>	<i>Operating in the following way:*</i>	<i>Primary Source(s):</i>
1. The state's growth management program and/or local planning mandate.	Through the clarity, prescriptiveness, and specificity of the mandate regarding, e.g., the purpose and intended use of the plan, the delegation of duties and prerogatives, the role of planning in the context of other program components. Also through monitoring and implementation evaluation requirements.	Bollens (1992); Burby and Dalton (1994); Berke and French (1994); Kaiser, Godschalk and Chapin (1995); Berke et al. (1999).
2. State administrative policy and oversight efforts.	As a function of the emphasis placed by state administrators on local efforts with regard to the substance of the plan's content and the planning process used, given practical and political realities.	Deyle and Smith (1998).
3. State capacity building and public education efforts.	Through the provision of funds and technical assistance for local planning efforts, and through education and outreach efforts for both the general public and local officials.	Burby and Dalton (1994); Berke and French (1994); Berke et al. (1999).
4. The local situation.	In particular, through political activism (where different interest groups promote competing outcomes), development pressure (where heightened pressure generally heightens local planning efforts), and the availability of developable land in non-sensitive areas (where limited availability generally dampens local planning and/or growth restriction efforts).	Burby and Dalton (1994).
5. Local capacity to plan.	As a function of local wealth and local planning/administrative capacity.	Burby and Dalton (1994).
6. Local commitment to planning.	Through local planning efforts and local land use analysis and decision-making processes.	Burby and Dalton (1994).
7. Local plan quality (as a factor affecting plan implementation).	Through local decision-making on development management program efforts (where higher quality plans tend to result in more balanced development management programs).	Burby and Dalton (1994).

** Unless otherwise noted, the factor identified tends to operate to increase the locality's planning efforts and/or the quality of those efforts (e.g., both increased clarity of the state's planning mandate and increased local commitment to planning tend to increase plan quality).*

largely as a local function, a public decision-making process designed to help a locality more systematically and thoughtfully direct its own destiny. Typically authorized by state law under general enabling legislation for the purpose of promoting the public welfare, local planning is initiated by the locality itself for the primary purpose of clarifying and achieving local goals.

The second thread of work on implementation in the planning literature has focused on the issue of state-mandated local planning, looking in particular at efforts to implement state planning mandates for the purpose of natural hazards mitigation. This line of academic work has developed largely in response to the increasing use of state-mandated growth management programs, which have appeared since the early 1970s and have become increasingly sophisticated over time (Bollens 1992), as well as state coastal management programs developed in association with the federal Coastal Zone Management Act (Lowry 1985). These state-mandated programs in general have been designed expressly to prompt (or in some instances compel) localities to adopt policies or laws that constrain land use activities that are locally beneficial but that degrade regionally-important natural resources—what Bollens refers to as “growth restriction”¹⁵—or to adopt ordinances or policies that allow for the development of regionally important but locally undesirable facilities (e.g., landfills)—what Bollens refers to as “growth accommodation” (1992:455-56). They also tend to combine a mix of restrictive or coercive requirements with collaborative or cooperative requirements (see, e.g., May and Burby 1996; Berke et al. 1999). Local planning undertaken in response to these kinds of state-mandated growth or coastal management programs is still a local function, but it is driven primarily by the state (and sometimes funded largely by the state as well), and so must internalize both local *and* regional or state goals. Moreover, given this purpose and the institutional structure involved, local plans are subject to some legitimate amount of state oversight, both in terms of the process used by the localities in preparing the plans and the substantive content and quality of the plans

produced.

Given this state-mandated planning framework, the key plan quality and implementation questions are the very same ones discussed above, but with an added layer of complexity placed on top. One must ask not only what makes for a “good” local plan and how to characterize and measure implementation success, but now those questions must necessarily speak to whether and in what ways the local plan and plan implementation efforts have successfully incorporated the state’s growth management goals. In addition to the procedural questions of whether the appropriate steps were taken and the appropriate people were involved, one must ask also whether the state’s procedural mandates were followed. Moreover, in addition to asking the substantive question of whether the plan’s policies were reasonably designed to achieve its stated goals, one must ask also whether those stated goals adequately internalized the *state’s* goals and whether the adopted plan policies were reasonably designed to achieve those goals.¹⁶

And evaluating whether the overall state-mandated local planning effort has been successful, in turn, now involves thinking carefully about what the state’s local planning mandate itself requires both substantively and procedurally, on top of the already-difficult task of assessing how good the locality’s planning effort was (in terms of the process used and the substantive content and quality of the plan produced) and whether and in what ways the locality actually used the plan. This new evaluative task is more difficult not only because of the additional steps involved, moving from state mandates to local plan making to local plan implementation, but also because it adds a new dimension of state-and-local intergovernmental relations not present in locally-initiated (or non-state-mandated) land use planning processes.

Finally, given the important distinction between locally-initiated land use planning and state-mandated local land use planning, the next question becomes: What can the state do to facilitate a successful state-mandated local planning program—one that yields high quality local land use plans and successful plan

implementation. Here the academic literature points to the importance of mandates, message, capacity, and commitment. That is, determining what a state can do to facilitate good state-mandated local land use planning requires thinking first about what exactly the planning mandates require, what message the state sends as it administers those mandates, and how much capacity the localities have to carry out the mandates. Perhaps most importantly, the state needs to pay particular attention to the level of commitment localities have toward both crafting land use plans that meet *state and local* goals and then following through in implementing those plans. Building local commitment, in turn, speaks back to local acceptance of the legitimacy of the state's planning mandates, local response to the state's administrative message, and local willingness to commit its available capacity to the planning task. And finally with regard to commitment building, the concept of message is particularly important in several ways. First, it speaks to the message the state sends in terms of which mandates are most important and what will constitute acceptable compliance with those mandates. Second, it speaks to the message the state sends through its outreach, education, and technical assistance efforts to justify why its regional growth management goals are worth striving for.

Back to Planning in Coastal North Carolina

This synthesis of the academic literature helps to lay out in a more general sense what makes for a good plan, what constitutes plan implementation success, and what the state can do to make both happen. How does this help to inform the current debates over local land use planning under CAMA? As described in some detail above, local planning under CAMA is part of a larger, state-mandated coastal area management program. As such, it has some of the state growth management program attributes described by Bollens (1992), with both a growth restricting component and a growth accommodating component, although in this case growth accommodation generally takes form as the "orderly development" of the coast's natural resources rather than the accommodation of

locally unwanted but regionally important facilities.¹⁷ The entire CAMA program also employs a complex mixture of coercive and collaborative requirements, primarily through the AEC regulatory permitting program and the planning program, respectively, although both programs have both coercive and collaborative attributes.¹⁸

More importantly, like state-mandated growth management programs in general, the CAMA land use planning program by design must factor in state goals, including goals pertaining to the protection and preservation of coastal resources.¹⁹ This aspect of the program is all the more important given the increasingly recognized need to better address the problems of cumulative and secondary impacts on coastal resources, and especially given the Coastal Futures Committee's emphasis on improving local planning and local plan implementation for the purpose of improving coastal resource protection efforts overall. Thus, when thinking about the local land use planning program under CAMA, it is not enough to think only about whether local CAMA plans help to advance community goals. That is, in addition to thinking about how well and in what ways the plans serve to meet local needs, it is also necessary to think about whether and how they help to advance the state's coastal resource management goals. Moreover, it is important to do so, first, both in terms of local compliance with the state's procedural planning requirements and in terms of substantive goal achievement, and second, both with regard to the quality and content of the plans produced by the localities and with regard to the ways in which they use their plans.

At the same time, CAMA land use planning is unique and defies easy, generalized policy prescriptions. North Carolina has a long history of giving great deference to local government autonomy, as evidenced in particular by the structure of the CAMA land use planning program as ultimately adopted (see Heath 1974), as well as the CRC's long-ago adopted administrative policy of focusing on the procedural aspects of the land use planning guidelines and leaving substantive plan policy decisions largely to local government (see Owens

1985; Heath and Owens 1994). Moreover, there has been some debate about how the planning program should fit together with the AEC permitting program (i.e., whether, for example, coastal water quality should be addressed through the AEC program alone or through local plans as well and, if so, to what extent and in what ways); how much and what kinds of flexibility should be given to localities in preparing their plans; how prescriptive those plans should be in directing local land use decision making (i.e., blueprint, vision statement, or something in between); how much local governments can be expected to do through their planning and plan implementation efforts given staff and resource constraints; to what extent local governments should be expected to go beyond state coastal resource protection requirements, if at all; and, more generally, to what extent the local planning program should be viewed as solely a local prerogative or should incorporate state management objectives.

All of these issues are thorny, inseparable, and contestable. And to the extent that different members of the coastal community would give fundamentally opposed prescriptions for addressing them, it should be no surprise that there is contentious disagreement on whether local planning is working (or perhaps agreement that it is not working but disagreement as to why) and what should be done to change it. Nonetheless, the question remains: What does it mean to implement a local CAMA land use plan anyway? Or more to the point, the question should be phrased: What makes for the *successful* implementation of a local CAMA land use plan? The short and simple answer is that it depends; it depends on what we expect to get out of the local planning program, how we design the process, and whether the local plans produced (and the way they are implemented) meet our expectations. Short and simple answers often are not all that helpful. The long and hard answer is that reaching agreement on what makes for success necessitates reaching some level of workable agreement on the appropriate answers to a number of more difficult and interrelated questions. Drawing from the discussion presented above, these issues include at the very

least:

- What the purpose of the CAMA plan should be in the first place (i.e., whether, where, and in what ways the plan should be growth restricting, growth accommodating, or both; how much and in what ways the plan should advance the state's coastal management goals as well as local goals);
- How the CAMA plan should be used (i.e., whether the plan should function as a blueprint, vision statement, or something in between²⁰);
- What makes for a high quality CAMA plan (e.g., looking at the plan's factual base, clarity of goals, and the prescriptiveness and appropriateness of the policies adopted, as well as its spatial specificity, various forms of consistency, and monitoring and evaluation procedures);
- Whether the process used in preparing a given CAMA plan was appropriate (e.g., followed the right steps, included the right people, employed appropriate analyses, provided the proper disclosure regarding the policy choices made and their implications); and
- Whether the substantive content of a given CAMA plan was appropriate (e.g., adopted policies that were both consistent with the goals of the plan, given its purpose and intended use, and reasonably designed to advance those goals; included a meaningful and reasonable development management program; included a meaningful monitoring and evaluation component).

To make matters all the more challenging, all of these issues need be resolved in the context of North Carolina's contentious coastal management history and institutional setting, as touched upon briefly above.

Moreover, having answered these questions, characterizing planning program success further requires agreement on the question of how to characterize what makes for successful *use* of the plans once produced. Answering this question, in turn, requires thinking back to the purpose and

intended use of the plan—where measuring the outputs of a blueprint means something different from measuring the outputs of a vision statement—and thinking about how outputs themselves should be measured (e.g., against what the plan proposed, what might have happened had there been no plan, or what might have happened had the plan been better). It also requires thinking about whether success is achieved simply if a plan's policies are implemented procedurally (e.g., a called-for zoning ordinance was adopted), or if it is also necessary to show some tangible evidence that the plan's substantive goals (e.g., improved coastal water quality) have been achieved. Sometimes long and hard answers, although perhaps more helpful, can be daunting.

In summary, these are complicated questions speaking to a host of complicated coastal management and land use planning issues. The CRC's Planning Review Team has been struggling with all of these issues and questions in one form or another, as well as the more difficult questions revolving around how to restructure the CAMA planning guidelines in a way that will most likely yield high quality plans and implementation success. Once their task is done, the larger coastal community will have to come to terms with and reach some kind of workable consensus on all of these same issues as well. Being thoughtful about the technical planning processes to be employed will be vitally important, but by itself will not be sufficient. Rather, resolving the CAMA land use planning controversy will come only when the state and coastal community together can reach a workable consensus on several key substantive issues as well, including: (1) what purpose the local CAMA planning program should serve—particularly in relation to the state's other coastal resource protection efforts; (2) how that program would be most effectively and most appropriately structured given all the things that make for good planning and good plan implementation in the context of all the factors that make North Carolina unique; and (3) what we can hope to achieve through the use of the plans produced from the process. No one should think that this task will be easy, but the potential rewards of

moving the planning program forward as a meaningful and valuable part of the coastal management program make it worth forging ahead. **CP**

Notes

¹ The characterization of the differing positions presented above draws largely from direct observation of the Planning Review Team's efforts, along with extended telephone and in-person interviews of state and local officials, interest groups representatives, and private citizens from across the coastal region.

² The act is codified at N.C. General Statutes 113A-100 et seq.

³ The CAMA program was formally approved by the federal Office of Coastal Zone Management as being in compliance with the Coastal Zone Management Act (16 U.S.C. Section 1451 et seq.) in 1978 (US DOC 1978). This approval had the effect, among other things, of making the state eligible to receive federal grants-in-aid from the National Oceanic and Atmospheric Administration (NOAA).

⁴ See N.C. General Statutes 113A-104 et seq. The CRC, among other things, establishes policies and objectives for the coastal area, promulgates administrative rules or "guidelines" for carrying out the act, certifies local land use plans, and designates areas of environmental concern. DCM, a division within the N.C. Department of Natural Resources, supplies administrative support to the CRC by, among other things, providing staff support for its proceedings and conducting the day-to-day administration of the planning and AEC regulatory permitting programs. In addition, the Director of DCM serves as the Executive Secretary to the CRC.

⁵ This percentage was recently increased to roughly seven percent with the CRC's promulgation of its new coastal shoreline AEC rules (see N.C. Administrative Code 7H.201 et seq.). It is worth noting that this expansion of the AECs was quite controversial itself, coming on the heels of a more ambitious proposal that was retracted and amended in line with the recommendations of a stakeholder advisory group convened in response to that controversy. For a discussion of this rulemaking effort, see: http://dcm2.enr.state.nc.us/Current%20Issues/current_mainpage.htm (August 10, 2000).

⁶ The North Carolina Coastal Management Program and Final Environmental Impact Statement (US DOC 1978), written in order to satisfy federal standards for approval of North Carolina's Coastal

Management Program under the Coastal Zone Management Act, provides a contemporary interpretation of how the coastal management program was intended to operate. This document speaks to the relationship between state policies, standards, regulatory permitting, and local land use planning throughout. It speaks most directly to the issue of the role of *local planning* efforts in furthering the goals of the act—that is, beyond the AEC permitting program—in what it refers to as “The Second Tier – Management Outside of AECs” (US DOC 1978:202-23). This discussion clearly contemplates a heavy reliance on various state resource management programs other than CAMA itself to ensure adequate management of activities taking place within CAMA local land use planning areas but outside of designated AECs. At same time, however, the program clearly establishes that local plans are to be prepared in accordance with state planning guidelines that are, in turn, clearly to be crafted so as to advance the larger goals of the act, including most prominently the “protection, preservation, and conservation of natural resources,” (see N.C. General Statutes 113A-102(b)(4)(i)), suggesting that reliance on other state programs alone for coastal resource protection outside of AECs was not intended.

⁷ For more discussion regarding the Coastal Futures Committee’s recommendations and efforts to implement those recommendations, see Godschalk (2000a).

⁸ This text was taken from the DCM web page describing the efforts of the CRC’s Planning Review Team, at: http://dcm2.enr.state.nc.us/Land%20Use%20Planning/lup_mainpage.htm (August 10, 2000).

⁹ Two recent assessments of the CAMA land use planning program are provided by Hinkley and Kaiser (1999) and Godschalk (2000b).

¹⁰ At the extreme, if the purpose of planning is to serve solely or even primarily as an awareness-raising process, then implementation might somewhat tautologically be deemed “successful” simply if, at a minimum, the plan itself was produced (see Talen 1996:250-51).

¹¹ See generally Burby et al. (1993); May (1993); Berke and French (1994); Dalton and Burby (1994); Burby and Dalton (1994); Burby and May (1997).

¹² It should be noted that much of this work has addressed as a primary question the extent to which the use of a state planning mandate affects the quality of planning efforts. Thus, the thrust of much of this work has focused on the question of how well localities have complied with a state’s planning

mandates in developing their plans—that is, looking at the implementation of the state *planning* mandates in terms of local plan making efforts—rather than at the question of how well the localities have actually implemented the plans produced (see, e.g., May 1993).

¹³ The term “policy-related” factors is used here to distinguish between variables that are under the control of a state or local government more so than “setting-related” variables, such as community location or wealth.

¹⁴ In a nutshell, Burby et al. (1993:4), studying state-planning mandates designed to address the mitigation of natural hazards, found that “the most effective mandates are those that are comprehensive in what they require of local governments, have strong sanctions for noncompliance with mandate provisions, and build local planning capacity and commitment through grants-in-aid and technical assistance.”

¹⁵ Natural hazards mitigation fits here too, not as an activity that causes the degradation of a natural resource, although such may occur, but primarily as a locally-beneficial land use development pattern that can yield substantial state or national costs in the way of demands for post-disaster relief and assistance.

¹⁶ Of course, in asking whether a local plan adequately internalizes and advances the state’s goals, it is also necessary to consider whether the state’s planning mandate itself clearly articulates those goals and the state’s expectations regarding local efforts to advance them.

¹⁷ In the context of coastal development in North Carolina in particular, “growth accommodation” takes shape as a concern for having adequate facilities (e.g., water, wastewater, roadways) in place to accommodate locally and regionally desirable economic development, especially with regard to tourist-based development along coastal waterfronts and job-generating commercial and industrial development inland.

¹⁸ For example, the AEC permitting program distinguishes between larger projects that might engender greater environmental impacts, reserving the permitting decisions for those projects to the state, while permitting decisions for smaller projects can be delegated to the localities (15 N.C. Administrative Code 7H). Similarly, local CAMA plans must comply with fairly extensive administrative rules or “guidelines” promulgated by the state, which as currently written and administered are fairly prescriptive procedurally but which leave substantive policy decisions primarily to

the local governments (Owens 1985; see 15 N.C. Administrative Code 7B).

¹⁹ See N.C. General Statutes 113A-110(a).

²⁰ One issue that has been raised repeatedly pertains to the idea that a local land use plan is not the same thing as a zoning ordinance—and should not contain the detail or specificity normally found in a zoning ordinance—but rather the policy-making document used to determine whether a zoning ordinance or some other local government land management tool is needed and, if so, what it would be designed to do. It may be the case, however, that a land use plan map and associated policies pertaining to areas that are particularly important socially or particularly sensitive environmentally should contain detail more like that of a zoning ordinance. In his discussion of the history behind CAMA's enactment, Heath (1974:373) concluded that it was "difficult to predict the shape and content of the plans to be developed under the Act" since there was no settled body of planning concepts, no clear legislative history, and no clear or consistent philosophy or policy in the act itself to settle the question. He further noted in a footnote (id. at 373, note 83), however, that: "Viewing the Act as a land use lawyer, Professor Philip Green believes that the plans called for by the Act, at least for designated areas of environmental concern, should be more like the typical zoning ordinance than the typical city or county plan. This interpretation would fit easily with the consistency requirements of the Act, but it remains to be seen whether any of the planning units will actually share this view."

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