

Handbook on Local and Regional Governance

Land-use management: local institutions and the power to shape?

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Abstract

This chapter discusses the influence of local institutions in the design, implementation and outcomes of land use policies. It begins by describing the political market framework as an explanation for the adoption of land use policies. The framework accounts for land use choices as the result of supply decisions made by local authorities as policy makers, demand pressures by competing pro-development and pro-conservation interest groups, and the mediating effects of local institutions. Illustrating the usefulness of the framework, the chapter reviews the empirical literature on the role played by executive, legislative, and participatory democracy institutions in shaping land use decisions and extracts lessons to better understand this role.

Key words: land use; growth management; political market framework; institutions; local government.

Introduction

If politics is a competition about who gets what, when, and how (Lasswell, 1936), in no place is this competition for the distribution of value more evident than in local land use policy. In fact, Oliver et al. (2012) state that land use policy is one of the dominant items on the agenda in local politics and previous research has shown that decisions by local officials tend to reflect the balance of conflicting interests and pressures in this policy area (Hawkins, 2014; Levesque et al., 2017). Given that individuals and groups involved in land markets have conflicting interests, it is reasonable to expect that local officials will rely on specific policy tools to achieve particular goals. Local governments are extremely active in land use policy and management, something that can be partly explained by a perceived trade-off between managing land use and economic development, as indicated in the empirical literature (Feiock, 1994; Levine, 1999).

However, the idea that land use policies and outcomes are the product of a power struggle between opposing interest groups is at best incomplete, at worst naïve. First, local officials bring their own preferences and normative views to the land use arena. Second, the effects of institutions are not pellucid. New institutionalism defines institutions as the rules of the game, i.e., any form of constraint that humans devise to shape human interaction. In this sense, both formal institutions (i.e. laws and rules) and informal institutions (i.e. norms, guidelines, or codes of conduct) are purposely devised, either through discrete choice or incremental change, to serve the interests of political decision makers or coalitions in power. Because different groups and neighborhoods in a community have different preferences regarding

growth, land use decisions can entail highly distributive impacts. In other words, institutions as “humanly devised constraints that shape human interaction” (North 1990: 3) filter demands by organized interests, so that policy outputs and outcomes are never simply an equilibrium resulting from the combination between aggregate supply and aggregate demand for developable land.

This chapter discusses the influence of local institutions in the design, implementation and outcomes of land use policy. After this introduction, the second section presents a summary of the most widely used land use policy and management tools. These tools can be aggregated into three generations, depending on their primary focus: 1) regulatory growth controls; 2) market-based incentives and growth management tools; and 3) policy instruments for sustainable land use planning and management. Next, I describe the political market framework as an explanation for the adoption of land use policies and the role played by institutions in the analytical framework (Keohane et al., 1998; Lubell et al., 2005; 2009). The framework accounts for land use choices as the outcome of supply decisions made by local authorities as policy makers, demand pressures by local interest groups with conflicting preferences and goals, and the mediating effects of local institutions in these interactions. In this review, I distinguish between several types of local institutions, including executive and legislative branch institutions as well as the rules governing participatory democracy. The fourth section reviews the results obtained by the empirical research examining the role of local institutions in shaping land use policies. The fifth section concludes and suggests directions for future research.

Three Generations of Land Use Policy Tools

Typologies help researchers organize reality by grouping together elements with common characteristics. A simple yet intuitive way of organizing the wide array of land use policy tools employed across countries is to group them in chronological order of their use. Looking back at the last 100 years of land use policies, three generations of land use policy tools can be identified. The first generation of tools emphasizes regulatory growth controls, the second highlights market-based incentives and growth management and the third focuses on sustainability and quality of life features (Navarro and Carson, 1991; Schiffman, 1989; Solly et al., 2020). Although one may expect some overlap between the individuals and groups supporting or opposing policies of the three generations, it is clear that some major differences exist between them. This section summarizes these differences

The first generation of policies includes zoning, restrictions on housing supply, and population and building permit caps. Zoning was the first land use instrument to be put in practice by local governments, in the late 19th century in Germany and early 20th century in the United States (Fischel, 2004; Talen, 2012). The economic rationale for the use of this regulatory tool is the presence of negative externalities resulting from conflicting uses of neighboring sites. In particular, zoning was and still is employed to minimize negative externalities by safeguarding against incompatible uses as well as ensuring that over-intensive uses of one site do not infringe on the well-being of neighboring sites. While zoning is the most well-known form of early land use regulation, it is far from the only one. In the United States, restrictions on the number of building permits issued, minimum lot zoning, and the imposition of growth moratoria were quite frequent throughout the 20th century, despite their blunt nature.

These earlier forms of growth controls had highly distributive impacts. The literature describes them as exclusionary, elitist, and status-biased (Molotch, 1976; Navarro and Carson, 1991; Bollens, 1990; Donovan and Neiman, 1992). The manipulation of zoning regulations often produced racial exclusion as well as the exclusion of low and moderate-income residents by zoning a community for single family housing only and/or requiring large building lots for new houses (Rothwell and Massey, 2009; Pendall, 2000). Growth controls were largely the result of the capacity of local elites to mobilize to stop growth, either through zoning or through population and housing caps (Pendall, 2000).

The second generation of policies encompasses development impact fees, density bonuses, standardized levels of service, and comprehensive planning including residential, commercial, and industrial development restrictions (Navarro and Carson, 1991). The second generation of land use policies accommodates growth by relying on market-based incentives and by adding costs to development through impact fees or environmental impact statements. Growth is accepted by local communities if the developers and/or new residents pay for public facilities and infrastructure required by the development and if pollution, traffic congestion, and school overcrowding levels are kept low (Navarro and Carson, 1991). These land use management tools are thought to inflate housing prices from the demand side by increasing the quality of life in a community and attracting larger demand to the jurisdiction where they are enacted.

Schiffman (1989) divides this second generation of land use policies into two groups. The first one can be traced back to the 1950s, when open space and agricultural zoning, architectural review, floodplain zoning, billboard controls, cluster design, planned unit development, and phased growth ordinances were the “new” techniques used to cope with “new” goals such as watershed protection, landmarks designation, historic preservation, open space, aesthetics, and timing of development. This group of policies consisted of more sensitive and flexible tools available to local decision makers and increased their discretion in establishing the conditions under which development took place. They were designed to *manage* growth rather than stopping it. The second group, appearing in the 1970s, consisted of urban growth boundaries, impact fees, tax-exempt bonds, transfer of development rights, linkage policies, and incentive zoning (density bonuses). These instruments of land use management with a strong financial focus appear in a context of refusal by national governments to continue to provide support for growth infrastructure and of financial stress among local governments incapable of supplying it.

The third generation of land use management tools focuses on sustainable development and improving the quality of life of communities. The dominant trend in this third wave is the integration of land use policies into the wider network of policies affecting the development and sustainability of cities and metropolitan areas (Fertner et al., 2016; Solly et al. 2020). Examples of this type of integration with a sustainability focus include the implementation of coordinated packages of mutually reinforcing transport and land use policies (Buehler et al. 2017; Sager, 2005), land readjustment for urban renewal (Chau et al., 2018; Holtslag-Broekhof, 2018), mixed use development (Hirt, 2012; Hoppenbrouwer and Louw, 2005; Lee et al., 2017), and spatial concentration of development rights to combat sprawl and promote equity (Klaus, 2020). This trend fits under the umbrellas of the New Urbanism (Bernick and Cervero, 1997; Grant, 2005) and the Smart Growth (Downs, 2001; 2005) movements and is also characterized by the criticism of land use tools of earlier generations for their unintended effects. Excessive urban compaction, undesired forms of suburbanization, and long-distance commuting caused by urban growth boundaries (Boussauw et al., 2013), problems of speculation, equity and

fairness caused by the use of transfer of development rights (Colavitti and Serra, 2018), and reduced affordable housing due to development impact fees (Evans-Cowley and Lawhon, 2003) are just a few examples of those effects.

All three generations of land use policies display distributive effects. Their adoption is often driven by attempts to secure private interests through public means under a rhetoric of efficiency and correction of market failures. While these distributive effects are more investigated and evident in the United States, the discretionary nature of England's land-use regulation and the larger autonomy regarding land use decisions of municipalities in France, Germany, Sweden, Norway, Poland, and Russia (Hirt, 2012; Skog, 2018; Deslatte et al., 2021) also make them prone to similar pressures. Regardless of the dominant features of planning systems in Europe and the United States (Newman and Thornley, 2002; Hirt, 2012), local political institutions are not immune to lobbying and pressures by organized interests or neutral in their distributive effects.

Next, I present the political market framework as a powerful tool to explain the adoption of land use policies. The merit of this theoretical framework lies in its ability to conceptualize the motivations of local officials to supply specific policies, the pressure exercised by organized interest groups and the public as powerful demanders, and the mediating role played by institutions in this process. At a time when the pendulum in the social sciences is swinging back to a behavioral focus, it is perhaps worth noting that the political market framework has the merit of explaining individual actions and the role of institutions in shaping land use choices using a single encompassing theoretical framework (Curley et al., 2020).

Political Market Framework

The political market framework conceptualizes public policies as the outcome of the interplay between local government officials as suppliers, organized interest groups and civil society as demanders, and institutions as mediators of these relationships (Keohane et al., 1998). Applied to land use management, the political market framework attempts to explain *why* a given level of developable land is chosen by government intervention in a given community and *how* market equilibria vary across communities. Like economic markets, political markets may also generate suboptimal outcomes in developable land due to transaction costs and market distortions associated with power imbalances.

Governmental actors as suppliers include elected and appointed officials, managers, street-level bureaucrats and others with authoritative power over land use decision-making (Lubell et al., 2009; Deslatte et al., 2018). Preferences of suppliers vary according to political and administrative career advancement goals, ideological positions, and policy inclinations. These preferences are expressed within a set of local decision-making rules, including those concerning the exercise of political choices through executive, deliberative, and participatory democracy institutions.

The demand side of the political market for land use includes those actors and organized groups expressing preferences for specific governmental (in)actions. Demand-side activity is expected to influence land use policies due to the effect of the combined action of two distinct sets of interest groups (Pacione, 2013). The first set includes developers, land speculators, builders, real estate agents, and mortgage financiers, who generally oppose land use control/management and seek to maximize returns on their investments. The second set

includes organized groups committed to the preservation of the environment and homeowners wishing to preserve the character of their neighborhoods and housing values, who are likely to favor land use controls and growth management (Knaap, 1988; Pacione, 2013). This dichotomous view of interest groups operating in the political market is, nevertheless, incomplete, since it neglects the role played by local institutions in the process.

Logan and Molotch (1987) distinguish between 'use value' and 'exchange value' of land. Use value is obtained from the daily use of property, whereas exchange value is associated with the financial gain obtained from property transactions. Aligned with urban regime theory (Elkin (1987), their thesis is that local government institutions and actors have a systematic bias towards economic growth and what they call 'rentiers', i.e., those agents seeking to maximize rent. Local government officials tend to facilitate investments and promote land use changes favoring growth machines constituted by builders, real estate developers, and mortgage financiers. Some local actors benefit directly from the operation of the growth machine (i.e., utility companies, architecture and planning offices, local media), whereas others benefit indirectly from specific types of investments (i.e., professional sports, concert halls and arenas, retailers) (Logan and Molotch 1987).

More recently, the growth machine theory has been replaced by a more balanced view of the clash between preferences over use value and exchange value of land. Current global concerns over the economic crisis, climate change, and the preservation of natural resources has led to an increased visibility and relevance of actors taking a pro-environmental stance in the political market. As a result, land use policies tend to reflect this pro-conservation orientation, as evidenced by the focus on brownfield redevelopment, mixed-use development, urban regeneration and densification (Solly et al., 2020).

Political Markets and Local Political Institutions

In the absence of transaction costs and institutions, the equilibrium level in the political market for developable land would be defined by the intersection between the aggregate level of supply by local officials and the aggregate level of demand by competing interests. At the equilibrium level, the net aggregate amount of developable land use sought by the demanders equals the net aggregate amount of developable land that government officials are willing to supply. The outcome of this political market is a Pareto efficient level of developable land, which agents have no incentive to change.

However, because local government officials seeking reelection face some degree of uncertainty regarding the preferences of constituents and interest groups (Delattre et al., 2015), the amount of developable land "depends on a trade-off by the elected official between increasing land rents (extending the urban area to satisfy pro-development interest groups that offer her/him support) and her/his expected utility of being re-elected (satisfying other, potentially anti-development interest groups)" (Delattre et al., 2015: 62; see Solé-Ollé and Viladecans-Marsal (2012) for the full explanation).

Although policies regulating land uses have the potential to produce Pareto efficiency gains, they are more likely to be the result of distortions in competition in the political market, resulting in distributive consequences for citizens and organized interests in a community. Early theories of distributive policymaking applied to zoning adoption by Denzau and Weingast (1982) and Clingermayer (1993, 2004) are valuable to understand land use policies because

they focus on how institutions shape incentives of public officials to provide particularized benefits to their constituencies. The clash of land-based interests often determines who gets what (Molotch 1976). These interests encompass those seeking economic gain from development as well as those seeking to promote environmental values, protect their quality of life, or engage in economic, social and racial exclusion. Competition between land interests takes place in institutional settings that may facilitate access for some groups and create barriers for other groups.

More importantly, local institutions may have both direct and indirect effects over land policy choices. Direct effects occur, for example, when city managers or elected mayors have personal or ideological preferences over land use policies (Feiock et al., 2008). In this particular case, the choice of executive level institutions has a direct and unmediated effect on the policy chosen. In addition, local institutions can also mediate interests group attempts to shape land uses as when at-large election systems put neighborhood interests at a disadvantage due to the costs of organizing to influence a citywide political campaign (Kushner et al., 1997). The political market framework argues that these interest group dynamics are contingent on the structure of local political institutions (Lubell et al., 2005), including the formal and informal rules influencing the operation of the executive and legislative branches, local referendums, and other forms of participatory democracy.

Executive level institutions such as the city manager form of government were regarded initially as one of these facilitative institutions. Early research suggested that city managers were more likely to favor a local economic development focus, since they face incentives to pursue career goals that hinge on the economic success of the cities they run (Carr, 2015). Success in horizontal or vertical career paths – moving to a larger city or to an upper-level government, respectively – is more likely if their performance is judged based on the fairly objective criteria of economic performance or reduction of government operational costs (Bae and Feiock, 2013). Initially, land use policy choices which are less intrusive in real estate markets were thought to be consistent with these development goals, but recent work suggests that local officials with an education background in planning embrace professional values and growth management rather than unrestricted growth (Nalbandian, 1989; Lubell et al., 2005).

Likewise, legislative and electoral institutions are also thought to influence land use choices by local governments (Feiock et al., 2008; Lubell et al., 2009). At-large elections are contests that take place at the citywide level and may favor narrower and more cohesive interest groups, such as those associated with economic interests. At-large elections place narrower neighborhood interests at a disadvantage due to the difficulty in organizing collective action (Feiock et al., 2008). In contrast, district-based or ward elections partly solve this disadvantage by focusing the election on a smaller constituency, thus facilitating collective action of dispersed, less organized interests.

The third generation of land use policies discussed above suggests that citizens and organized groups supporting use value rather than exchange value of land may be becoming a dominant force in local communities around the world (Solly et al. 2020). Homeowners, environmentalists, and neighborhood organizations may attempt to lobby local officials to limit accelerated development processes (Schneider and Teske 1993). Here, again, local institutions are not neutral in the articulation and aggregation of these interests attempting to mold land use policies. When local elections are conducted by district, elected officials will be more inclined to attend to the preferences of those living and working in the community rather than

those aiming to maximize the exchange value of their properties. Furthermore, in district-based elections collective action hurdles are easier to overcome because group organization for delivering collective goods is less costly (Olson 1965; Feiock et al., 2008). In larger cities, in particular, political campaigns ran at the neighborhood level are less expensive and less cumbersome to manage than citywide campaigns in at-large elections (Kushner et al., 1997; Feiock et al., 2008).

Recent work argues that the effect of local institutions on land use policies may be even more complex than previously thought. Sager (2005) argued that while city managers are concerned with the economic growth of the communities they lead, their preferences over policy may reflect the professional training they received and the orientations of the epistemic communities they belong. Similarly, Mabon et al. (2019) show that a strong epistemic community combined with environmental and civil society activism helps shape local environmental policy decisions.

Participatory democracy in the form of initiatives, referendums and recalls are another example of local institutions that have been influencing land use decisions for decades (Caves, 1990). Authors have argued these institutions advance majoritarian interests and thus tend to reflect the preferences of the median voter (McCabe and Feiock, 2005). Furthermore, because land use choices are likely to pit narrower and better organized interests against diffuse, community-wide goals, the latter are more likely to be favored under majoritarian institutions, whereas the former tend to do better in contexts where lobbying and organizing for collective action are more decisive. Hence, most empirical studies begin expecting smart growth and environmental interests to perform better in communities where participatory democracy institutions have a larger sway.

The impacts of executive, legislative, and participatory democracy institutions on land use management have been primarily studied in the North American context. European scholars, on the other hand, tend to be more interested in the role played by local institutions facilitating public participation and how these rules affect land use procedures and outcomes (Kerselaers et al., 2013). This body of work also recognizes the conflicts between stakeholders over developable land, particularly the agriculture versus nature versus urban development (Koomen et al. (2008), but, unlike the North American literature, it places a stronger emphasis on the participatory and deliberative elements of decision-making in planning and land use management (Healey, 1997; Tewdwr-Jones and Thomas, 1998).

After presenting the theoretical arguments underpinning the relationship between individual and interest group preferences, local government officials and political institutions, I now move to discuss the extant empirical evidence testing these theoretical claims.

Local Institutions and the Power to Shape

Earlier studies investigating the adoption and consequences of land use controls found supporting evidence for a social class bias (Lewis & Neiman, 2002; Neiman & Loveridge, 1981). Some of these tools were found to inflate housing prices and restrict the supply of land for development (Pollakowski & Wachter 1990; Singell & Lillydahl 1990; Rubin & Seneca 1991; Skaburskis & Qadeer 1992; Nelson 1993; Levine 1999; Thorsnes & Simons 1999). Much of this earlier work, developed primarily in the field of economics, and concentrates on the efficiency

of the land use tools themselves, neglecting not only their distributive effects, but also the role played by local institutions in both their adoption and outcomes.

In Europe, there is also empirical research focusing on political factors driving restrictions in the amount of developable land. However, because these works analyze single countries and use homogenous samples in terms of local institutions, they are unable to address possible effects related to institutional variation. Both Solé-Ollé and Viladecans-Marsal (2013) using data from a representative sample of Spanish municipalities (2003-2007) and Chanel et al. (2014) employing data from local governments in South Eastern France find that right-wing governments are much more likely to favor land conversions to more intensive uses. Solé-Ollé and Viladecans-Marsal (2013), in particular, find that greater social polarization and higher housing pressures tend to exacerbate this ideological gap concerning developable land. Hortas-Rico and Gómez-Antonio (2020) use an extended sample of Spanish municipalities (2003-2011) and reach a similar conclusion. Taken as a group, these studies provide important insights into the factors driving the levels of developable land and policy tools implemented by local governments. Next, I concentrate on the role played by local institutions in shaping land use management.

Executive Branch Institutions

Earlier studies of the effect of local executive branch institutions on land use regulation suggest that manager-led cities and counties in the US were more likely to adopt tools favoring growth management, containment of urban sprawl, and promotion of affordable housing and other social equity needs. Feiock (2004) found that counties in Florida using a commission-manager form of government were associated with the adoption of development impact fees. Lubell et al. (2005) found that manager-led counties in the same State were more likely to adopt land conservation amendments, although this effect was contingent on the strength of real estate interests in the community. The authors argue that the dynamic of the political market varies depending on the local government institutions. When real estate interest groups are less active, managers are more inclined to push for conservation amendments, whereas in the presence of extremely active real estate interests they will be less able to push for conservation policies. Later, Lubell et al. (2009) employed the political market framework to investigate the relative influence of development and environmental interests mediated by local institutions in a panel of 406 Florida cities. This research found that political institutions do not have a direct effect on land use changes, but they do structure access and influence of interest groups on land use choices. Consistently with their prior work, when power in the executive branch favors managers, construction interests do better, as evidenced by a higher number of building permits issued. Conversely, mayors are more likely to favor pro-environmental interests in communities with higher socioeconomic status, which is consistent with their electoral goals.

Using survey data from local governments in Massachusetts, Hawkins (2014) tests hypotheses derived from the political market framework. First, the author finds direct effects of interest groups on land use policy tools. The presence of pro-growth interests is associated with policies favoring increases in density, whereas communities where smart-growth supporters prevail show a focus on land preservation tools. Second, and most importantly, cities run by managers are more likely to adopt transfer of development rights (TDR) when dealing with complex negotiations between opposing interest groups. On the one hand, TDR seems to

better accommodate the preferences of smart growth supporters by relocating investments to more adequate areas, preserving environmentally-sensitive land without compromising development. On the other hand, TDR is also consistent with the views championed by professional planners, including a community-wide focus, lower risk aversion than mayors (Kwon et al., 2009), and training in conflict resolution, negotiation and coordination of competing interests (Hawkins, 2014).

Beyond the form of the local executive, there are other executive level institutions which can affect the way land uses are managed. Hawkins (2014a) investigated the role of professional planning staff in mediating the conflict between pro-growth and slow-growth interests groups, and the influence of these processes on the adoption of smart zoning tools by municipalities in Massachusetts (USA). The study finds that when left unchecked, greater divergences between groups lead to the adoption of fewer smart growth policies. However, investment in institutional capacity, including full time planning staff and technical review committees, contributes to mitigate these divergences and promote smart growth.

A recent test of the political market framework applied to the adoption of sustainability measures (mostly related to land use) by municipal governments in Maine (USA) reveals that both mayor and manager-led municipalities display higher adoption levels than municipalities using a town meeting structure (Levesque et al. 2017). The authors also find an important role played by environmental interest groups in this process, while controlling for institutional effects. Unfortunately, the study only tests the direct effects of executive branch institutions and does not account for possible mediating effects of these institutions on interest group activity.

Deslatte et al. (2017) employ data from surveys conducted in Florida cities at three different time points (2002, 2007 and 2015) to investigate whether cities led by professional public managers are more inclined to promote higher density development and conservation of environmental lands than cities headed by mayors. The authors find that manager-led cities were more likely to support the adoption of a host of land use tools in post-recession years, including mixed-use development, floodplain regulations, and impact fees. Support for large lot zoning, a tool favoring urban sprawl, was also reduced in manager-led cities in post-recession years. However, these effects are conditional on construction industry strength, with support for sustainable land use tools in manager-led cities declining as construction interest group strength increases. Finally, the study also finds that managers are more likely than mayors to promote incentive zoning, thus confirming prior empirical work suggesting that managers tend to favor more compact development that protects community goals and social needs (Feiock et al., 2008).

Deslatte et al. (2018: 692) find that the presence of a city manager reduces the wait time for single-family housing project approvals, but this effect is partly counterbalanced by local elections by district, which lengthen wait times in 2007 and reduce them in 2015. The analysis depicts approval times as the product of a delicate balance between the influence of industry, managerialism, and representation combining in distinct patterns reflecting the shifts in priorities in growth management between two time periods as a consequence of the economic recession.

Taken together, these empirical results confirm the idea that executive branch institutions do have the power to shape. First, they suggest that managers are more inclined to favor land use tools oriented towards sustainable development, not only because this is aligned with their

values, professional training, and the experience shared in epistemic communities, but also because they tend to be more insulated from electoral pressures. In contrast, mayors are more prone to cater to interest group activity in their communities, partly to protect their reelection chances, partly because of enhanced representativeness associated with district elections. The combination of an elected executive and district-based elections seems to be particularly porous regarding the influence of interest groups on land use policy choices, particularly those favoring smart growth goals (Deslatte et al., 2017).

Legislative Branch Institutions

Beyond the effects of executive level rules, the institutional variation in the legislative (deliberative) branch of local government can also affect the amount of developable land in a community and the types of policy tools adopted. District-based elections, for example, have been associated with Not-In-My-Back-Yard phenomena, as they tend to facilitate successful collective action at the neighborhood level. Using data from nine metropolitan areas in the United States, Clingermayer (1994) examined how district-based elections influence zoning decisions concerning the location of group homes to care for the mentally impaired, drug addicts, juvenile delinquents and others perceived as socially undesirable. The author found that higher constituency homogeneity resulting from this electoral system correlates with the exclusion of these types of establishments. Recent work by Mast (2020) finds that the reduction in constituency size associated with electoral reforms from at-large to district elections leads to a significant reduction in housing units (47 percent and 12 percent in multi- and single-family units, respectively).

The study by Deslatte et al. (2017) uses data from Florida cities and finds that manager-led cities with district-elected representatives are more effective at securing support for sustainable land use tools than district representatives in mayor-led cities. This effect also declines in cities where construction industry has a stronger presence, thus confirming the effect of interest group activity is conditional on the prevailing institutions. In this particular context (Florida), the authors claim city managers act as 'brokers' as they tend to show "a more comprehensive commitment to smart growth principles" (p.428), thus mitigating the otherwise negative effects of construction interests and district elections.

Deslatte et al. (2018) show how city managers, mayors and city councils strategically use delay in development approval processes to affect land-use patterns. The authors highlight the role of street-level bureaucrats as citizen-agents making normative choices and find that "although heavily concentrated construction interests are likely to exert policy influence in all institutional settings, the most dramatic effects on final project approval times occur under the institutional set up which combines a city manager form of government with district-based council representation." (p.695).

Council representation seems to be key in protecting land use based interests related to agriculture. Falkowski (2018) shows how a larger share of farmers in municipal councils in Poland has contributed to reduce the rate of exit of small-scale farmers from agricultural lands. The author attributes this apparent success to the ability of the group to overcome collective action problems, organize effectively as a local political force, and gain political power as a result. This particular example illustrates how a highly fragmented farm structure can translate into an opportunity to attain political representation that advances specific land-based interests.

Local political competition is also seen as one factor interacting with interest group strength to influence the amount of developable land. Investigating land use policies in municipalities in South Eastern France, Chanel et al. (2014) find that larger margins of victory (decreased competition) are associated with decreases in the amount of developable land, thus suggesting that limiting pro-development pressures requires 'political courage', more likely when the executive is less at risk of being replaced. Similarly, Delattre et al. (2015) argue that when the level of competitiveness in local elections is low or when local officials are not bidding for reelection, municipal councils are freer to diverge from the preferences of the median voter and choose land use policies more adjusted to their ideological convictions.

Participatory Democracy

Despite the significant growth in ballot box initiatives related to planning over the last few decades (Caves, 1990), the number of empirical studies linking the use of ballot initiatives or referendums to select land use policies is still scarce. Using data from California cities, Gerber and Philips (2004) investigate the use of voter requirements to slow growth via new large-scale developments. They find that voter requirements fail to stop new developments and that developers adapt to new requirements by competing with interest groups opposing growth, thus circumventing the direct democracy process through lobbying elected representatives. However, this alternative path results in the approval of different forms of development and better targeted compensation to those affected by the costs of new development. The same authors hypothesize and find that urban growth boundaries adopted through ballot initiatives in California are more radical and are more difficult to change or repeal than those approved via district councils (Gerber and Philips, 2005). In contrast, Lubell et al. (2009) find that the number of building permits for new development is higher in Florida cities where direct democracy provisions are present.

In Europe, the literature on the use of participatory democracy to make land use decisions is still scarce, but, in contrast with North America, it appears to be more diverse. Pleger (2017) employs data from 18 popular votes on spatial planning measures between 1984 and 2008 in Switzerland and the findings suggest that voters are more likely to support incentives and market-based measures than command-and-control regulation. In contrast with Switzerland's approach, Dvořák (2018) argues that the deficient regulation of land use has led to a significant increase in protest behaviors and NIMBY responses that use direct democracy to prevent the location of new development projects in the Czech Republic.

European scholars have also investigated how the rules governing other forms of public participation help shape land use choices. Using a grounded theory approach and interviews with 31 respondents, Kerselaers et al. (2013) investigated stakeholders' perceptions of competition for rural land in Flanders. The study finds that deficient representation in participatory planning processes leads to perceived unfairness views of both procedural and distributive justice, particularly by farmers facing accelerated land conversion in urban-rural fringes. Skog (2018) also found similar tendencies in public participation in her case studies in two Norwegian municipalities. Local officials claim to protect public values, but meet primarily with organized business interests while excluding farmers and residents from consultation processes.

The dynamics of institutional changes may also lead to a modification of land use outcomes. Pacione (2013) details residential development pressures in a village in Glasgow's metropolitan

region since 1971, showing how despite extensive public consultation practices at the local level, the reallocation of decision-making power to an upper level of government and a reduction of local autonomy in planning can compromise public consultation processes and a community's nearly unanimous agreement over land use policies.

Conclusion

This chapter analyzed the influence of local institutions in shaping land use policies. I employed the political market framework to explain land use choices as the product of supply decisions made by local authorities as policy makers, demand pressures by competing pro-development and pro-conservation interest groups, and the mediating effects of local institutions. The main focus was on how the rules of governing operate to facilitate or hinder stakeholders' goals.

The first lesson extracted from this overview of the literature is the significant opportunity for extending research on this topic in Europe to investigate the effects of different local institutions on land use management practices. There is a growing collection of literature in European political science investigating the effects on voter turnout of reforms such as directly elected mayors, single-member district representation, and non-partisan candidates (Gendźwił and Żótkak, 2017; Tavares et al., 2020). Given the highly distributive (and divisive) nature of most land use policies, the time has come to expand this research to understand how these reforms of local institutions shape land use policy choices in European countries belonging to different planning families (Newman and Thornley, 2002). This comparative research has the potential to shed light not only on the varying effects of local political institutions on land use choices, but also on the role played by intergovernmental institutions – federal, decentralized and centralized systems – on local autonomy and decisions over land-use planning and policies (Pacione, 2013; Chanel et al., 2014).

Second, much of the research reviewed here is primarily concerned with the determinants of the adoption of land use policies rather than their outcomes. Following Deslatte et al. (2021), I stress the need to extend current research to investigate actual landscape changes, particularly using satellite imaging data to map these changes and connect them to variations in local governing institutions across municipalities and countries.

The final key takeaway from this survey of the literature is normative. Even those institutions which are supposed to level the playing field and guarantee wider public access to decision-making, such as referendums or public consultations, are often used symbolically or to pay lip service to participation rather than to truly illicit contributions from the public. Rather than take advantage of participatory processes to rebalance the distributive consequences of land use planning and policy choices, the absence of civil society in these debates contributes to widen an already asymmetric distribution of power (Skog, 2018). Thus, reforms of local institutions should favor an expansion in the forms of participation and create incentives to enhance the involvement of civil society actors beyond their narrow interests to target community-wide goals.

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