



## **A CONVERSATION WITH THE EXPERTS**

**Florida PIRG Education Fund**

# **SPRAWL IN FLORIDA**

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**Florida PIRG Education Fund**

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# EXECUTIVE SUMMARY

**S**prawling development patterns have left their mark on Florida over the past 50 years, resulting in degraded air and water quality, increased traffic congestion, the loss of millions of acres of open spaces and farmland, fragmented wildlife habitat, the expenditure of billions of taxpayer dollars on new infrastructure, and declining overall quality of life in many of the state's urban, suburban and rural areas.

Since the 1970s, a growing number of Floridians have come to recognize the dangers posed by the poorly planned, widely dispersed development that is characteristic of sprawl. In the fall of 2001, Florida PIRG Education Fund engaged seven individuals with a longstanding interest in and knowledge of land-use issues in a broad discussion of public policy issues related to sprawl.

Those interviewed include former Department of Community Affairs Secretary Tom Pelham, 1000 Friends of Florida Executive Director Charles Pattison, Gainesville City Commissioner Pegeen Hanrahan, environmental attorney Tom Reese, Defenders of Wildlife Florida Director Laurie Macdonald, Nova Southeastern University law professor Richard Grosso, and University of Florida professor emeritus of planning Earl Starnes.

While there are many issues on which those experts disagreed, they shared a deep concern over the impact of sprawl on Florida's environmental, fiscal and social health, and a willingness to consider bold public policies to promote sustainable development.

They also shared general agreement on several points:

**Florida's 1985 Growth Management Act, while well intended, has been undermined by a lack of enforcement and conflict with other state policies, and has led to some unintended negative consequences.**

Lack of enforcement of the anti-sprawl provisions of the act has reduced the effectiveness of the state's key growth management tool. Its success has also been undermined by state fiscal and transportation policies that act as public subsidies for sprawling development. Further, some provisions of the law—such as the requirement that sufficient road capacity exist to accommodate any new development—have had

the unintended consequence of further dispersing development into agricultural and natural areas.

While implementation of the act has been a problem, most of those interviewed saw great value in the law itself, noting that it has curbed some of the worst development practices of the 1950s and 1960s, given citizens the opportunity to make an impact on the growth management process, and provided a framework within which state and local officials can fight sprawl.

**The proposals made in 2001 by Gov. Bush's Growth Management Study Commission are unlikely to substantially curb sprawl, and some proposals may make the problem worse.**

Those interviewed were unanimous in their opposition to the commission's recommendation that ultimate power over most growth management decisions be returned to local governments. All saw value in the guidance and enforcement role played by the Department of Community Affairs.

Several other commission proposals were considered well-intentioned but unlikely to resolve the problems they were designed to address.

Creating an economic model to estimate the costs of development would be a benefit to communities, but only if the model includes environmental and quality of life costs left out of the commission's proposal. Similarly, those interviewed had guarded praise for the commission's plan to improve school planning, but noted that such a provision will not ease the crowding problems already burdening many Florida schools.

State officials were also urged to bring greater balance to the state's transportation policies. Rather than spending billions on highway expansion projects that exacerbate sprawl, state officials were urged to support projects to create more transportation choices for Floridians.

**Numerous public policy initiatives have the potential to reduce sprawl in Florida.**

While those interviewed had a variety of recommendations to address sprawl, it is clear that a multifaceted approach will be needed. Such an approach would include programs to revitalize urban areas,

encourage higher density, mixed-use development in suburbs, protect rural and natural areas, promote transportation choices, and eliminate taxpayer subsidies for sprawl.

Ultimately, most agreed that at least some Floridians are ready to change their lifestyles in order to achieve an end to sprawl. But they said the first step is to provide Floridians with choices in housing and transportation that would allow those wishing to live more sustainable lifestyles to do so.

In conclusion, Florida PIRG Education Fund recommends that public officials adopt a five-point approach to dealing with sprawl in Florida.

- **Direct future growth into already developed or developing areas, and design those areas to accommodate a variety of uses and residents of all income levels.**
- **Reorient the state’s transportation system to focus on the efficient movement of people and goods—not vehicles.**
- **Protect Florida’s remaining farms, forests, open spaces and wetlands.**
- **Eliminate taxpayer subsidies for sprawl.**
- **Increase opportunities for the public to participate in planning and development decisions and give them more and better tools to do so effectively.**

# INTRODUCTION

Over the last century, Florida has been transformed by the arrival of millions of new residents and millions more visitors from across the country and around the globe. Drawn by natural beauty, a warm climate, low taxes, and the promise of economic opportunity, they have turned a semi-wild state of just 500,000 residents a century ago into a vast metropolis and economic powerhouse of nearly 16 million people today.

To accommodate those millions, Florida has experienced a building boom of nearly historic proportions, especially since World War II. Millions of homes have been built—most of them in low-density residential subdivisions. Thousands of miles of highway have been laid to facilitate this development. Sewer systems, water treatment plants, schools, drainage systems, canals, airports, hotels and all manner of public and private services have paved the way. In many cases, those services have been built at the wrong times and in the wrong places, with taxpayers paying a disproportionate share of the cost.

While much of that transformation has occurred before the eyes of long-time residents, it has only been within the past quarter-century that most Floridians have begun to step back and look at how development has impacted the state's treasured natural environment and the quality of life of its residents.

The view is a troubling one.

Between 1982 and 1997, 1.9 million acres of land were developed in Florida—more than one-third of all the land that has been developed in the state's history.<sup>1</sup> Lost during those 15 short years were 1.3 million acres of rangeland, 800,000 acres of cropland, and 300,000 acres of forest.<sup>2</sup>

Wildlife symbols of the state such as the Florida panther and the Florida black bear increasingly struggle to survive amid a habitat that is divided into smaller and smaller pieces by highways or paved over altogether for shopping malls and office parks. The Everglades—a truly unique ecosystem that is home to 68 endangered or threatened plant and animal species—has already lost half of its area to drainage projects and continues to face pressure from South Florida's booming growth.<sup>3</sup>



*This 1950s-era housing development in Fort Walton Beach is typical of the sprawling development patterns that came to dominate Florida after World War II. Photo: Courtesy of Florida State Archives*

Withdrawal of water from the state's aquifers has left groundwater supplies more susceptible to salt-water intrusion and has further strained the delicate web of water flows that sustains life in Florida Bay and other coastal areas. Air pollution—which was largely unknown in the state even a few decades ago—has risen with the growing number of cars traversing the state's highways. In the summer of 2000, there were at least 36 days on which at least part of the state suffered from unhealthy levels of smog.<sup>4</sup> Polluted runoff from lawns and driveways threatens the quality of the state's rivers, lakes and coastal waters.

Even with the investment of billions of public dollars in the state's highway system, traffic congestion continues to get worse. The average Floridian spends the equivalent of 8.1 days each year commuting to and from work, up from 7.3 days per year just a decade ago.<sup>5</sup> The vast majority of those trips are made by automobile. Local and state governments—and, by extension, taxpayers—find themselves saddled with billions of dollars of costs to repair and expand roads, as well as to provide sewer and water service, police and fire protection, and schools to newly developed areas on the metropolitan fringe. Meanwhile, many of the state's older urban areas find themselves caught in a cycle of poverty and despair—their tax dollars siphoned off to pay for the construction of new

services elsewhere and their schools, public transportation systems and infrastructure left to decay.

For many Floridians, sprawl has imposed emotional costs as well. For some, it's the sadness that comes from watching blight descend on an old neighborhood or bulldozers tear through a favorite farm or forest. For others, it is a feeling of alienation from one's neighbors and one's environment. For still others, it is an unfulfilled longing for special character in their surroundings.

It can and has been argued that such wrenching transformations are the inevitable result of Florida's astonishing rate of population growth. Yet it has become clear that the impact of that growth has been magnified by poor decisions over the allocation of public resources, the design of communities, and the provision of public services—all of which have contributed to the phenomenon known as "sprawl."

### **What is "sprawl"?**

Sprawl is poorly planned development characterized by the conversion of natural or agricultural land to low-density residential enclaves, commercial centers, and business parks, all separated from one another by roads and parking lots. Sprawl means long distances between homes and work or shopping, heavy reliance on freeways and automobiles, and the destruction of the very feature that has induced many to move to Florida—the natural landscape.

Sprawl has come to dominate the American landscape in the years since World War II, producing many of the icons that have come to symbolize American life to the rest of the world: the automobile, the suburban ranch house, the fast-food restaurant, the drive-in.

But sprawl has had a uniquely negative impact here in Florida. The state's fragile natural environment—its wetlands, bays, rivers and coral reefs; its endangered animals, plants and marine life—has reacted predictably to development that interrupts natural water flows, increases runoff into waterways, and fragments natural habitats. And Florida's peninsular geography has limited the space available for growth, increasing conflicts between natural values and human development.

It is little surprise, then, that Floridians were among the first in the country to recognize the need to bring sensibility and sensitivity to future development.

### **An historic crossroads**

Beginning in the 1970s and culminating with the 1985 Growth Management Act, the state government created new processes to plan for and manage growth to protect natural resources, enhance community values, and improve Floridians' quality of life. While these processes stopped many of the outrageous development mistakes of the 1950s and 1960s, the trend toward sprawl has continued almost unabated to the present day.

Florida's growth management laws allow state and local governments to take a hard line against sprawl. But political leaders—often under heavy influence from developers, home builders, highway contractors and other special interests—have generally lacked the will to implement tough growth management policies.

At the turn of the 21st Century, then, Florida finds itself at an historic crossroads. Sprawl has proven to be a poor model of development for the state, and current growth management policies have proven insufficient to stop it.

There are two general schools of thought on where to go from here. One would have Florida accept sprawl as a given, return full control over development decisions to local governments that have proven unwilling to manage growth in the past, and do the best we can to build enough highways, schools and other public facilities to get by. There are many within this group who recognize the negative impacts of sprawl, and who would encourage measures to protect ecologically sensitive areas and reduce the burden of new development on taxpayers. But they worry that, by going too far to limit sprawl, the state risks its economic future.

The alternative is to take aggressive action to revise the public policies that have encouraged sprawling growth over the last 50 years. Public investment would no longer "chase" sprawl, but would instead be redirected to support existing communities. New



development would be encouraged in urban areas and existing suburbs, but not on agricultural or natural lands. The state's transportation policy would be rewritten to encourage alternatives to the automobile: high-speed rail service, buses and light-rail systems, bicycles and sidewalks. This school of thought argues that the real economic danger is not from the dismantling of sprawl, but from its continuation—that an economic and social system that is built on cheap land, cheap water and cheap oil cannot long survive. It acknowledges that diminishing key pillars of the state economy—tourism, fishing, agriculture—would cause severe long-term damage to the state and its people.

### **Why this report?**

The seven experts whose opinions are presented here fall, by and large, into this second camp. They argue, to varying degrees, that the systems that regulate growth in Florida are broken and need to be fixed.

Their opinions as to the root causes of sprawl and the public policy steps that need to be taken to restrain it are as diverse as their backgrounds. They are current and former government officials, engineers, lawyers, planners and leaders of nonprofit organizations. They are Democrats, Republicans and Independents. But while there is much on which they disagree, they share a longtime interest in and study of growth management issues, as well as a deep love of Florida and concern for its future.

They were also all willing to take the time to discuss, from their own perspectives, how sprawl has

affected life in Florida, why the state's current growth management strategy has failed to stop it, and what kinds of public policies can best safeguard the state's environment and quality of life.

As an advocate for the health of Florida's environment and the protection of consumer rights, Florida PIRG Education Fund shares their concern. We believe dealing with sprawl and its effects is among the most important public policy questions facing the state at the turn of the millennium.

The seven experts whose thoughts form the heart of this report were interviewed individually by telephone and e-mail between October and December 2001. However, we present their comments here in the form of a "conversation." The reasons to do so are both practical and symbolic: practical because the "roundtable" format provides for a focused discussion of the major growth management issues facing the state, and symbolic because it represents the type of dialogue that needs to take place among Floridians of all walks of life regarding how the state will continue to grow and develop in the 21st Century.

At the conclusion of this report, we offer our own recommendations for a public policy framework that can combat sprawl in Florida. Not everyone interviewed for this report agrees with or endorses these specific proposals. However, we earnestly hope that public officials at all levels of government will follow the advice of these experts and develop and implement effective policies to protect Florida's environment, its taxpayers, and the quality of life of its residents.

# THE CONVERSATION

## THE PARTICIPANTS



**RICHARD GROSSO, land-use law attorney**

Mr. Grosso is the general counsel and executive director of the Environmental and Land Use Law Center at Nova Southeastern University. He was the attorney for the plaintiffs in the recent landmark *Pinecrest* case, in which a state appeals court ordered the demolition of a Martin County apartment complex that was built in violation of the county's comprehensive plan. Mr. Grosso has formerly served as legal director of 1000 Friends of Florida and as an attorney in the Department of Community Affairs, and has been involved in numerous legal cases on the issue of urban sprawl.



**PEGEEN HANRAHAN, environmental engineer and Gainesville City Commissioner**

Ms. Hanrahan is serving her second term as a member of the Gainesville City Commission and has been involved in land-use and development issues through her work with the Gainesville/Alachua County Metropolitan Transportation Planning Organization, the Gainesville Community Redevelopment Agency and the North Central Florida Regional Planning Council. She has undertaken extensive study of water pollution and hazardous waste management issues and is executive director of Alachua Conservation Trust, a non-profit land trust.



**LAURIE MACDONALD, Florida director, Defenders of Wildlife**

Ms. Macdonald has been a leading figure in the fight to protect the Florida black bear and other imperiled species in the state. Trained as a zoologist, she combines science and advocacy to shape public policy and engage citizen action to protect wildlife populations and habitat from the impacts of development and highways.



**CHARLES PATTISON, executive director, 1000 Friends of Florida**

Mr. Pattison heads 1000 Friends of Florida, founded in 1986 to act as a watchdog on growth management issues in the state. Mr. Pattison has worked as a planner at the local, state and national levels and is a former director of the Department of Community Affairs' Division of Resource Planning and Management.



**TOM PELHAM, attorney, former Department of Community Affairs secretary**

Mr. Pelham helped shape Florida's current land-use policies as secretary of the Department of Community Affairs under Gov. Bob Martinez from 1987 to 1991. He is also a former president of the Florida chapter of the American Planning Association.



**TOM REESE, environmental and land use attorney**

Mr. Reese has represented the Florida Wildlife Federation and other environmental groups in a series of land-use cases across the state. He intervened on Florida Wildlife Federation's behalf in the administrative law proceedings that led to the state moratorium on further development in Collier County's rural areas due to the county's vague and ineffective growth management measures, and its failure to implement specific policies.



**EARL STARNES, AICP, professor emeritus, University of Florida**

A planner and retired architect, Dr. Starnes is professor emeritus of the Department of Urban and Regional Planning at the University of Florida. He has served as Florida's Director of State Planning and Director of Public Transportation and is a former member of the Dade County Commission.

## PREVIOUS GROWTH CONTROL EFFORTS

**For the past few decades, the state government has made numerous attempts to curtail sprawl. Why have those efforts largely failed?**

### The Growth Management Act

Florida's 1985 Growth Management Act was not the first state law to deal with land-use issues, but it did represent a watershed moment in the state's efforts to contain sprawl.

The law included several major elements that today make up the framework of state growth management policy:

- It mandated state review of all local comprehensive plans and plan amendments, and set minimum criteria for those plans to meet. It also required local plans to be consistent with the state's comprehensive plan. The comprehensive plan is the roadmap for development in the community; no development that contradicts it may be approved.
- It required comprehensive plans to include a capital improvements element that describes how the community will install and pay for infrastructure needed to serve future development projected in the plan. The capital improvements plan must be financially feasible.
- It revised the Developments of Regional Impact (DRI) review process, which had been established in the 1970s to deal with large developments whose impacts extend beyond local jurisdictional lines. Regional Planning Commissions (RPCs) review and approve these developments.

**PELHAM:** I don't agree that Florida has made numerous attempts. The attempt it has made was reflected in the 1985 Growth Management Act. That's the first and only real initiative to curtail sprawl that I'm aware of. I think there are a number of reasons why that effort has not been as successful as one would have hoped. Lack of enforcement is a major problem. The state's review of local comprehensive plan amendments has not been very effective. The state has also not supplemented the planning and regulatory provisions of the 1985 act with other policies. For example, the state has not revised its financial policies to support more compact urban development as opposed to continuing sprawl. And I don't think the state has aggressively attacked the range of social and economic problems that also contribute to sprawl. If you want to encourage people to live in urban environments, then you're going to have to deal with the problems those places have that lead people to leave them—for example, problems of crime and quality of education. Basically, we have established a regulatory system that is at odds with most of our other policies.

**REESE:** The Growth Management Act is well written but not fully enforced. The primary cause of adverse impacts has been due to the lack of Department of Community Affairs staff. The primary failures have been the failure to require local governments to adopt and enforce intensity standards for agriculture—resulting in the loss of native vegetation (prairies and forests) to large monocultures of row crops and citrus—and the failure to require comprehensive land-use plans to be economically feasible. The costs of development have not been properly calculated.

Prior to 1985 almost all rural land was zoned at one dwelling unit per acre, which is, by definition, the worst type of suburban sprawl. One of the great benefits of the 1985 Growth Management Act has been the Department of Community Affairs' challenges, which have required local governments to down-plan rural lands to one dwelling unit per five acres and one dwelling unit per 10 acres. However, due to economic growth and the strength of the stock market, one dwelling unit per five acres or 10 acres still permits the gentrification of rural lands by suburban sprawl ranchettes.

**MACDONALD:** Growth management has failed in large part because we have not funded and carried out the goals of the Growth Management Act. In fact, we have seen numerous re-zonings at

the local level or changes to the act. Rather than carrying through what really is a pretty laudable piece of legislation with good goals and intent, we've undermined it.

In the Wekiva River basin, we even have a state act to protect that very special area, and yet we see time and again attempts to put a beltway through the Wekiva system and to open up what is supposed to be a rural and natural area to suburbanization. I see it on the west coast of Florida running north out of this area (St. Petersburg.) They call it the Big Bend and the Nature Coast. Yet running through that area is the newly constructed (first phase of the) Suncoast Tollway and the possible construction of the second phase—the creation of a development corridor that will result in something much like the metropolitan area that runs from Jacksonville to Miami on our east coast.

**PATTISON:** I give two reasons for this. The first is that we already had a sprawling, but unbuilt, development pattern established in Florida by the 1970s. Sprawling and poorly sited subdivision and zoning approvals peppered our landscape. Although many have never been built, they are legally vested in most cases, and with those rights guaranteed by the Burt J. Harris Private Property Rights Act, practically impossible to reconfigure. The second reason has to do mostly with political will to do the right thing, both at the local and state levels of government. It has always been difficult to resist development pressures at the local level, regardless of the legal and planning authority to do so. Although Florida laid this foundation with innovative statutes in the 1970s and 1980s, the follow-through has proven much more difficult. Some of that has to do with lack of fiscal information about the real costs of development. Some of it has to do with an enforcement reliance on the public, and that usually means the individual citizen. The process for citizens has been complicated, intimidating, and above all else, very costly.

And don't forget transportation concurrency. Although well intended, it has had a negative effect in pushing development outward away from already-settled areas. Our current system requires capacity for cars, and failing that, denies new development when traffic impacts surface roads. The result has been not to say "no" to development, but to find places where roads are not already over capacity. That has meant the suburbs and rural areas where the pattern becomes sprawl by default.

**HANRAHAN:** There are a lot of unintended consequences that result from some of the policies in the Growth Management Act. There are also a few issues which simply haven't been addressed. The big issue that hasn't ever been addressed is linking environmental

- It required public facilities "concurrency"—in effect, requiring that roads, sewer and water service, drainage, and parks and recreation are available at the time the development is approved. Development may not be approved if it causes the level of service of public facilities to fall below standards set by the local government.
- Citizens were given a more prominent role in the planning process and given standing to file challenges to the legality of the comprehensive plan and its implementation through planning and zoning decisions.
- It also required local governments to periodically update their plans to reflect changed circumstances or statutory or regulatory changes.<sup>6</sup>

While the law has led to significant improvements in the quality of planning in Florida, it has also led to some unintended problems. Critics claim, among other things, that the state has been too lax in its requirement that local plans limit sprawl and, conversely, that requiring state review of every minor plan amendment is a waste of time and resources. Concurrency has been blamed for pushing development out into the metropolitan fringe where road congestion is not a problem. And, while the law does give citizens the power to challenge development decisions, doing so is often costly.

At the time it was enacted, the Growth Management Act was among the most aggressive of such measures in the country. Its principles of ensuring that growth pays its own way, that development takes place within

the context of detailed plans that are consistent across levels of government, and that citizens play an active role in the process, are as valid today as they were in 1985. After 16 years of experience with the Growth Management Act, Florida officials and citizens have the base of knowledge needed to strengthen the law while retaining its overall focus and goals.

carrying capacity—water supply, in particular—to growth. The other thing that’s a real driver of sprawl has to do with traffic concurrency. Roadway concurrency pushes the development farther and farther away from the core of the community because, in those areas, you don’t have as much traffic. It’s actually a built-in incentive for sprawl.

I also think we haven’t really integrated planning for other public facilities, schools in particular. I know that’s probably one of the few things that will be looked at that resulted from the Growth Management Study Commission. But I think we run the risk of having the same problem as with road concurrency: we can’t build unless we have the school capacity, but the demand for building tends to be farther and farther out. So what that may do is ensure that we spend all of our school dollars out on the edge rather than rebuilding existing schools. The last thing is that we haven’t paid a lot of attention to the quality of what’s built. A lot of places end up getting abandoned or clearly being future slums because we have relatively poor quality construction. I think that’s something else that contributes to sprawl; we’re building places that people don’t love over the long term.

**STARNES:** Anachronistic annexation laws have had more impact on bad urban form than any other factor. I think we have a fairly decent growth management scheme in place, but we consistently see, through various and sundry annexations, development leap-frogging either from a more restrictive city to a less-restrictive county and in some cases, vice versa.

In the case of Alachua County, for instance, the small cities have been very fearful of the county, which tends to be more restrictive in terms of development. What these small communities have done is annexed huge chunks of undeveloped, unincorporated area. In some cases, those cities are 17 and 18 miles going both directions. And 99 percent of the land is rural. But they’ve done that to protect themselves against the county. Another example is in Martin County where, interestingly enough, the city of Stuart annexed an area in Martin County at the behest of a developer because the developer couldn’t get what he wanted from the county. It’s the voluntary annexations that have been so disastrous. They come in, they leave enclaves in areas that are not incorporated or are surrounded by incorporated areas, and it’s very difficult planning in those situations.

The other factor has been the lack of inter-governmental coordination. Counties plan, cities plan, but they really don’t develop their comprehensive plans in concert. They don’t develop common goals.

**GROSSO:** The state has not had the political guts to do the most important things needed to cut sprawl—reduce development rights in rural and agricultural areas and spend its money in existing communities instead of where politically powerful interests would rather build. The 1985 Growth Management Act did inhibit sprawl in many cases, but not nearly enough. The economic and political realities overcame the letter of the law—particularly because the subjectivity of the term allowed the state agency to claim that sprawl was discouraged when, in reality, it was not. There are numerous examples of state legislators intervening with the state agency to ensure that a plan or amendment was approved despite its sprawl characteristics. There are also examples of Department of Community Affairs planners being taken off cases when they were doing their jobs right.

## DEVOLUTION OF POWER

**Current proposals recommend shifting power over growth management from the state to local governments. Is this a good idea?**

### Vested development rights

Sprawl in Florida might look bad on the ground, but it's even worse on paper.

From the 1920s to the 1960s, land speculators bought, sold and subdivided land in Florida at a feverish pace, leaving behind millions of lots in "paper subdivisions"—areas where development has been approved, but has not yet taken place.

These subdivisions—and others that have subsequently been approved as part of local and county comprehensive plans—pose a thorny legal problem to those who wish to curtail sprawl. Some contend that the development rights for these lots were "vested" at the time development was approved—usually long before the advent of modern planning and environmental standards—or through their inclusion in later comprehensive plans. This interpretation would render the Growth Management Act and other anti-sprawl policies passed over the last several decades void for great swaths of the state.

In addition, the Legislature enacted the Bert J. Harris Private Property Rights Act in 1996, which requires the government to compensate property owners when government actions reduce the value of real property short of a constitutional "taking." This policy would impose great costs on governments that attempt to alter the configuration of paper subdivisions.

**PATTISON:** We tried this approach from 1975 to 1985. The 1975 law requiring local government planning in Florida was essentially the same as it was in 1985. The difference was in the state oversight role. After 10 years of giving local government the opportunity to "just follow the rules," the Legislature found it was still being asked by local governments to bail them out financially from poor land-use decisions they had made. So the state was given a formal review role in 1985 to the extent that local governments would be held responsible for following the law—if they did not, then the state would disapprove any land-use changes being proposed. Although this system has not been without controversy, and has not always resulted in the best land-use decisions, it has certainly curbed the abuses that occurred in the past.

But with state involvement should come state assistance, both financial and technical. And while the 1985 law laid the planning and legal foundation for this, it did not provide an adequate financial base. The bigger issue, however, and one of the key sprawl containment concepts, was that the state would provide funds to help communities deal with the massive infrastructure backlog estimated at more than \$50 billion in 1989. This backlog involved everything from roads to water and sewer lines, and drainage improvements to park acquisitions. In perhaps what was one of the most important setbacks for growth management, Governor Martinez repealed the tax on sales and services in 1987, just at the time when local government was looking to state government for help. Florida has never been able to come close to finding a funding source that helps local government meet these deficits. Although impact fees and some other limited options cover portions of these costs, real options do not exist. That has made it easier to justify sprawling further out into rural areas where the existing infrastructure has somewhat more capacity to handle new growth impacts.

**MACDONALD:** The current proposal not only shifts the power but also narrows the subjects that would be addressed at the state level. There are many issues of compelling state interest, but the compelling state interests (in the Study Commission proposal) were narrowed to four. And while I'm pleased to see that natural resources was designated as one of those, I realize that this doesn't go far enough to protect the citizens and give them the best quality

of life. I also worry that the definitions that would emerge, even with those four, would be too narrow to really serve the needs of the people of Florida. The area that I know the most about would be natural resources, and if they were to choose just a few of our more prominent, but disconnected, ecological systems, that would not suffice to protect the natural resources needed by human communities, nor the natural resources needed by wildlife in our whole ecological system. Not every region is an Everglades or an Apalachicola Basin, but no matter where we are in the state, we all depend on clean water and a healthy home or habitat.

**REESE:** Local government officials have a long and sad history of corrupt use of planning and zoning authority. Three Pinellas County commissioners, three Hillsborough County commissioners, one Pasco County commissioner, one Manatee County commissioner, and one Lee County commissioner have all been convicted of criminal corruption (linked to) planning and zoning decisions.

During the 1990s Collier County experienced a 65 percent growth rate, second only to Las Vegas, and developers literally governed the county through bribes and favors. The special prosecutor called it “endemic, institutional corruption.” A public corruption probe recently resulted in racketeering conspiracy charges against ten members of the “Collier Family” including three county commissioners, the former county manager, a major developer, and a prominent real estate attorney. The investigation is ongoing and charges are expected against current and former county staff.

In 1997 the Department of Community Affairs, joined by Florida Wildlife Federation and Collier Audubon Society, filed a successful administrative challenge against Collier County for failing to regulate growth and protect the environment. This action resulted in the governor and Cabinet imposing a building moratorium across the county’s vast rural lands. Despite this curb on growth, Collier’s roads, sewer plants, and other infrastructure are taxed beyond capacity due to the self-serving actions of the commissioners who presided over the past decade. If Tallahassee had not stepped into Collier County to impose the building moratorium and order the corruption investigation, chaos would reign. Strong state land-use planning oversight is an essential check and balance of power for land-use planning and zoning.



Land speculators responded to promotions such as this 1926 advertisement in a Miami newspaper by buying up vacant land and subdivision lots throughout Florida. While many of the millions of lots in “paper subdivisions” have never been developed, many are now considered legally vested, with rights for future development assured. Photo: Courtesy of the Florida State Archives.

The legal system has not yet fully dealt with the new limitations imposed by the Bert J. Harris Act. But the threat of legal action from developers and land-owners is already putting pressure on local governments not to challenge development of paper subdivisions or approve innovative zoning policies. As a result, in many parts of the state, Florida’s land-use maps remain a literal blueprint for sprawl.

### The Growth Management Study Commission

In July 2000, Gov. Jeb Bush appointed a commission to review the state’s growth management policies and recommend changes. Chaired by former Orange County Chairman (and current U.S. Secretary of Housing and Urban Development) Mel Martinez, the Growth Management Study Commission issued a final report in February 2001 with 89 specific recommendations and eight general proposals:



1. Replace the state comprehensive plan with a vision statement for Florida emphasizing a healthy, vibrant and sustainable economy.
2. Develop a uniform methodology for reviewing the costs and benefits of local land-use decisions.
3. Empower citizens to better understand and participate in the growth management process.
4. Focus the state's review of local comprehensive plans on areas of "compelling state interest."
5. Eliminate the Developments of Regional Impact process and replace it with a system of regional cooperation agreements.
6. Require local governments to adopt financially feasible public school facilities plans in keeping with local land-use and capital improvement plans.
7. Authorize incentives for urban revitalization, including targeting funds to relieve infrastructure backlogs in developed areas.
8. Develop a rural policy including public land purchases and transfer of development rights programs.

The 2001 legislative session made little progress on the commission's recommendations. However, the commission's proposals—particularly those to minimize state involvement in growth management—will remain a topic of discussion in the 2002 session. The commission's full report can be found at [www.floridagrowth.org](http://www.floridagrowth.org).

**HANRAHAN:** We have a lot of examples, particularly in southwest Florida, where the water use demands of one community are killing wetlands in another community. Those are the kinds of issues that I think the state simply has to be involved in. Generally, local government does have the understanding of what the desires of the local communities are. But, particularly in some of the rural communities, they don't have the resources to ensure that decisions that are being made are really in the long-term best interests of the community. I think state government has an obligation to provide good input and assistance to help communities recognize that they do have choices in the kind of growth that they accept.

Ultimately, what we need is a balanced system. I think the regional planning councils have an important role to play that hasn't been well understood or well recognized. The state has an important role to play and the local government has an important role to play. In the past, at DCA, there hasn't been a sorting process for what's a really important decision versus what's a minor amendment. I think those are the kinds of things where there are efficiencies that can be gained.

**PELHAM:** The problem with the proposals is that they seem to call for the reduction of state oversight without replacing it with something else. The laws that are on the books were adopted and designed to address specific problems. If the approach we adopted isn't working, let's adopt another one. But to simply repeal the approach that's on the books without replacing it with something else to address the problem won't accomplish anything, except take us back to the "good old days." Local governments acting alone cannot solve many of our growth problems. There is a very important role to be played by the state, although it would be helpful to more clearly define the state's role.



*The Growth Management Study Commission, shown here at a February 2001 meeting in Tallahassee, supported creation of a model to estimate the costs of new developments. However, the commission explicitly excluded environmental and public-health costs from the calculation. Photo: Growth Management Study Commission*

## COSTS OF DEVELOPMENT

**The governor's Growth Management Study Commission recently recommended the creation of a new model to estimate the costs of development, with an eye toward making sure development "pays for itself." Will this be effective?**

**HANRAHAN:** We need to have better decision-making tools to help local government and state government understand the implications of the cost of development. Recently in unincorporated Alachua County, they built a huge apartment complex with no transit service. You have thousands of students trying to get to the University of Florida, and that's a cost driven by the development that nobody took into account. Nobody would build an apartment complex without sewer hookups or a roadway leading to it. But transit, which to me is as much of an important community service, was completely left out of the equation. There are also other government subsidies associated with housing that we all tend to forget about. We look at affordable housing programs put on by the government and think, "I'm paying for that," without thinking to ourselves, "I get a tax write-off on my mortgage." I think having a full-cost accounting system is a good idea but we all need to remain engaged in that process to make sure they're accounting for all of the costs and not just those we traditionally think of.

**MACDONALD:** I think the concept is very good, and in fact, if whole cost accounting is conducted properly, it could be a very important and useful tool to communities. The problem in the proposals as they came out of the Growth Management Study Commission and out of the Legislature is that they were not full cost account-

### The economic incentives for sprawl

Sprawl is often thought to be the result of the freely chosen preferences of individual consumers. But government regulations, tax and spending policies have had a major role in promoting sprawl—in effect, subsidizing consumers to live in distant, low-density suburbs.

The following is just a brief list of policies that, in Florida and elsewhere, have helped to fuel sprawl:

- **Unlimited home mortgage interest deduction**—The federal home mortgage interest deduction has helped many middle-income Americans afford home ownership. But it has also helped many Americans buy larger houses on bigger lots than they otherwise could. Because the subsidy is unlimited, those buying million-dollar homes receive a larger tax break than those buying \$100,000 homes. In 2001, the deduction is expected to cost U.S. taxpayers \$65.7 billion.<sup>7</sup>
- **Road and fuel subsidies**—Sprawl would not be possible without cheap automobile transportation. Highways have long received the bulk of federal and state transportation spending. During the 1990s, Florida spent 30.5 percent of its federal transportation funds on highway expansion projects, and an additional 46.9 percent on highway maintenance, while spending only 15.5 percent on public transportation.<sup>8</sup> Florida's Mobility 2000 program follows that trend, committing \$6 billion to highway expansion and repair projects over the next 10 years.<sup>9</sup> This spending comes despite evidence that highway expansion worsens sprawl and does little to alleviate congestion. Direct and indirect federal subsidies of the oil industry also support auto-centered sprawl. An

analysis of 1991 federal spending figures found that the oil industry benefited from \$2 billion in tax breaks and at least \$1.4 billion in direct subsidies.<sup>10</sup>

- *Flood insurance*—Development in many areas of Florida would be economically infeasible were it not for the federal flood insurance program, which provides residential and commercial coverage in communities that adopt flood management practices. Florida is responsible for more than a third of all flood insurance policies in the U.S., and has filed more than \$1.45 billion in claims under the program since 1978, second only to Louisiana. While the program is intended to be self-financing, it ran substantial losses during much of the 1990s due to increased flooding—losses that were covered by American taxpayers.<sup>11</sup>
- *Externalities*—Sprawling development requires the extension of public services such as schools, sewer lines and roads to new areas. Typically, those costs are spread among all residents of a municipality or district through higher property taxes. In addition, sprawl developments impose a host of costs on the general population—including declines in aesthetic values, loss of wildlife habitat, increased traffic and water and air pollution—that are not paid for by the developer.
- *Zoning barriers*—In many parts of Florida and the U.S. the construction of traditional-style towns and villages doesn't just suffer from economic disincentives; it is actually illegal. Zoning requirements that bar mixed-use developments and arbitrarily regulate lot sizes can render the development of traditional-style towns impossible, leaving sprawl as the only alternative.

ing. They were looking primarily at infrastructure. Things like natural resource values (were thought of) as being perhaps “too hard” to assess economically. There are many ecological services that can be assessed to a fair degree economically and there is a lot of revenue raised for the state and local communities from our natural resources. Florida is labeling itself as the fishing capital of the world. People that travel to and use designated natural areas like parks and state forests and national forests bring in a lot of revenue. Our coastline is the basis of a lot of our tourism dollars and provides nursery areas for fisheries, shellfish and other marine and aquatic life. The list goes on and on. There also is the whole realm of what are considered more intangible values and quality of life values that are not accounted for in the models that are being addressed by the study commission. It takes numbers and it takes wise judgment to put together the whole model. There are some things that don't appear to pay for themselves, like affordable housing and libraries. But they are important components of the society.

**GROSSO:** The concept could be very effective if executed correctly in that it would elevate the currently laughable state of public discourse, which currently pretends as though job creation and tax base increases aren't offset by the huge public cost of development. Real economic information on the true costs of development would tend to lead to a more informed electorate whose interest level and voting patterns would tend to follow their pocketbooks. But the governor's commission recommendations were irresponsibly one-sided by mandating that all possible benefits of development be calculated and prohibiting most real costs—such as police, fire, emergency medical services, and the operation costs of capital facilities—from being calculated. The final bill considered but not passed by the Legislature was more limited in scope but fairer in its balance-sheet approach.

**PELHAM:** All we're talking about here is a piece of information that could be used in making development decisions. If you could develop a valid model that really reflects the true cost of development, that information could be very useful in making development decisions. The question, of course, is whether or not you're going to have a valid model.

But secondly, I think we have to recognize that this is one piece of information. It's no substitute for other planning and regulatory mechanisms. If you take the approach that we're only going to approve development that would have a net economic benefit, then you would preclude other developments that might very well be important to the community for its quality of life. Government subsidizes a variety of things because they're needed to promote a certain quality of life. A mass transit system, for example, if you

look only at the bottom line dollars, might not have a positive economic effect, but having that transit system contributes in a positive way to many other aspects of community life. So, too much emphasis on this idea could lead us to the point where all we're going to look at is the cost. That's why it's only one piece of information, one part of the picture, and by no means the only important part.

**REESE:** The governor's model is based upon a cost-benefit analysis implemented through concurrency rather than upfront planning by means of a capital improvements element which ensures the timely provision of public facilities in an economically feasible manner. Since 1985, Section 163.3177(2) of the Growth Management Act has required comprehensive land use plans to be "economically feasible." The capital improvement element was to ensure the availability of needed "public facilities," which were defined as roads, sewer, water, emergency medical services, health systems and facilities and educational facilities.

Concurrency, as it was originally designed, was meant only as a backstop to this economic feasibility requirement. The growth management problem has been a paucity of front-end planning to establish economically feasible plans, and a rush to have concurrency take care of the impacts of development. The unfortunate offshoots of this approach are many. Local governments have approved rezonings and site plans even though roads, potable water supplies, emergency medical services and schools are currently inadequate and will not be sufficiently available in the future. Concurrency is blamed for this lack of public facilities when it is really a planning deficiency. Continuing to ignore the existing economic feasibility requirement of the Growth Management Act, and instead having local governments consider full cost accounting at the rezoning and site plan phase, will not result in better growth management. Zoning does not substitute for planning.

### Should development "pay for itself"?

The answer sounds simple: of course it should. For too long, local governments have borne the burden of infrastructure improvements needed to accommodate growth and urban and rural residents have watched their state tax dollars siphoned away to pay for expanded highways, schools, and sewer systems in sprawling suburban areas.

But a deeper look reveals that the problem is not quite so straightforward. Previous attempts to mitigate the impact of sprawl on public finances—such as the transportation concurrency standards in the 1985 Growth Management Act—have pushed developers to pursue growth in distant areas where roads are not already strained by traffic, fueling further sprawl. Moreover, some types of development that might be beneficial for communities—such as affordable housing—might not be able to "pay for themselves" on strictly financial terms.

Clearly, local governments must understand the impact — financial and otherwise — that new development will have on residents. Impact fees, differential sewer and water hookup fees, and concurrency standards can be useful tools to ensure that sprawl development pays its own way. And if those fees are significant enough, they may even discourage sprawl.

However, a simple financial accounting of the costs and benefits of sprawl does not resolve the ultimate question of what forms of development best enhance residents' quality of life and safeguard natural resources. That can only be done through an open and inclusive planning process. Once that process is completed, local and state governments can then allocate resources where necessary to ensure that the plan is actualized.

## SCHOOL PLANNING

**One of Governor Bush's major priorities has been to ensure that new development doesn't outstrip the ability of schools to provide an adequate education. Will his proposals achieve this goal?**

### Florida's school crisis

Despite rising test scores and an influx of new resources during the recent economic boom, Florida's public schools remain in a state of crisis.

Approximately 25,000 portable classrooms are in use statewide.<sup>12</sup> More students in Florida are in large classes compared to students in other states.<sup>13</sup> In some parts of the state—Miami-Dade County in particular—classes have been forced into custodial closets, teacher's lounges and locker rooms due to the lack of classroom space. In Miami-Dade, about 41 percent of the schools are at least 150 percent over capacity, according to the school superintendent.<sup>14</sup>

The recent economic downturn has not helped. In response to the state's recent budget crisis, lawmakers recently approved a \$639 million cut in education programs.<sup>15</sup> The state had already ranked 44th in the U.S. in spending per student, with only a quarter of school districts spending above the national mean.<sup>16</sup>

With so few resources at the state's disposal, it is even more imperative that the state maximize the use of existing school facilities and locate new schools in already developed areas. Where new development brings about the need for new schools, developers should be required to pick up their fair share of the tab.

**PATTISON:** The bottom line today, and in the foreseeable future, is that without an assured funding source above and beyond what is currently available, no real improvement in the overcrowding situation is likely to occur. The Bush approach has emphasized a planning and intergovernmental coordination effort. It does not go as far as making schools a concurrency requirement under Florida law, but it would provide for some limited ability to refuse new development if schools are already over capacity. Language to this effect, with our support, had been worked out last session, but ultimately the bill failed because of a disagreement over how the local government could generate the dollars necessary to build more schools. The funding issue is a necessary component for dealing with this issue, and without it nothing is likely to happen.

**PELHAM:** Currently, Florida has a serious problem with educational funding. Schools are cutting back. We've just had huge cuts in the educational budget. If there is a shortage of money needed to build adequate schools, passing legislation that requires the school district and the local government to sit down and enter into an agreement over how they're going to work together is not going to solve the problem. It can lead to better coordination and planning, but there has to be adequate school funding.

**GROSSO:** It is hard to say. The proposals to require that adequate schools be available for all new development approvals could be effective, but it is questionable whether the governor or the Legislature have the will to really push this over the objections of the homebuilders lobby. Also, the independent political and legal nature of school boards is an anachronism that is out of sync with modern needs and realities. Thus, last year's bill would have created a complex effort in paperwork and coordination between local governments and school boards, but no clear results.

**HANRAHAN:** It's very easy to have a disconnect between community planning and school planning and that issue clearly does need to be addressed. The main concern I have is that we focus on reinvesting in our core communities and our older parts of town. The Alachua County School Board has done some visionary things. They've put all their magnet programs in the older schools that historically are located in poorer parts of town. Folks that want their kids to get top-notch educations end up having to bring their

kids across town to the older schools in the older parts of town and it gives them a sense of ownership. I know some folks who have moved from the sprawling areas back into the core community because they want to live closer to where their kids are going to school. Those are the kind of tools that we need to be thinking hard about as a state if we don't want to continue to eat up our high-quality agricultural lands and our high-quality natural lands.

# TRANSPORTATION POLICY

**What have been the effects of transportation policy on growth patterns? Can transportation policy be a tool for curbing sprawl?**

## **How public transportation can reduce sprawl**

Just as the construction of a highway interchange spawns a predictable mix of gas stations, fast food outlets and truck stops, so the construction of a major public transit station spawns other types of development. When well-planned, these developments can act as magnets for economic investment and centers of community life.

In the San Francisco Bay area, “transit villages” featuring affordable housing, offices, day care centers, libraries and other amenities have been developed around Bay Area Rapid Transit (BART) stations. One of the projects, in Oakland’s low-income Fruitvale neighborhood, is seen as a catalyst for revitalization of the area.<sup>17</sup>

In Beaverton, Oregon, a new 1,800-home development named Orenco Station has been built near a stop on the Portland metropolitan light rail system. The project also features retail and office space and is one of several transit-oriented developments in the Portland region.

Closer to home, transit-oriented development of a sort has taken place at the Dadeland North and Dadeland South Metrorail stations, in the form of mixed-use developments including retail shopping, office space, and apartments. The sprawling area around the two stations, which are near the Dadeland Mall, is also slated for major redevelopment into a pedestrian-friendly downtown area.

**PELHAM:** Our transportation policies have promoted and led to more and more sprawl. Our transportation policy has been, for the most part, one of opening up new areas for development by building more roads. It’s been a really one-sided approach. There hasn’t been a lot of emphasis on alternative modes of transportation. If we promote modes of transportation that will encourage and facilitate more compact urban growth patterns, then we might get different development patterns. We do have areas of the state where transit seems to make sense, could serve a valuable purpose, and if available, might indeed encourage higher density and more compact urban development. A greater emphasis on what some people refer to as a multi-modal transportation system would be important in dealing with that.

**GROSSO:** Public dollars are typically spent to build new roads where politically powerful interests want to do new developments—where the land is cheapest, the landscape most flexible, and the neighbors the fewest. The problem is that the law gives too much deference to local governments over how to spend their money; local citizens cannot sue to make budgetary decisions truly reflect planning policies. In addition, the state spends millions on land acquisition to preserve Florida but billions to build roads. Political and budgetary priorities must change.

**HANRAHAN:** A lot of people don’t realize that the way a roadway is designed drives the kind of growth that’s going to be attracted to that area. Nobody builds single-family residential homes on an eight-lane road. Nobody builds really high-quality little shops on an eight-lane road, unless it’s the Champs Elysees or something. It really takes a lot of detail with regard to how wide the lanes are, how wide the sidewalks are, where the trees are. That’s going to dictate whether you have big-box development and strip shopping centers, or whether you’re going to have a Winter Park or a downtown Gainesville.

Florida is not a transit-oriented state, mostly because, to a great extent, we’ve been built since the car became king. But there are some things we can do to encourage greater use of transit. In Gainesville, in 1996, we had a fast-declining transit system. We carried about a million and a half passengers a year, we had routes that snaked all over the community, and it was really hard to get from point A to point B. Starting in about 1997 we started working

directly with the University of Florida, which has over 40,000 students and 20,000 staff going to it every day. We said to ourselves, “This is a place where we can provide good transit service.” So we started making changes in our system and our ridership went from 1.5 million to, this year I think we’re going to carry 6.3 million passengers, which is more than Tampa. The key is that you need to focus on providing transit service in places where it’s going to function well. And we need to build our communities in such a way that you can have transportation choices.

**REESE:** One of the principal components of sprawl is the length of commute time, not commute distance. In Florida the average commute time is approximately 25 minutes. Building roads modifies the commute by allowing a greater distance to be commuted in the same time. The Florida Department of Transportation continues to function as the Road Department rather than as a Transportation Department which provides transportation by substantial rail and transit means.

**PATTISON:** One of the biggest issues is who is paying for the roads. Development interests are usually behind the initial push for new public roads, and that frequently means working to add such roads onto the long-range transportation plans developed by metropolitan planning organizations (MPOs). Once a road appears on that plan, it works its way onto a priority list that actually commits public dollars. This process is, while public, usually not well scrutinized, and public involvement is sporadic. By quietly getting roads authorized in this manner, a project builds momentum, and it’s only when permits are applied for that most people understand the sprawl implications of a project that was actually in the planning process for several years. The Florida Department of Transportation (FDOT) is beginning a national pilot project next year to get earlier and more informed public and agency input on proposed projects. This will only help, but it remains to be seen if public attention can be focused early enough in the transportation planning process to end sprawl-inducing road projects.

**MACDONALD:** Transportation planning is a multifaceted, multi-layered, multiyear process and it’s difficult for a citizen to get involved. For instance, it’s hard to know whether it is really the Department of Transportation, or your own local government, or the metropolitan planning organization where decisions are being made.

Our transportation policy for the state should be one of our very most important guidance documents for planning good growth and for curbing sprawl. Roads have both direct and indirect impacts on the environment. For a number of endangered spe-



*Florida’s transportation policy has long promoted expanded highways over rail and other forms of public transportation. Photo: Palm Beach County Convention and Visitors Bureau.*

### **Florida’s future transportation plans**

Historically, Florida has lavished public spending on its highway system, while systematically underfunding mass transit and other transportation alternatives.

Despite the increasing realization that new and expanded highways act as an engine for sprawl—while doing little to alleviate traffic congestion—Florida has continued to move forward with a highway-centered transportation spending policy under Gov. Jeb Bush.

In 2000, the Legislature approved Gov. Bush’s \$6 billion Mobility 2000 plan—a smorgasbord of road widening projects.<sup>18</sup> The following year, even as other parts of the state budget were suffering major cuts due to the economic downturn, the governor was proposing an “economic stimulus” package that expedited construction of \$667 million worth of transportation projects—many of them involving highway expansion. Less than \$2 million of the package was devoted to transportation alternatives such as bicycle paths and pedestrian improvements and none to public transit.<sup>19</sup>



While the state highway system continues to grow—adding 10 percent more lane-miles between 1990 and 1997—public transit struggles to survive. After a quarter century of study, it took passage of a constitutional amendment by Florida voters in 2000 to commit the state to the construction of a high-speed rail system. The state Department of Transportation's 2020 transportation plan projects a shortfall of \$9 billion over the next 20 years in the long-range plans of half of the state's public transportation agencies and notes that existing funding streams may not be enough to maintain current service levels, which are far from adequate. In 1997, little more than 10 percent of the budget of transit agencies statewide came from the state government. It is little wonder, then, that miles traveled by car in the state increased by 21 percent between 1990 and 1997, while transit ridership increased only 15 percent.<sup>20</sup>

But transit isn't the only transportation alternative that suffers for lack of funding. A 2000 study by the Surface Transportation Policy Project ranked five Florida metropolitan areas among the 10 most dangerous areas in the U.S. for pedestrians, with the Tampa metropolitan area the most dangerous in the country. In 1997-98, more than 1,000 people—including 101 children—died while walking along Florida roads, accounting for nearly 20 percent of all traffic fatalities in the state. Yet, the state spends only 1 percent of its federal transportation funding on projects for pedestrians.<sup>21</sup>

Without a dramatic reorienting of state budget priorities, Floridians can look forward to more highways, more congestion—and more sprawl—in the decades to come.

cies in the state, as well as those which are still more abundant, roadkill can be a leading cause of mortality. Roadkill is an obvious direct effect, but many harmful impacts aren't so easily recognized. There is the impact of actual loss of habitat under the pavement, as well as effects that reach far into the surrounding area. Short and long term impacts result where roads fragment natural habitat. If an animal needs to get from one area to another as it travels throughout the year, roads are a barrier to its ability to move to what it needs, whether it's a den site or food or a mate. When you isolate a population long-term that can lead to in-breeding, diminished health and vulnerability to natural or human-caused catastrophic events like hurricanes or disease that can overcome a population and eventually a species. Basically, roads lead to more roads. Our policy should be to maintain state-of-the-art roads in developed areas and leave natural areas intact.

**STARNES:** Transportation policies in this state have been driven pretty much by federal policies. One simple thing is the location of I-75 as it moves through the Ocala and Gainesville area of the state. Those communities have literally grown west through the interstate because of the huge energy those interstate highways bring to a community. That has had an impact everywhere. It's impacted all along the I-75 corridor, at least from Tampa north. From Tampa south, the impact has been a little bit less, particularly because of Sarasota County. They just literally would not permit development along the interstate interchanges, which really was a positive thing on the part of a local government. They didn't let the highway control their community.

The location of roads has had a huge impact on sprawl. It's made too many things easily accessible by automobile, like work, and school and so on. It's made the system automobile dependent, and that in itself has had an impact on sprawl.

I would suggest that we get rid of the idea that using transportation funds for anything other than roads is a diversion. Those funds are huge and they should be used for all modes, including public transportation. There will probably in time become a need for additional resources to satisfy the public transportation needs in this state. But I think if we carefully plan for public transportation we can have a major impact on sprawl.

# NEW URBANISM

**Much attention has been focused on communities like Seaside and Celebration, which are models of what is called “New Urbanism.” What, if anything, do those communities, or the traditional towns on which they are modeled, teach us?**

**STARNES:** I think we’ve learned that if the population of communities is limited by a completely preconceived plan and administered by essentially a central authority—as is the case in both Seaside and Celebration—then the resulting community can be a very high level of urban space. However, it by and large has become unaffordable, because of the exclusivity of the preconceived design.

We can make community plans, but when public planning is administered there are many decision nodes in the process. There are many decision-makers and there are all kinds of people who have a stake in that process. If I’m given 800 acres as a planner and I have a developer who wants to make a community out there, then that’s OK, we can do that. But the problem is we’re building organic communities which are dependent upon our own planning and political skills. That doesn’t often make places like Seaside. Centuries ago, we had kings who could do that. We don’t have those anymore.

**PATTISON:** They provide demonstrable examples of alternatives to the “American dream” of a single family home, a yard, and a car (and now probably at least two cars). They demonstrate that compact, mixed income, grid street patterns with identifiable downtowns are not only desirable, but financially rewarding. They show that a mix of housing types can work even when they are in close proximity to one another, and they show that density is not bad.

Perhaps their most important feature is demonstrating that you can live without a car. Almost everything that is needed is within walking distance: the school, grocery store, barbershop, library, and so on. Showing people that walking or biking is viable, healthy, and safe is important if we’re going to change our lifestyles and our communities. Face it: today, the automobile is king. It will stay that way unless we provide real alternatives, and one of the best ways to do that is through communities that don’t rely completely on the personal automobile.

**PELHAM:** They teach us that if there are choices available, there are people out there who will elect them. One of our problems in this state is that we haven’t had a lot of choices. We’ve been presented with the traditional, conventional low-density suburban-type development. That’s what’s been built, it’s what the development



*(Above and next page) Seaside, Florida was the first New Urbanist community in the United States, emphasizing traditional architecture, pedestrian-friendly streets, and densely developed mixed-use neighborhoods. Photos: Duany Plater-Zyberk & Company, obtained from Congress for New Urbanism.*

## Seaside, Celebration and “New Urbanism”

One of the most promising anti-sprawl developments of the last decade has been the increasing popularity of “New Urbanist” principles of design.

Simply put, New Urbanism seeks to replace the sprawl model of development with walkable, mixed-use communities that provide a variety of commercial, recreational and social opportunities to residents. In many ways, New Urbanist principles are a reflection of “old” urbanism as it was practiced in the years before Interstate highways, massive suburban subdivisions, strip malls, and “urban renewal.” These principles have been used for the design of new communities and are beginning to be used in the redevelopment of existing communities.

Seaside, Florida was the first New Urbanist community to be built from scratch. A “beach town” on the Gulf Coast, Seaside was launched in 1982. More than 300 cottages based on traditional designs share access to a common downtown and stretch of coastline—all of which is within walking distance. Strict architectural codes govern the construction of buildings in order to give the community a coherent sense of “place.”

In the two decades since its creation, Seaside has become the most widely known success story of New Urbanism. The community has become so desirable that housing prices have risen beyond the means of all but the most affluent families.

Celebration, Florida, near Orlando, is another community that has come to be associated with New Urbanism. Built by a division of the Walt Disney Company, the town currently provides a home to 3,500 residents, with plans to expand to 12,000 or more within the next decade. Celebration includes a business district, offices, churches, schools, recreational facilities and other community institutions. Like Seaside, it is largely lacking in affordable housing and its connections with the “outside world” are largely limited to the automobile.



The most important impact of New Urbanism for Florida could be in the application of its principles to the design of “infill” development in existing suburbs and cities (see *Urban Revitalization: West Palm Beach*). The Congress for New Urbanism lists 53 projects in its index of New Urbanist projects in Florida, ranging from new towns like Seaside and Celebration to plans to revitalize failed malls and declining urban centers to proposals to superimpose “town centers” on formerly sprawling areas.<sup>22</sup> This growing trend in urban design has tremendous potential to make urban areas more livable and thus limit sprawl.

community markets, it’s what’s available, and therefore it’s what most people choose. I think these examples show that if choices are made available to people, there are significant numbers of people who will elect that option rather than the conventional suburban option. It doesn’t mean that everybody would choose that option, but it provides a choice, and we need those choices.

Having said that, I think it’s important to point out that Seaside and Celebration are very unique situations. Seaside is a resort and the fact that something like that is attractive as a resort doesn’t necessarily mean that it would be in terms of someone’s permanent residence or hometown. Celebration is unique because it’s supported by Disney and heavily subsidized. Not every New Urbanism development would have a Disney going for it. So the fact that Celebration has, in some sense, been successful does not in and of itself mean that you could duplicate that everywhere and be just as successful. Also, Seaside and Celebration are accessible only to upper income people. They do not provide affordable housing for most of the population.

**REESE:** Seaside and Celebration are small-scale developments that use neotraditional design. They teach that neotraditional design can be a more efficient use of land and public facilities. Unfortunately, Seaside and Celebration are in the wrong places and are too small to function as self-dependent towns. Seaside is a resort much like Amelia Island Plantation. The property owners are using the area as second homes to visit on their vacations. Celebration is too small to support a standard-size Publix grocery store. It is also a Disney corporation-owned town. Affordable housing is not available in either.

**HANRAHAN:** I give the developers a lot of credit for being visionary and for showing us an alternative to the typical sprawl development patterns. One of the things that has been a downside of New Urbanist development is that generally it has been in the same kind of locations as the traditional sprawl. There are many New Urbanists who are now looking at how they can play a role in redevelopment and in inclusionary housing. It’s not atypical for trends to start among the very wealthy. You and I may never be able to afford (a home in Seaside), but if it becomes popular in the marketplace it will become something that is available to a broader cross-section. But again, I’d like to see that stuff built in the core of the community rather than at the edge.

## URBAN REVITALIZATION

**Is there much hope for redeveloping Florida's urban centers into vibrant places where people live, work and shop day and night? What steps can the state take to make its cities more livable?**

**MACDONALD:** I do believe that it can be done. I'm not only hopeful in an abstract sense, I'm hopeful because I've seen it happen in my community. St. Petersburg, whose downtown was a ghost town at night years ago, and which had so many vacant buildings and unkempt properties, is now a vibrant city. There are now people who are building town homes and living right downtown and making it a really wonderful active center. People need the mix of services, work and play nearby. To get it started, I think what needs to be done has a lot to do with reevaluating incentives and disincentives to growth and development in our cities as opposed to our outlying areas. Clearly, the bottom line is that it has to be as profitable to build in settled areas as it is to open up agricultural and natural areas.

**STARNES:** I think we're beginning to see it in Orlando and Miami and Jacksonville. The older cities are beginning to really look back internally within themselves. The problem ultimately is going to be that we somehow have to redesign those cores so they're inviting to residents. And that means you also have to bring in the things that people need, like groceries and personal services and so on. Much of the redevelopment as it stands today has been bistros and things that attract tourists. The state can offer some direction. We can invest our state dollars in those urban centers, which is what's happening in Maryland, and which I think is an excellent concept. The state of Maryland will not spend state capital money unless it's in an urban planned area. That, I think, is a very critical element, so the state has a lot of influence on whether these cores will become vibrant again.

**PELHAM:** Some of our cities, for example, West Palm Beach, have done some very interesting things to revitalize the inner city where people can live, work and shop. But in order to do that on any kind of significant scale, I think it would take a comprehensive urban policy that addresses the range of social and economic issues that have created the situation we have today. We have to address problems of crime, education, transportation, and livability. We also have to address the financial issue—there are a lot of



*Downtown West Palm Beach bustles during a street celebration on historic Clematis Street. The city's downtown area has been the focus of an intensive urban revitalization effort during the last decade. Photo: Palm Beach County Convention and Visitors Bureau.*

### **Urban revitalization: West Palm Beach**

Few communities have come so far, so rapidly in revitalizing their downtown as West Palm Beach.

Less than a decade ago, the occupancy rate along West Palm's main downtown corridor was 20 percent. Crime and drugs were rampant and the city teetered near bankruptcy.

In the early 1990s, however, city leaders set out to reclaim historic Clematis Street, setting out an ambitious master plan for the area. Zoning regulations were rewritten. A decrepit waterfront hotel was bought by the city, then demolished. Traffic calming measures were implemented to make the area more welcoming to pedestrians. City-hosted weekly "block parties" began to draw residents and visitors back downtown.

Nearly a decade later, occupancy rates along Clematis Street approach 90 percent. Residential development is coming back to downtown. Property values are up and nearby neighborhoods are starting to see a renaissance of their own.<sup>23</sup>

More changes are in store for West Palm Beach. The newest addition to downtown—the \$550 million, mixed-use CityPlace development—opened in October 2000. The 72-acre development includes upscale retail shops, a 20-screen movie theater, 586 residential units and a 1920s-era Spanish Colonial-style church that has been reclaimed as a performing arts center and meeting hall.<sup>24</sup>

There were many actors in the city's transformation. But the willingness to adopt strong principles for redevelopment and stick to them—combined with the availability of public and private sources of financing—have played major roles in its success.

financial disincentives built into our systems that drive people out of the urban centers.

**REESE:** Examples I am aware of are downtown St. Petersburg and downtown Naples—however, downtown Naples is pricing out affordable housing. Mixed use housing and pedestrian-friendly streets—including street cafes, minimum requirements for street-front retail in multi-story buildings, and public spaces—promote redevelopment. Loosening up transportation concurrency requirements and redevelopment requirements also promote redevelopment.

**PATTISON:** Several things are important: public safety, transportation choices, decent, safe and affordable housing, quality schools, and economic opportunity for all. The most vibrant cities have all of these things, regardless of their size. Until we address these, no degree of planning will change things. Several of these infrastructure items require a lot of capital. Our capital, and the infrastructure it funds, has got to be used to direct public policy that benefits the majority and not special interests. And while this does not and will not work for all citizens, it should mean that those choosing a different lifestyle bear their own costs. The public can no longer afford to subsidize sprawl.

**GROSSO:** In some places it will happen of necessity, like in southeast Florida where we are running out of land elsewhere. The most important thing that needs to happen is that local governments and the state need to stop approving new developments in sprawl locations. If the market was given the message that plan amendments and rezonings are no longer going to be given to build in farms, forests and the like, the market will start revitalizing and rebuilding.



Planners and community residents hope to convert Dadeland Boulevard in Kendall from a barren traffic conduit (above) into an inviting, pedestrian-friendly streetscape (below). Photo simulation: Steve Price, Urban Advantage, obtained from Congress for New Urbanism.

## REVAMPING SUBURBIA

**Sprawling development patterns have dominated the last half-century in Florida. Is there any way to “retrofit” suburban communities to ameliorate the negative impacts of sprawl?**

**HANRAHAN:** It’s easier to do it in the commercial areas than in the residential areas. It certainly has been done successfully with dead and dying shopping centers and strip malls. You can take a typical strip shopping center that’s been abandoned and turn it into something more like a traditional town center. It is more expensive to build that way, and that has been one of the things that has been a barrier. Another problem is with the banks that make the lending decisions. Oftentimes, if it’s something different than what they’re used to doing, they are reluctant to take a risk. I think it’s harder with neighborhoods. To turn a sprawling subdivision into something other than what it was built to be, I think, is going to be extremely difficult and perhaps not necessary. What we really want is for there to be housing choices.

### Retrofitting suburbia: “Downtown” Kendall

Over more than 50 years of sprawl-style development, Florida has been transformed into a state of spread-out suburban subdivisions, office parks and shopping centers, all linked by highways. While it is important to ensure that new developments do not follow this same model, it is equally important that Florida “retrofit” existing suburban developments to support greater density and diversity of uses.

One of the most ambitious such efforts is underway in Kendall in Miami-Dade County, which is home to the massive Dadeland Mall and many other nearby, yet isolated and unplanned developments.

In 1998, the local Chamber of Commerce, with governmental support, convened a design “charrette” to come up with a vision for a high-density urban center in the Kendall area. The result was a master plan that would convert Dadeland Boulevard into a shaded, pedestrian friendly street, create pedestrian walkways along the Snapper Creek Canal, build a new town square, and turn the area’s web of access roads and surface parking lots into a network of interconnected streets supporting a variety of uses.<sup>25</sup>

In 1999, the Miami-Dade Board of Commissioners approved a zoning overlay for the area that would implement the plan. However, the owners of the Dadeland Mall—one of South Florida’s busiest—have since launched a lobbying and public relations campaign against the plan, seeking to exempt themselves from the overlay district.

While the future of the Downtown Kendall plan remains in doubt, other Florida communities are seeking to create their own “town center” districts. Construction of these centers could reduce automobile traffic by bringing basic goods and services within the reach of pedestrians, help foster a greater sense of community, and provide opportunities for greater density than is possible under the sprawl model.

**MACDONALD:** Certainly there are ways to retrofit. Places that had one use before can be changed to a different use now. Sometimes we see the larger corporations, for example a Wal-Mart, trying to build in an outlying area, whereas there are vacant buildings or even vacant strip centers that could be used or converted into that kind of a business. Whether or not one likes that kind of business, it can bring jobs where people already need them rather than trying to open up a whole new area, and create centers of activity and commerce. Adding other things where we see retrofitting, the building of recreational trails through our urban or suburban areas has really enlivened a lot of areas and made safe and fun places.

**PATTISON:** I’m convinced there are few regulatory solutions. Instead, incentives of some sort have got to be the answer to cause a redesign that contains a mix of uses, housing types, and transportation alternatives. In all likelihood, this means financial incentives to cause the redesign to occur. Where such properties are in single ownership, especially where an approved Development of Regional Impact is concerned, the owner should be allowed to redesign the project into a more marketable, traditional neighborhood design with expedited and very low to no cost development approvals assured.

Perhaps the toughest part will be dealing with the legally vested rights many of these communities already have. There has been some discussion in the past of modifying current laws that address slum and blighted communities, but solutions have always foundered on dealing with the stigma of declaring an area “blighted” or calling it a “slum.” If our redevelopment statutes could be revised to deal with this, a foundation could be laid for elected bodies to create redevelopment districts that would have the authority to direct community redesigns.

**STARNES:** It is not going to be very easy. It takes a huge amount of political backbone to do it. I think that we need comprehensive and coordinated state direction in what I would call a suburban renewal program, wherein some of the principles of New Urbanism might be employed. You do it by regulation of future development in those suburban areas, increasing densities—which in itself is not easy, because of the NIMBY (not in my backyard) syndrome—and acquiring certain parcels and properties in order to encourage the development of suburban clusters.

## OTHER MEASURES

**What other steps should be taken—by government, business or others—to reduce sprawl in Florida? Are there policies in place in other states, or in specific Florida communities, that should be emulated or adopted statewide?**

**STARNES:** The state must establish urban growth boundaries using the vehicle of the growth management element of the state's comprehensive plan. We must do that. That is not a very popular notion in Tallahassee. Oregon has a very rigid urban boundary law, and the communities have to implode instead of explode. They have complemented that requirement with good public transportation systems. In California, San Luis Obispo County and Davis are two places that have established urban growth boundaries and stuck by them. The impact on places like San Luis Obispo is huge. It's probably one of the most viable downtown areas in counties of 250,000 or so in this country; an incredibly vibrant downtown. But it's because they have not permitted growth beyond their boundary, and it's a boundary that both the county and the city have agreed upon. We've been establishing urban growth and urban service boundaries under the 1985 act, but they've been awfully flexible. They've been moved and sometimes we go outside of those urban boundaries and permit new development.

The state must accept its responsibility and promulgate the growth management portion of the state comprehensive plan, Chapter 186.009. That has not been done, and I think it's essential it be done. In addition to that, the state needs to refocus its huge and wonderful land acquisition program. We need to begin to acquire lands that will protect communities from sprawl. In essence, we need to build greenbelts around urban places. In some cases we've acquired land in places that would do that.

**PATTISON:** One key item is to change our current transportation concurrency standard so that we focus on efficient movement of people and not cars. There is a physical and fiscal limit to how many road miles we can build and maintain. The Legislature authorized DCA and FDOT to develop alternative methods for applying this standard, and models are being developed. Once these programs are in place, you will see an end to development locating further out and away from already settled areas just because the roads are less crowded there. This is a partial solution, but it is one that would make a significant difference in the Florida system.

One of the more innovative and straightforward things Florida could do is to adopt some of Maryland's smart growth infrastructure policy ideas. In particular, we could agree to only direct state

### Urban growth boundaries

One increasingly popular policy to curtail sprawl is the urban growth boundary. The purpose of the boundary is to draw a line on the map beyond which sprawl may not occur, or may only occur with a vote on the public ballot, thus encouraging "infill" development in already built-up areas and reducing the pressure to develop agricultural lands and open spaces.

The first urban growth boundaries were implemented in Oregon in the 1970s. The boundaries are set and revised by an elected regional government and are designed to contain enough land for residential and commercial development for the next 20 years. In Portland, the boundary—coupled with efficient public transportation service—has been credited with promoting more compact development, leading to the revitalization of urban neighborhoods, and preventing the outward explosion of sprawl.

Urban growth boundaries of the type adopted in Portland are still relatively rare. But a number of Florida communities have adopted urban service boundaries that limit the provision of sewer, water and other public services to a predetermined area. Unfortunately, the tendency of most Florida communities has been to create service areas that are too large or to expand service areas frequently under pressure from developers.

One area that has largely resisted that temptation is Sarasota County. The county's urban service boundary runs along Interstate 75. The result is that new development has largely been kept close to existing centers, mitigating the sprawl-inducing qualities of the highway.





Florida risks the loss of much of its remaining farmland (left) as well as imperiled species such as the Florida Panther (right) if it fails to take action against sprawl. Photos: Palm Beach County Convention and Visitors Bureau; U.S. Fish and Wildlife Service.

### “Smart Growth” in Maryland

A creative statewide approach to growth management has developed in Maryland, where the Legislature in 1997 passed a series of “Smart Growth” bills designed to curtail the state’s sprawling development pattern.

The centerpiece of the package was Priority Funding Areas (PFA) legislation, which required county governments to designate areas for future growth and set standards that ensure that such growth will take place in an orderly way with minimal impact on the availability of public services. Areas designated as PFAs receive priority in the allocation of state funds for infrastructure, economic development and housing. Other portions of the package include incentives for the preservation of agricultural lands and the redevelopment of contaminated “brownfield” properties.

Since passage of the laws, Maryland has followed up on its commitment to Smart Growth by increasing funding for public transportation and developing recommended new codes for municipalities and counties to use in managing future growth.

funding for roads, water and sewer, schools, parks, drainage improvements, and similar public infrastructure, into already settled urban, suburban and rural areas. No state dollars would be spent anywhere else. Developers wishing to locate in what we think of today as sprawl areas would do so completely at their own cost.

**MACDONALD:** First, I think Floridians should be better educated, and gaining an understanding of how one’s world works ecologically and interdependently should be a fundamental part of that education. I also think that Florida should fully fund and implement the Florida Forever Act, because it is a wise use—ecologically and economically—of our resources to protect conservation lands and to pay people fairly for those lands. I think that it’s an investment in our future. I think that we should be looking at decisions on a regional basis. We should be linking water availability and land use. I think we should evaluate our laws to reduce or get rid of disincentives and to emphasize incentives to proper growth management. We should be looking at whole cost accounting as a tool for decision making, and providing funding and easing the way for downtown revitalization. I think that we should look at transfer of development rights, starting perhaps on a small level, to get programs up and running. And I think we should, as (1000 Friends of Florida Legal Director) Terrell Arline says, “stand by your plan,” because there’s really a lot of value in the Growth Management Act.

**HANRAHAN:** Florida is a huge agricultural state and I don’t think we’ve done a good job of integrating agricultural policy into our decision-making. We need to figure out how to ensure that farming and forestry are profitable and viable. One other thing is to ensure that people who do live in cities have the opportunity to enjoy nature as well. Urban parks, pocket parks, nature parks,

greenways, and trails are extremely important. And that is one of the things that Florida is doing well. If we can make living in the city have some of the best features of living on the edge, then I think that will help a lot.

**REESE:** Collier County is currently exploring several programs to protect large natural systems. Most promising is a transfer of development rights scheme that will provide incentives to preserve environmentally sensitive lands and direct growth to rural villages on already disturbed lands. These compact villages will offer new growth opportunities while providing needed services to Northern Golden Gate Estates, a sprawling circa-1960s subdivision with very few amenities. There is no transfer of development rights program of this magnitude currently operating in Florida. Hopefully, Collier County's program will be a model for other communities.

**PELHAM:** If you want to be serious about reducing sprawl, there has to be a comprehensive state policy—not just one based on regulation—that provides financial disincentives for sprawl and financial incentives to promote development of our urban centers. It's an oversimplification, but there are huge financial incentives for going the sprawl route in our system already, both for developers and for residents. We need a comprehensive policy that addresses the financial issue and invests in Florida's cities and towns.

## PERSONAL CHOICES

**Do you believe Floridians are ready to give up big lawns, three-car garages, and quiet cul de sacs in exchange for an end to sprawl?**

**PELHAM:** There are always going to be substantial numbers of people who opt for the big lawn, the three-car garage, and the quiet cul de sac. We're not going to change that. But there are significant numbers of people who would opt for something different and our problem in Florida is that we haven't made alternatives available. We're all captives of the market to some extent, and the market is promoting big lawns, three-car garages and quiet cul de sacs. But I think a lot of people would choose a quality urban environment if it were available. We need to provide those people with the opportunity to make that choice.

**STARNES:** No. I don't think they're ready to give up lawns and golf courses and large houses, automobiles and all the trappings of what I would consider conspicuous consumption. We enjoy, in Florida, a virtual tax-free state. It's a tax haven. We have no state income tax, with the exception of corporate tax, and it's modest. So we just aren't able to deal effectively with our growth.

What we really need are some leaders. If we were able to magically find leaders with vision and a deep love for Florida and profound concern for its future, things could change. That's really how and why we have the laws that we have today, because during the 1970s and 1980s we had leaders who were willing to do it, but we haven't had much since. Leaders have to show us a vision as to where we might go. I've been watching the mayor of Jacksonville, who's doing a marvelous job and he's not afraid to have a vision for Jacksonville. And it's paying off. Jacksonville, 20 years ago, was the most polluted town in this state. It has had a succession of mayors who have been real leaders with vision, and today Jacksonville is developing as a much finer community. But it has taken leaders to do it.

**REESE:** Yes. The movement towards xeriscaping (or dry landscaping) has increased the number of homes which have abandoned grass yards. The City of Tampa is proposing an ordinance which limits mowed grass to 50 percent of the lot which is not covered by the house. Traffic jams have also increased the movement to neighborhoods closer to downtowns, with examples being Bayshore and Davis Island area in Tampa, and the Old Northeast and Southeast areas in St. Petersburg. Additionally, as the average age of the population increases, smaller lots and mixed-use housing are becoming more desirable.

**PATTISON:** People will only give this up when they can see, touch and feel real alternatives. We can talk all we want about better and more efficient compact design, but until someone can see such alternatives, not much will change. And as important as it is to convince the public that this works, it is necessary to also demonstrate this to the banking industry. Without financing, no development will take place. One thing that will help people see the need to give up these amenities is to show people what this really costs. When we can make it understandable to the regular taxpayer that sprawl specifically affects their pocketbook, then we will see change. We may see it if gas prices go up or people become too old to drive or when we simply don't have enough money to build more roads. We may see it when people understand the Florida environment that so many of us enjoy will be wiped out by sprawl.

**HANRAHAN:** Not every Floridian is ready, obviously. One of the things that make our state so interesting is that we're incredibly diverse and the notion that everybody's going to want to live in a townhouse downtown is really pie in the sky. But when you look at what a single car costs, and you say, "Would you rather live in a location where your family could get by with one car rather than two?" and "Would you rather have that additional funding to do other things with?" that changes the nature of the conversation. I think we need to figure out how to make living in a sustainable way cheaper, easier, more convenient and higher quality.

# CONCLUSION AND RECOMMENDATIONS

**W**hile many different ideas can be gleaned from the preceding conversation, three general themes emerge.

First, there are many practical and effective policy handles for fighting sprawl. Although sprawl is a complex problem with no “magic bullet” solution, good tools exist that can each do their part.

Second, while the forces that create it are many, sprawl is no accident. Road builders, home builders, land speculators and other special interests have reaped enormous financial benefits from sprawl and from the taxpayer subsidies that support it. Their influence in city halls, county offices and Tallahassee has served to erode the willingness of public officials to consider tough action to restrain sprawl, and has resulted in the continuing public subsidy of sprawl-inducing projects.

Third, attacking sprawl may not be easy, but it must be done. The state’s ecosystems and infrastructure are already buckling under the strain imposed by sprawl development. A significant economic downturn or a shortage of water or energy could quickly exacerbate those strains, making big lawns, “McMansions” and long automobile commutes instant relics of an earlier age. Florida must invest in creating sustainable, livable communities now, or it will certainly pay the price for its failure to do so in the years to come.

With these conclusions in mind, we make the following recommendations for how to address the problem of sprawl in Florida. We urge the promotion of five basic principles to regulate future growth in the state.

**Principle #1. Florida’s future growth should be directed into already developed or developing areas. These areas should accommodate a variety of uses and residents of all income levels.**

Specifically:

- Comprehensive plans and local zoning and building codes should be revised to provide for mixed-use development at higher densities within designated town centers. Restrictive, or “snob” zoning, which seeks to limit the ability of developers to provide affordable housing, should be abolished. Agricultural zones should

be truly agricultural, with minimum lot sizes and other standards that prevent sprawl-style residential uses.

- Florida should maintain the state oversight role in the 1985 Growth Management Act. The Department of Community Affairs should be more, not less aggressive in rejecting local comprehensive plans that do not fulfill the sprawl-reduction and other goals of the Growth Management Act. And the state should be given the power to ensure that comprehensive plans are followed once adopted.
- With power, however, comes responsibility, and the state must step forward with additional funds to provide planning assistance to communities and to help communities deal with the huge backlog of unmet infrastructure needs.
- Florida should channel public infrastructure, economic development and housing money into already developed areas. There are several policy measures that can achieve this goal:
  - Urban growth boundaries or urban service boundaries can limit local and county spending on public services to predetermined areas. In order to work effectively, these boundaries should be set based on conservative projections of future growth, include a maximum of public participation, and be revised only on a set schedule—every five to 10 years.
  - Florida should adopt Maryland’s Priority Funding Areas model, which directs public funds into already developed and developing areas.
  - The state should also craft an urban revitalization plan and allocate sufficient funds for its implementation. Such a plan should include components that deal with issues of public safety, education, transportation, and affordable housing. It should also create redevelopment zones within which businesses receive tax abatements for locating there.

- The state should explore ways to invalidate paper subdivisions based on archaic maps and outdated rulings. All future subdivision plans approved by local governments should be made to expire if substantial development does not commence within a reasonable time.

**Principle #2. Florida should reorient its transportation system to focus on the efficient movement of people and goods—not vehicles. Florida’s transportation policy should support, not undermine, the state’s growth management goals.**

- The state should suspend construction of highway expansion projects that encourage sprawl. Resources devoted to those projects should be reallocated to the repair of existing roads and bridges and to transportation alternatives.
- State transportation planners should be required to work hand in hand with land use planners and vice versa. Transportation planners should not assume uncontrolled growth, and land use planners should not assume massive highway expansion, when developing their long range plans.
- The state should increase funding of public transportation to the levels found in similar, densely populated states such as California, Georgia and Pennsylvania. Sufficient funds should be allocated for the construction of high-speed intercity rail and urban light-rail systems and for the expansion and improvement of service on existing rail and bus lines. All future land-use plans should be evaluated by the Department of Community Affairs and local governments for their compatibility with transit and other non-automobile modes of transportation.
- State and county governments should revise their process for the proposal and adoption of highway and road projects to incorporate broader public participation.
- The state should increase its use of federal transportation funds for projects to enhance

pedestrian and bicycle safety. Future development proposals should be evaluated based on their compatibility with pedestrian and bicycle use.

**Principle #3: Florida must protect its remaining farms, forests, open spaces and wetlands.**

- The state should continue and enhance its efforts to protect agricultural and open spaces from development. Florida’s Preservation 2000 and Florida Forever land purchase programs have been national models for open space preservation. Lawmakers should resist any temptation to use funds devoted to land purchase programs for other purposes.
- Local and county governments should adopt purchase of development rights and transfer of development rights programs that preserve agricultural use of farmland. Land owners should receive tax credits in exchange for abandoning development rights.
- Local and state tax policies should reflect the state’s land preservation goals by minimizing the tax burden borne by owners of agricultural land that is kept in farming.

**Principle #4: Taxpayers should not be forced to subsidize sprawl.**

- The state should proceed with the development of a full-cost accounting model that local governments can use to evaluate development decisions. Such a model should consider all “external” costs of development—such as public health costs, damage to ecological systems, and quality-of-life costs—in addition to infrastructure costs.
- Local governments should assess impact fees that cover the public costs of new development, including fees for roads, schools, public services, and the loss of agriculture, ecological benefits, or other traditional uses of the land. These fees can be waived if development is conducted in line with principles of sustainable growth or otherwise benefits the community’s quality of

life, or to encourage the development of affordable housing. Such determinations should be made based on clear criteria and with a maximum of public input.

- Public utilities should ensure that their rate structures do not penalize existing customers for service expansions made necessary by growth elsewhere. Betterment charges and hook-up fees for new sewer and water customers should better reflect the true cost of system expansions.

**Principle #5: The public should have the tools and the opportunity to participate in all planning and development decisions.**

- Public participation should be a key component in the development of comprehensive plans and local and state transportation decision-making. Public input should be sought at all stages of the planning process, not just as “public comment” once the plan has been drafted. “Visioning” sessions, planning charrettes and neighborhood workshops are among the tools that can be used to solicit meaningful direction from the community—such direction being essential for the crafting of policies that best reflect the community’s values and needs.
- State and local governments, as well as non-profit organizations, should embark on aggressive public education efforts on growth management issues, with the goal of empowering “citizen planners” capable of participating at all levels of the process. Planning in Florida must be converted from a process conducted

largely by professionals into an open, interactive and participatory process of community decision-making. Funds should be set aside for public education and citizen training on planning issues. And state and local governments should adopt recommendations by the Growth Management Study Commission to improve public notification of upcoming growth management decisions and ensure that notices and documents are written in plain English.

- The state should also move forward with proposals made by the Growth Management Study Commission to limit strategic lawsuits against public participation (SLAPP suits) by developers against citizens and organizations that question the worth of specific development proposals. However, the state should tread carefully on the question of how to adjudicate citizen challenges to the review process to ensure that the burden on citizens filing such challenges is not so overwhelming as to discourage public participation.
- The state should resist efforts—arising following the *Pinecrest* appeals court decision—to limit the remedies available to citizens who challenge the compliance of a development with a comprehensive plan. Developers as well as local officials must be aware of the contents of comprehensive plans and act in accordance with them. The public should not be permanently saddled with developments that are injurious to the general good because elected officials misinterpreted or failed to enforce the plan.

# NOTES

1. USDA Natural Resources Conservation Service, "1997 National Resources Inventory," Revised 12/00. Downloaded from <http://www.nhq.nrcs.usda.gov/NRI/1997>, 5 October 2001.
2. USDA Natural Resources Conservation Service, "1997 National Resources Inventory," Revised 12/00. Downloaded from <http://www.nhq.nrcs.usda.gov/NRI/1997>, 5 October 2001. The totals here do not match the total amount of land lost to development due to an increase in land classified as "other rural land" in the inventory.
3. Susan D. Jewell, "Restoring South Florida's Water," U.S. Geological Survey. Downloaded from <http://sofia.usgs.gov/sfrsf/plw/sffuture.html>, 5 October 2001.
4. "Danger in the Air: Unhealthy Smog Days in 2000," Clean Air Network and U.S. Public Interest Research Group, January 2001.
5. Based on 24.3 minute average one-way commute in 2000 and 21.8 minute commute in 1990 for 48 working weeks per year per Alicia Caldwell, "Getting to Work Takes Longer," *St. Petersburg Times*, 6 August 2001.
6. Florida Conservation Foundation, "Guide to Florida Environmental Issues and Information," 1993, Chapter 12.
7. Kenneth Harney, "New Tax Proposal Aims to Broaden Mortgage Writeoff," *Newsday*, 2 November 2001.
8. Surface Transportation Policy Project, "Changing Direction: Federal Transportation Spending in the 1990s," March 2000.
9. Florida Department of Transportation, "Mobility 2000 Policy Paper," downloaded from <http://www.dot.state.fl.us/mobility2000/PolicyPaperJune.htm>, 13 December 2001.
10. Roland Hwang, "Subsidizing Big Oil," Union of Concerned Scientists, downloaded from <http://www.ucsusa.org/vehicles/pipeline.html>, 8 January 2002.
11. U.S. General Accounting Office, "Flood Insurance: Information on the Financial Condition of the National Flood Insurance Program," 19 July 2001; Federal Emergency Management Administration, National Flood Insurance Program, "Policy and Claim Statistics," downloaded from <http://www.fema.gov/nfip/pcstat.htm>, 25 January 2002.
12. John Kennedy, "Portables are Likely to Linger at Schools," *Orlando Sentinel*, 29 November 2001.
13. Education Week, "Quality Counts 2001," downloaded from <http://www.edweek.org/sreports/qc01/>, 13 December 2001.
14. Dianne Weaver Dunne, "Florida Fails Children of Miami-Dade County," *Education World*, 19 July 2000.
15. Jim Saunders, "Schools Prepare for Tough Cuts," *Florida Times-Union*, 4 December 2001.
16. Education Week, "Quality Counts 2001," downloaded from <http://www.edweek.org/sreports/qc01/>, 13 December 2001.
17. Leslie Stewart, "Where the Action is: Development Near Transit," *Bay Area Monitor*, League of Women Voters of the Bay Area, October/November 2000.
18. From Florida Department of Transportation, "Mobility 2000: Building Roads for the 21st Century," downloaded from <http://www11.myflorida.com/publicinformationoffice/mobility2000.htm>, 17 December 2001.
19. Florida Department of Transportation, "FDOT Stimulus Package," downloaded from <http://www11.myflorida.com/publicinformationoffice>, 17 December 2001.
20. Florida Department of Transportation, "Transit 2020: Florida's Strategic Plan for Public Transportation," September 1998.
21. Surface Transportation Policy Project, "Mean Streets 2000," downloaded from <http://www.transact.org/Reports/ms2000/default.htm>, 17 December 2001.
22. Congress for New Urbanism, index of New Urbanist projects, downloaded from <http://www.cnu.org/about/index.cfm>, 25 January 2002.
23. Cynthia Pollock Shea, "West Palm Beach: The Resurrection," Florida Sustainable Communities Center, downloaded from <http://sustainable.state.fl.us/fdi/fsc/news/local/9804/wpalmmbch.htm>, 11 October 2001.
24. "CityPlace Fact Sheet," downloaded from <http://www.cityplaceweb.com/press-fact-sheet.html>, 17 December 2001.
25. Dover, Kohl & Partners, "Downtown Kendall Urban Center District," downloaded from <http://www.doverkohl.com/kendall.htm>, 25 January 2002.