

Land Use Planning, Environmental Protection and Growth Management

The Florida Experience



Robert A. Catlin



CRC Press
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Environmental
Protection and Growth
Management
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by
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CRC Press

Taylor & Francis Group
Boca Raton London New York

CRC Press is an imprint of the
Taylor & Francis Group, an **informa** business

First published 1997 by Ann Arbor Press

Published 2019 by CRC Press
Taylor & Francis Group
6000 Broken Sound Parkway NW, Suite 300
Boca Raton, FL 33487-2742

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ISBN 13: 978-1-57504-042-4 (hbk)

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Library of Congress Cataloging-in-Publication Data

Land use planning, environmental protection, and growth management:
the Florida experience / by Robert A. Catlin

p. cm.

Includes bibliographical references and index.

ISBN 1-57504-042-5

1. Land use--Planning--Environmental aspects--Florida.

2. Regional planning--Environmental aspects--Florida. I. Title.

HD211.F6C38 1997

333.73'13'09759--dc21

g 22724
CIP

Acknowledgments

To Ethel, Janell, and Michelle



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PART ONE

BACKGROUND

I Introduction

Ever since the end of World War II, Florida has been forced to deal with the challenge of managing explosive, rapid, and persistent growth. The state was among the last in the nation to become fully settled, and in 1940 there were only 1.9 million residents. By 1950, the population had jumped to 2.8 million permanent residents, and by 1960 there were 4.9 million residents, a figure that grew to 6.8 million in 1970.

By the late 1960s it became clear that Florida's postwar growth was creating serious and possibly irreversible problems. The extensive destruction of wetlands, dune and beach systems, estuaries, the threat to drinking water due to pollution of the Biscayne and Floridan aquifers and other negative consequences caused alarm among a broad spectrum of Florida citizens, including farmers, environmentalists, landowners, influential retirees, and even developers themselves.¹ In the late 1960s a series of crises took place: (1) planning and initiation of construction of a new Miami jetport in an environmentally sensitive area; (2) construction of the Cross-Florida Barge Canal, threatening the wild scenic Oklawaha River; (3) major fires in the Everglades; and (4) a pronounced drought in southeast Florida due mainly to drainage of much of the Everglades for agriculture. These crises helped to create a political environment favorable for protecting the state's fragile ecology.² By 1967 the Florida legislature was reapportioned due to the U.S. Supreme Court's *Baker v. Carr* or "one man, one vote" ruling³ meaning that urban legislators representing the areas most threatened by uncontrolled growth had new clout in numbers. Finally, in 1970, Reubin Askew, a young, bright and energetic moderate, became Florida's governor. With Askew's leadership, the Florida legislature adopted the Environmental Land and Water Management Acts of 1972.⁴ This package of legislation included (1) the Environmental Land and Water Management Act, which provided for identification and preservation of areas of critical concern, such as wetlands, beaches, dunes, water recharge areas, etc., and developments of regional impact criteria, which set standards for major projects generating traffic, pollution, and

a need for substantially improved infrastructure; (2) the Water Resources Act, which established five regional water management districts; (3) the Land Conservation Act, which provided for purchase of environmentally endangered lands; and (4) the Florida Comprehensive Planning Act, which would provide a basis for statewide policies guiding long-range social economic and physical growth within the state.

While these acts provided for the identification and preservation of environmentally sensitive land, there was still a need to deal with another related issue, namely, *How to control growth on land suitable for development*. The answer was enactment by the legislature and Governor Askew of the *Local Government Comprehensive Planning Act* in 1975.⁵ This act mandated that all cities, towns, and counties first identify a local government agency to produce its comprehensive plan, then prepare and adopt one. Required elements included future land use, traffic, sanitary sewer, solid waste, drainage and water, conservation, recreation and open space, housing, intergovernmental coordination, utilities, and, if applicable, a coastal zone scheme. Ten optional elements provided a wide range of possibilities for local governments to tailor plans to their special needs. These plans were to be reviewed by state government, but there was no provision for state approval.

I arrived in Florida on August 15, 1977 to take a position as associate professor of political science at the University of South Florida. My job was to teach the planning, urban management, and housing courses in the department's new Master of Public Administration program. With bachelor's and master's degrees in planning and a Ph.D. in American government, coupled with 16 years of experience as a professional urban planner, I took an immediate interest in Florida's efforts to manage growth. The Local Government Comprehensive Planning Act of 1975 made Florida one of only two states that demanded a comprehensive plan for all units of local government (Oregon was the other state), and I was eager to see it in operation. Hillsborough County, which had grown from 397,000 persons in 1960 to 490,000 in 1970, and with an estimated 1975 population of 600,000, was experiencing growth at a higher rate than the state as a whole. Its legislative delegation, in an attempt to harness that growth, had a "local bill"⁶ passed in 1975 that required completion of a comprehensive plan for the county by December 31, 1977, two years before other local governments in Florida were required to do so. This plan,

known as “Horizon 2000,” was in the final stages of public review when I came to town. In 1978, I was invited to become a member of the county’s Solid Waste Task Force, which was given a mandate to recommend a new landfill site to the County Commission. In 1979, I was asked to join the Hillsborough County Planning Commission. During my three years on this body, I was involved in the process of reviewing several major development proposals with respect to the adopted Horizon 2000 comprehensive plan.

By 1982, the last of the plans mandated by the 1975 Local Government Comprehensive Planning Act (LGCPA) were beginning to be finalized, adopted by their local governments, and reviewed by the State Department of Community Affairs and the various regional planning councils. By mid-1982, 419 of 461 cities and counties had adopted comprehensive plans reviewed by regional and state agencies.⁷ By 1984, all units of local government had prepared and adopted plans. However, by this time, scholars and journalists alike had noted many flaws with the LGCPA. These flaws were essentially: (1) there were no means to assure the quality of local plans and land development regulations; (2) there was no mechanism to tie the local governments’ plans to implementation regulations; (3) there was virtually no funding on the part of the state to adequately prepare plans and help implement them; (4) there was a failure to develop a state plan, which could have served as a framework for local plans; and (5) there was an extremely weak state “review and comment” process instead of a mandatory consistency review for local plans.⁸

In order to correct these flaws, the 1985 Local Government Comprehensive Planning Land Development Regulation Act (ch. 163, 1985) and the omnibus Growth Management Act were passed by the Florida legislature and signed into law by Governor Robert Graham. Bob Graham was one of the leading pro-growth control legislators in the early 1970s and was primarily responsible for the passage of the 1972 Environmental Land and Water Management Acts and the 1975 LGCPA. This new bill required that all local governments redraft their plans in accordance with the 1984 state plan, which presented detailed goals, objectives, and policies for controlling growth. Instead of a simple “review and comment” function, the State Department of Community Affairs was empowered to review and *approve* all local government plans, and if these plans were found to be out of compliance with state regulations, fines and withhold-

ing of state funds could be levied as possible penalties. A provision in the new law known as “R9j5” provided specific criteria for preparing plan elements acceptable to state government. This provision assured that at least some degree of uniform quality would be attained by these new plans. Most importantly, the Growth Management Act of 1985 mandated that no new development could be approved unless adequate public facilities and services (infrastructure) were in place. Known as “concurrency,” this feature was the first of its kind in the nation.⁹

Known formally as the 1985 Local Government Comprehensive Planning and Land Development Regulation Act, this legislation took almost two years between its passage and the issuance of regulations enabling local government to prepare plans in accordance with its provisions. By 1987, all local governments were wrestling with the problems of adjusting their comprehensive plans to the requirements of that legislation. Money was a problem. Although the legislature appropriated \$10 million in 1986 to help local government offset the cost of preparing new plans,¹⁰ these funds were sharply curtailed when, in a special session of the 1987 legislature, a coalition of conservation Republican and Democratic lawmakers headed by newly elected Governor Bob Martinez repealed several revenue-enhancing measures passed in the previous year, including a tax on services. These cuts caused a \$98 million revenue shortfall in 1987–88 and a \$144.5 million shortfall in 1988–89.¹¹ Not only was there limited funding for plan development, but a select state committee estimated in 1987 that due to concurrency requirements \$53 billion would be needed by the year 2000 to cover infrastructure needs for new development — \$35 billion at the state level and 18 billion at the local level.¹² *Where was the money going to come from to pay for concurrency?* Florida state government had no answers.

Between 1987 and 1992, I assisted a consultant team in the preparation of a neighborhood plan in West Palm Beach initiated as the result of a Development of Regional Impact study for a mammoth redevelopment of a 28-block area just southwest of that city’s Central Business District. I have also witnessed firsthand Gainesville and Alachua County’s attempt to prepare a comprehensive plan in accordance with the 1985 act, and especially its interaction with the State Department of Community Affairs in gaining that agency’s approval. My experience with Florida’s attempts to control urban growth as a participant-observer since 1977 leads

me to the realization that legislation alone won't be enough to assure managed growth in Florida. I question the accepted explanation for the failure of Florida's LGCPA of 1975. More than once I saw "quality" plans simply ignored by local elected officials in their efforts to appease development interests. While the concurrency requirements of the 1985 Growth Management Act are far-reaching, and certainly a potential means of assuring planned growth, given a lack of funding by federal, state, and local government for infrastructure, are powerful development interests simply going to twiddle their thumbs and keep moneymaking projects on hold? Will the State Department of Community Affairs use the 1985 legislation to hold local governments' feet to the fire, thus making them comply with the legislative intent, especially when in 1986 a so-called "glitch" bill was passed by the legislature that weakened the state's power to find local plans in noncompliance with state and regional guidelines?¹³

This book is an attempt to get underneath the surface issues of growth management problems in Florida, identifying the underlying causes of resistance to planning, and pointing the way to possible alternatives for reaching the desired goal of orderly growth. In doing this, case studies are utilized to explore the legislation's impact not so much in relationship to the plans produced but to how these plans actually impacted public and private sector development proposals.

It seems that by all accounts the 1972 Environmental Land and Water Management Acts have succeeded in preventing worst-case, large-scale environmental degradation. What is yet to be resolved is how best to control sprawl and unplanned growth on the land identified as suitable for various levels and intensities of development. The questions that remain include: (1) What types of spatial land use mix can provide the greatest good for the greatest number? (2) What intensity of development is appropriate for a given site? (3) How can concurrency as called for in the 1985 Growth Management Act be reached given present funding problems and citizen resistance to new taxes?, and most importantly, (4) What mix of public policies and private consciousness-raising is needed in order to meet the first three considerations?

This book opens with two chapters on Florida's history of physical development covering the period of 1850 to 1985, when the Local Government Comprehensive Planning Acts were passed. Following that will be four case studies, all involving implementation of both the 1975 and

1985 acts. The first, entitled *The Hillsborough County Solid Waste Site Selection Controversy of 1978–79: Struggling with a NIMBY*, details the process by which the Solid Waste Task Force that I served as a member of recommended a landfill site and how the County Commission reacted to it, and how that body's decision worked out in the short and long run through the early 1990s. Next is *Old Hyde Park Village: An Example of Transactive Planning*. This case is drawn from my experience as a member of the Hillsborough County Planning Commission, which reviewed this upscale shopping center in the central core of Tampa for compliance with the Horizon 2000 plan and neighborhood plans prepared by local residents, and how after construction the development turned out by 1995. This case is followed by *The West Palm Beach City Center: A Succession of Plans*. Between 1978 and 1988 no less than four different plans were prepared for the greater West Palm Beach Central Business District (CBD), with the schemes being adjusted every time a major new development proposal was announced by the private sector. The focus here is how these successive plans influenced the built environment of West Palm Beach's CBD by the mid 1990s. The last case is entitled *Alachua County: Running To or From Managed Growth?* This case details attempts by Alachua County's (Gainesville) government to prepare a plan that could be approved by the Florida State Department of Community Affairs while at the same time approving a proposed rezoning from agriculture to industry for 100 acres of open land in this county of 180,000 people (1990 census). In all four cases, I combine my observations and experience as a professional urban planner with the relevant literature in that discipline's history, theory, and practice.

The book concludes first by tying together the history of Florida's development and its unique political culture with the four cases. After a review of the 1993 Planning and Growth Management Act, which substantially weakened the 1985 legislation, recommendations for fundamental state policy and private sector changes will be made.

One could ask, "Why analyze the effectiveness of the Florida growth management acts by the use of the case study method? Why not use a quantitative approach such as numbers of plan amendments and zone changes proposed, the percentage approved with or without revisions by the planning staff, and the percentage of planning staff recommendations approved by city and county commissioners?" Certainly this approach has merit, and I am certain that many who have and will write on Florida's

1975 and 1985 growth management acts will use this method.¹⁴ However, I feel that a descriptive approach must be accompanied by a series of detailed case studies in order to portray a clearer picture of what is really taking place.

This book also attempts to take a hard look at planning ethics in action. In Florida, the historical bias against planned growth runs so deep on the part of elected and appointed officials that I have observed on many, many occasions, professional planners tailoring their recommendations to meet the agendas of planning boards and city or county commissions. These bodies are almost always dominated by development interests: builders, realtors, bankers, attorneys, architects, civil engineers, and “wannabe’s,” i.e., those individuals who aspire to the status and power of the development community. In the early days of the planning profession — up to the early 1970s — most planners would forthrightly make their best professional recommendations to decision-makers and, if they suffered a series of reversals by that group, they would simply move on to another job where officials might be more amenable. However, over the past 20 years, the proliferation of graduate level programs in planning that eventually crowded the field,¹⁵ a series of major recessions occurring at the same time as changing federal priorities,¹⁶ and in the mid-1990s an antigovernment mood nationally have all served to shrink funding available for planning. As a result, public planners are now much more reluctant to be “professional,” because doing so could mean incurring the wrath of individuals who in effect sign their paychecks.¹⁷ Given the move to reduced governmental involvement in planning regulation as per the 1994 conservative revolution both in Florida and nationally, this phenomenon warrants increased observation.¹⁸

With some planners first anticipating the preferences of a majority of planning board and elected official bodies and then preparing their recommendations accordingly, quantitative analysis may not present an accurate portrayal as to how well growth management is working in Florida. While the vast majority of planners will, I am sure, present proposals to boards and commissions that they feel are professionally correct, I choose to use the case study approach in order to add to the body of knowledge concerning growth management in Florida.

This book is written not only for academics, practitioners, and students involved in urban and regional planning, but more so for the wider

group of citizens in Florida, our nation, and elsewhere who are interested in the dynamics of managing urban growth. Florida will struggle with this problem well into the next century. In 1980, Florida's population grew to 9.8 million, a 44% increase over that in 1970. By 1990 Florida had 13 million residents, making it the nation's fourth largest state behind California, New York, and Texas. Estimates show that some time between 2020 and 2030, there will be 22 million Floridians. In addition to the permanent residents, there will be millions of tourists and winter visitors. People have come to Florida since World War II not only for economic opportunity, but to enjoy its special quality of life as well. One must act now in order to protect and preserve that quality of life for future generations of Floridians.

Notes

1. For a review of issues leading to concern for the environment among Florida's citizens, see Luther Carter, *The Florida Experience: Land and Water Policy in a Growth State*, Johns Hopkins University Press (Baltimore), 1974, pp. 117–139; Robert G. Healy, *Land Use and the States*, Johns Hopkins University Press, 1976, pp. 103–138; and John DeGrove, *Land Growth and Politics*, American Planning Association Press, 1984, pp. 99–176.
2. Carter, op. cit. Note 1, pp. 117–137, 265–312.
3. *Baker v. Carr*, 1962.
4. Prior to the adoption of these acts, a statewide conference on the 1970–71 water crisis called by Governor Askew prepared a report recommending adoption of the American Law Institute's Model Land Development Code: Article 7. See Robert G. Healy, *Land Use and the States*, pp. 109–112.
5. 1975 Florida Laws 257, Florida Statutes 163, 31613243.
6. Florida law allows the state legislature to pass bills that apply only to one city or county. Usually this is done at the request of the "local" legislative delegation. In 1975, the Hillsborough County legislative delegation petitioned the legislature to pass a requirement for Hillsborough County to prepare its plan by December 31, 1977. Other Florida local governments had until December 31, 1979 to do so.
7. DeGrove, op. cit. Note 1, p. 162.
8. See John M. DeGrove and Nancy E. Stroud, "New Development and Future Trends in Local Government Comprehensive Planning," *Stetson Law Review*, Vol. XVII No. 3, Summer 1989, pp. 573–605; John DeGrove, "Balanced Growth in Florida: A Challenge for Local, Regional and State Governments" in *New Jersey Bell Journal*, Volume 10, No. 3, 1987, pp. 38–44.

Table 1. Florida Population: Census Counts and Urban-Rural Breakdown, 1830–1990.

Year	Total No.	Population Change			Urban #	Urban %	Rural #	Rural %
		Preceding Census	Percent Change	from #				
1830	34,730	X	X		0	0.0	34,730	100
1840	54,477	19,747	56.9		0	0.0	54,477	100
1850	87,445	32,968	60.5		0	0.0	87,445	100
1860	140,424	52,979	60.6		5,708	4.1	134,716	95.9
1870	187,748	47,324	33.7		15,275	8.1	172,473	91.9
1880	269,493	81,745	43.5		26,947	10.1	242,546	90.0
1890	391,422	121,929	45.2		77,358	19.8	314,064	80.2
1900	528,542	137,120	35.0		107,031	20.3	421,511	79.7
1910	752,619	224,077	42.4		219,080	29.1	533,539	70.9
1920	968,470	215,851	28.7		353,515	36.5	614,955	63.5
1930	1,468,211	499,741	51.6		759,778	51.7	708,433	48.3
1940	1,897,414	429,203	29.2		1,045,791	55.1	851,623	44.9
1950	2,771,305	873,891	46.1		1,566,788	56.5	1,204,517	43.5
1960	4,951,560	2,180,255	78.1		3,077,989	62.2	1,873,571	37.8
1970	6,791,418	1,839,858	37.2		5,544,551	81.7	1,244,892	18.3
1980	9,746,324	2,954,906	43.5		8,212,385	84.3	1,533,393	15.7
1990	12,937,926	3,191,602	32.7		11,828,476	91.4	1,109,450	8.6

Table 2. Population Growth in Florida's 25 Largest "Urban Counties," 1960–1990¹⁹ (Rank by 1990 Population).

County	Largest City	1960	1970	1980	1990	% Change 1960–1990
Dade	Miami	935,047	1,267,792	1,625,979	1,937,094	107.2
Broward	Ft. Lauderdale	333,964	620,100	1,014,043	1,255,488	275.9
Palm Beach	W. Palm Beach	228,106	348,993	573,125	863,518	278.7
Pinellas	St. Petersburg	374,665	522,329	728,406	851,659	127.5
Hillsborough	Tampa	397,788	490,265	646,960	834,054	109.6
Orange	Orlando	263,540	344,311	471,660	677,491	156.8
Duval	Jacksonville	455,411	528,865	570,981	672,971	47.8
Polk	Lakeland	195,139	228,026	321,652	405,382	107.8
Brevard	Melbourne	111,435	230,006	272,959	398,978	259.0
Volusia	Daytona Beach	125,319	169,487	258,762	370,712	196.3
Lee	Ft. Myers	54,539	105,216	205,266	335,113	515.3
Seminole	Sanford	54,947	83,692	179,752	287,529	422.5
Pasco	Newport Richey	36,785	75,995	194,193	281,131	666.3
Sarasota	Sarasota	76,895	120,413	202,251	277,776	261.1
Escambia	Pensacola	173,829	205,334	233,794	262,798	51.1
Manatee	Bradenton	69,169	97,115	148,442	211,707	206.1
Marion	Ocala	51,383	69,030	122,488	194,707	279.3
Leon	Tallahassee	74,225	103,047	148,655	192,493	159.5
Alachua	Gainesville	74,070	104,764	151,348	181,596	145.3
Lake	Leesburg	57,383	69,305	104,870	152,104	163.3
Collier	Naples	15,753	38,040	85,791	152,099	863.4
St. Lucie	Ft. Pierce	39,294	50,836	87,182	150,171	284.3
Okaloosa	Ft. Walton Beach	61,175	109,920	143,377	126,994	134.8
Bay	Panama City	67,131	75,243	97,740	126,994	89.1
Charlotte	Port Charlotte	12,594	27,559	59,115	110,975	781.0

Table 3. Population Growth in Florida's 25 Largest Cities, 1960–1990²⁰ (Ranked by 1990 Population).

City	County	1960	1970	1980	1990	% Change 1960–1990
Jacksonville	Duval	201,030	503,024 ²¹	540,898	635,230	217.1
Miami	Dade	291,688	334,859	346,931	358,548	22.9
Tampa	Hillsborough	274,970	277,753	271,523	280,015	1.8
St. Petersburg	Pinellas	181,298	216,159	236,893	238,629	31.7
Hialeah	Dade	66,972	102,452	145,204	188,044	180.7
Orlando	Orange	88,135	99,006	128,394	164,693	87.0
Ft. Lauderdale	Broward	83,648	139,590	153,256	149,377	76.1
Tallahassee	Leon	48,174	72,624	81,548	124,773	159.6
Hollywood	Broward	34,135	106,873	117,188	121,697	157.5
Clearwater	Pinellas	34,392	52,074	85,450	98,784	189.4
Miami Beach	Dade	63,145	87,072	96,298	92,639	46.8
Kendall (CDP)	Dade	—	—	41,100	87,271	—
Gainesville	Alachua	29,701	64,510	81,371	84,770	185.5
Coral Springs	Broward	—	1,489	37,359	79,443	—
Cape Coral	Lee	—	11,470	32,103	74,991	—
Pompano Beach	Broward	19,999	38,587	52,618	72,411	—
Lakeland	Polk	41,350	42,803	47,406	70,576	71.1
W. Palm Beach	Palm Beach	56,208	57,575	62,643	67,643	20.4
Plantation	Broward	4,772	23,523	48,501	66,692	1,297.6
Largo	Pinellas	5,302	22,031	63,800	65,674	1,139.4
Pembroke Pines	Broward	1,429	15,496	35,776	65,452	—
Sunrise	Broward	—	7,403	39,681	64,407	—
Palm Bay	Brevard	2,808	7,176	18,560	62,632	—
Daytona Beach	Volusia	37,392	45,327	54,176	61,921	65.2
Boca Raton	Palm Beach	6,921	29,538	49,505	61,492	—

9. Florida Administrative Code R9J-5.006.
10. Edward Montanaro, "Funding Growth Management: The Shape of Things to Come," in *Florida Environmental and Urban Issues*, Vol XIV, No. 1, October 1986, pp. 20–23.
11. John M. DeGrove and Nancy E. Stroud, "New Development and Future Trends in Local Government Comprehensive Planning," in *Stetson Law Review*, Vol. XVII, No. 3, p. 587.
12. *Ibid.*, p. 577.
13. Westi Jo Dehaven-Smith and Robert Patterson, "The 1986 Glitch Bill — Missing Links in Growth Management," in *Florida Environmental and Urban Issues*, Vol. XIV, No. 1, October 1986, pp. 4–9.
14. This is the approach used by John M. DeGrove in his excellent analysis of growth management in Florida, California, Hawaii, Oregon, Colorado, and North Carolina. See DeGrove, *Land Growth and Politics*, op. cit. Note 1.
15. Nationally, of 53 graduate programs in urban and regional planning recognized by the Planning Accreditation Board in 1985, 22 had been initiated after 1970. Source: *Guide to Graduate Education in Urban and Regional Planning*, Fifth Edition, 1986, Association of Collegiate Schools of Planning.
16. The Section 702 program of the U.S. Housing Act of 1954 as amended provided funding for local governments to prepare comprehensive plans and related studies. Appropriations reached a high of \$100 million in 1974 and 1975, but this program was zero funded and abolished by the Reagan administration in 1981. The Community Development Block Grant Program provided monies for local governments to conduct planning activities and between 1987 and 1988; 10–15% of annual allocations went for that purpose. However, this program, which was funded in the amount of \$4.6 billion in 1980, was cut to only \$2.9 billion in FY 1989. See Carl Feiss, "The Foundations of Federal Planning Assistance: A Personal Account of the 701 Program," in *Journal of the American Planning Association*, Spring 1985, pp. 175–184; Mary Nenno "H/CD After Reagan: A New Cycle of Policies and Partners," in *Journal of Housing*, March/April 1989, pp. 75–82.
17. Those planners who don't go along with elected officials do in fact run the risk of being terminated. See Nancy Wilstach, Kent Faulk, and Lou Ann Ray, "The Trials of Connie Cooper," in *Planning*, November 1990, pp. 12–15.
18. In April 1993 the Florida Legislature passed the Environmental Land Management Study Committee III bill (HB2315), significantly modifying the 1985 legislation. The Florida Chapter of the American Planning Association (APA) went on record expressing concerns about some aspects of this legislation, especially the proposed revamping of the state planning process through establishment of a strategic growth and development plan

and a phaseout of the Development of Regional Impact (DRI) process. The Florida APA felt that these actions weakened growth management (*Florida Planning*, Vol. V, No. 4, p. 1). This revised legislation could have the effect of weakening public planners' resolve to prepare the best possible plans and instead cater even more to the perceived developer-influenced agenda of elected and appointed officials.

19. Source: U.S. Census.
20. Includes incorporated municipalities and Census Designated Places (CDP).
21. Jacksonville and Duval County consolidated in 1967. Four small municipalities with a total of 20,000 people were left out of the consolidation.



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The Evolution of Land Development Policy in Florida, 1850–1970

Florida was first described as an awesome subtropical paradise as early as the eighteenth century. The Philadelphia naturalist William Bartram wrote of his travels in Florida: “enchanting forests of live oaks, wild orange trees, towering royal palms and magnolias, water turning with trout of as much as 15, 20, or even 30 pounds, enormous alligators of up to 20 feet long and a profusion of other animals and birds including deer, bear, wolves, panthers, sandhill cranes, and wild turkeys.”¹ In the early 1840s, Stephen R. Mallory of Key West, in describing the pineland ridge in south Florida between the Atlantic Ocean and the Everglades, stated “This is a fine country for a man who wishes to be independent. The woods and streams abound with game and fish, frost is rarely seen.... The most indolent man I ever knew prospered here.”²

Despite its beauty and relative ease in liveability, Florida was actually the last state in our nation to become fully settled. In the peninsula, because of the flat terrain, torrential summer and fall rains left large areas of water that would stand for weeks before draining away or evaporating. The vast area of marshes and interior swamps were generally unfit for human habitation and were much too dense to facilitate transportation and communication. The salt marshes could be breeding grounds for swarms of mosquitoes, which could generate malaria and yellow fever. When Florida was admitted to the Union in 1845, it contained only 60,000 residents, virtually all of whom were confined to the area north of Gainesville, including Northeast Florida and the Panhandle region. Even by 1860, when Florida’s population reached 140,000, settlement had progressed no further south than Ocala.

Development in Florida has proceeded from the beginning of statehood under an umbrella of political culture that can best be described as a mix of southern traditionalism and frontier individualism, as alluded to

earlier by Stephen Mallory. When one looks at the state's history, we find that development up until 1970 was left almost exclusively to the private sector, without regulation or even guidance from government. In fact, the famous scholar V.O. Key notes in his classic *"Southern Politics in State and Nation"* that up to the end of World War II, government and politics in Florida could best be described as "Every Man For Himself." Stated Professor Key:

Florida ranks high in political atomization. In it's [*sic*] politics, it is almost literally every candidate for himself. Ordinarily each candidate for county office runs without collaboration with other local candidates. He hesitates to become publicly committed in contests for state office lest he fall heir to all the local enemies of the statewide candidate. Each candidate for the half dozen or so minor elective state offices tends to his own knitting and recruits his own following. Senators and Representatives hoe their own row and each of the numerous candidates for governor does likewise.... Few politicians exert real influence outside their own county and those who can deliver their home county are few. Florida is not only unbossed, it is also unled.³

When we examine the history of Florida's development, not only does one find that government failed to provide leadership and direction for growth, but it actually assisted the developers in many different ways to maximize profits at the expense of taxpayers. Understanding this history is important in any evaluation of the success and/or failures of the 1975 Local Government Comprehensive Planning Act and the 1985 Growth Management Act. Despite the best intentions of the framers of these legislative packages, one cannot wipe out over 120 years of precedent with the stroke of a pen.

This chapter looks at state development policy evolution, including the emergence of major issues in distinct periods — 1850 to 1900, 1901 to 1945, the end of World War II, 1946 to 1970, and 1971 to 1975 — during which time Florida government moved 180 degrees, from a stance of *laissez-faire* to mandated planning for all units of local government.

1850–1900: Statehood, Civil War, Reconstruction, and the Railroads

In 1821, Florida was acquired by the United States from Spain. The territory was largely unsettled and was mostly owned by the Seminole