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## **Policy Briefs**

### **Title**

Motivations for Growth Revolts: Discretion and Pretext as Sources of Development Conflict

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## MOTIVATIONS FOR GROWTH REVOLTS:

### Discretion and Pretext as Sources of Development Conflict

#### KEY TAKEAWAYS

- Increased discretion in land use may contribute to ballot box growth revolts.
- Less predictable land-use planning leads to less satisfied residents.
- However, cities and other public institutions have increasingly turned to discretion as a way to fund public services due to declining taxing power.

*“As land use planning becomes less predictable, citizens become less satisfied with it.”*

#### RESEARCH TOPIC

Ballot box growth revolts, where residents force a referendum to restrict new development, can have long-lasting repercussions for communities. Such revolts are rare, but they shed light on long-standing discontent with local land use planning that is important for policymakers and planners to acknowledge and understand.

What are residents' motivations for bypassing local officials and using direct democracy to fight development? UCLA researchers used qualitative methods to analyze the understudied phenomenon of discretionary review — the practice of bending land use rules in exchange for public amenities — in five Southern California communities. The study raises the possibility that cities' increasing use of discretion might be the cause of disillusionment and conflict between officials and residents.

#### RECOMMENDATIONS

- **Local officials should evaluate their use of discretionary review.** Zoning is meant to serve as assurance about the future of growth in a community. Heavy use of discretion erodes resident confidence in land use regulations.
- **When discretionary review is necessary, residents should be included in the conversation.** Local officials should limit the use of discretion as much as possible, but when it must occur, developers and resident groups should negotiate discretionary actions. They may then be less likely to have a negative reaction to the discretionary review process.

## STUDY

To understand the motivations behind forced anti-development referendums, researchers reviewed the origins of growth revolts in five cities: Ventura, Newport Beach, Oxnard, Redondo Beach, and Santa Monica (see Table 1). They conducted 24 interviews with key stakeholders of the five revolts. To supplement the interviews, researchers also reviewed related media coverage, government documents, and campaign literature. This qualitative approach offers a glimpse at the reasons why the revolts began.

Table 1. Ballot box growth revolts in five California cities, 1998-2008

Location	Vote	Initiative Name	Purpose	Outcome	Change in:	
					Population	Housing Units
Ventura	1998	Save Our Agricultural Resources (SOAR)	Subject Development Beyond General Plan to a Public Vote	Win	9%	7%
Newport Beach	1999	Greenlight	Subject Development Beyond General Plan to a Public Vote	Win	5%	7%
Oxnard	2008	Oxnard Traffic Initiative (Measure V)	Subject Development Beyond General Plan to a Public Vote	Loss	3%	12%
Redondo Beach	2008	Measure DD	Subject Development Beyond General Plan to a Public Vote	Win	6%	2%
Santa Monica	2008	Resident's Initiative to Fight Traffic	Cap Annual Commercial Square Footage	Loss	5%	4%

*Notes: Data compiled by authors. Change data for Ventura and Newport are from 1990 to 2000 Censuses, and for other cities 2000 Census and 2007-2009 ACS.*

## MAIN FINDINGS

- **Discretionary actions are an increasing source of funding for public amenities.** More and more fiscally-constrained cities are attempting to compensate for their lost taxing power by increasing their land use power. Discretion has transformed from merely a land use tool to a vehicle for accomplishing other goals.
- **If cities anticipate bargaining with developers, they might make their zoning stricter.** “Pretextual” zoning gives cities leverage to craft a package of improvements from a developer in exchange for exemptions from certain land use regulations, but it also makes the zoning harder to decipher.
- **Growth revolts are triggered in large part by local officials’ use of discretionary approval.** Increased use of discretion erodes the certainty of local land use planning laws. As land use planning becomes less predictable, citizens become less satisfied with it.

Source: Manville, M., Osman, Taner. (2017) *Motivations for Growth Revolts: Discretion and Pretext as Sources of Development Conflict*. City & Community, 16: 66-85.