

## Articles

# The Politics of Planning A Growth Management System: The Key Ingredients For Success

John M. DeGrove

*Florida and other states developed and implemented comprehensive growth management systems over the past twenty years. This article examines these programs and the necessary ingredients for successful implementation. These ingredients should be helpful in developing and implementing the state and regional growth management systems that are destined to develop in the 1990s.*

## Responding to the Growth Management Challenge: The First Stage

A rising tide of environmental concerns in the 1960s led to the adoption of new programs in land use and growth management by a number of states in the period from 1970 to 1978. These new laws and regulations reordered roles and responsibilities for planning and plan implementation--managing growth--at the state, regional and local levels. The central purpose of these programs was to better balance the needs of development with the protection of natural systems such as land, air, and water. The leading state programs were those adopted in Hawaii (1961/1978), California (coastal, 1972), Florida (1972/1975) Oregon (1973), Vermont (1970), North Carolina (coastal, 1974), and Colorado (1974).

Following passage, efforts to implement those programs moved forward with uneven results. Some thrived on adequate financial support and sustained citizen participation, which led to continued support by the executive and legislative branches of government. Chief among these states was Oregon. Other initiatives suffered from underfunding, gaps and inconsistencies in the statutory framework, and failure to sustain political support through the implementation stage. Such an outcome characterized numerous state efforts, but was most clearly evident in Colorado, where the program became a partisan political issue and was drastically weakened.

## Florida: The First Stage

Florida is an example of a state that started strong in the early 1970s, but failed to effectively implement a growth management program. The massive population growth that began in the 1950s has continued relentlessly into the 1990s. The 1950 state population of less than 3 million expanded to almost 5 million in 1960; 6.8 million in 1970; al-

most 10 million in 1980; just over 13 million in 1990; and is projected to be over 16 million in 2000. By 2020, the high-end estimate is for a population of almost 23 million. By the 1960s this largely unplanned surge of growth had produced negative impacts, especially on the state's natural systems, that could not be ignored. The development and strengthening of environmental groups calling for action was spurred by the extensive destruction of wetlands, beach and dune systems; the continued threat of salt water intrusion into the fresh water drinking supply; and the extensive sprawl patterns of development that needlessly damaged upland and wetland alike.



John M. DeGrove

The rise of the environmental movement nationally--which began in the 1950s, was strengthened in the 1960s, and peaked in the early 1970s, coincided with the growing strength of the environmental movement in Florida. Small groups that stood outside the centers of power in the 1960s, and typically offered strident, rigid and inflexible solutions

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*John M. DeGrove is director of the Florida Atlantic University/ Florida International University Joint Center for Environmental and Urban Problems, and a leading figure in the field of growth management. For the past thirty years his primary area of research has been growth management, water, and land use issues in the state of Florida. In addition, DeGrove is a consultant on planning and growth management to the states of Virginia, Maine, Vermont, Rhode Island, Massachusetts, New Jersey and Georgia. He was instrumental in the conception and passage of the 1985 Growth Management Act in Florida.*

to environmental problems, found themselves moving into a much stronger political position as they organized more efficiently and embraced a number of environmental causes that both sharpened their political skills and broadened their support base. During the 1960s in Florida, a number of major environmental causes emerged to test the strength of the new environmental groups. These included the effort to protect an adequate water supply for Everglades National Park; the effort to block the building of a major regional jet port in the Everglades west of Miami; and the effort to stop the digging of a cross-state barge canal in the northern part of the Florida peninsula.

A severe drought in southeast Florida and the Tampa Bay area from 1970 to 1971 coincided

with the election of Reuben Askew as Governor of Florida. Some months after he took office in January 1971, with the drought reaching historic proportions and Lake Okeechobee dropping to an all-time low, Governor Askew took action that became the focus for a major step forward in Florida's growth management effort. In August 1971 Governor Askew delivered a keynote address to the Governor's Conference on Water Management in South Florida in which he challenged the necessary goodness of growth. This was the first time in the history of Florida that a statewide elected official had done so. Askew charged the conference to examine whether there was a finite number of people who could be accommodated in Florida and south Florida in particular without sacrificing environmental values that were both critical to the state in their own right and necessary for the long run economic health of the state.

In 1972 a task force named by the governor prepared and presented to the governor and the legislature four major pieces of legislation that constituted Florida's first major effort to balance the needs of the environment and the need to accommodate growth in a responsible way. The laws included the *Environmental Land and Water Management Act (Chapter 380)*, the *Water Resources Act (Chapter 373)*, the *State Comprehensive Planning Act (Chapter 23)*, and the *Land Conservation Act (Chapter 259)*. This set of laws, and a companion law mandating local governments to adopt plans approved by the 1975 legislature (Chapter 163), were far-reaching, progressive, even radical in what they proposed for the time.

#### *Environmental Land and Water Management Act*

The Environmental Land and Water Management Act was in some ways the sharpest break with the past in its approach to managing land and water resources. The Act

was based on the assumption that most local government decisions had a greater-than-local impact, therefore it was necessary to devise a system to factor in the regional or statewide impacts into the local decisions. The mechanism for achieving this purpose was embodied in two separate parts of Chapter 380: *Areas of Critical State Concern* and *Developments of Regional Impact*. Critical Areas focused on environmental issues but included archeologically important sites and certain other categories. Developments of Regional Impact (DRI) were defined in the law as devel-

opments including housing projects, office parks, or industrial parks, that because of their size, character or location had an impact on the citizens of more than one county. Such projects were subject to

certain regional and, ultimately, statewide review to assure that local government decisions accounted for the greater-than-local impacts.

#### *Water Resources Act*

The Water Resources Act of 1972 was a bold and far-reaching effort to better manage Florida's water resources. The law divided the state into five Water Management Districts covering the entire state, and empowered these districts with planning, management, and regulatory powers. The districts were governed by nine-member boards named by the governor, and their major powers included granting consumptive use and surface water management permits. A constitutional amendment adopted in 1976 gave each of these districts the power to levy property taxes, and thus to raise a considerable portion of the funds needed to carry out their assigned responsibilities.

#### *The State Comprehensive Planning Act and The Land Conservation Act*

The State Comprehensive Planning Act required that a State Comprehensive Plan be adopted that presumably would have framed the decisions regarding Critical Areas, Developments of Regional Impact, and other such growth management activities that were put in place in 1972. The Land Conservation Act of 1972 involved a constitutional amendment allowing the state to issue \$200 million in bonds to acquire environmentally sensitive lands. In 1975 the legislature completed the first set of growth management legislation by passing the Local Government Comprehensive Planning Act. The law, though initially flawed, became an integrated policy framework for managing Florida's growth.

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### *A Decade of Implementing Efforts: 1972-1982*

While there were important successes, on balance Florida's efforts to manage rapid population growth did not accommodate the infrastructure needs and environmental impacts of new growth. It was a case of "too little, too late," and a failure to appreciate some central realities of the growth management process. First and foremost among these was the failure to recognize that substantial new funding would have to be provided to make the system work: funds for both planning and infrastructure. During much of the 1970s, Florida still dwelled in a kind of "fools paradise" in which it believed that growth automatically paid for itself, and that sooner or later new growth would cause all the needed infrastructure to be put in place to support the impacts of growth. It was not until that notion was put aside in the 1980s that Florida began to face its growth management problems.

The weaknesses of Florida's first set of growth management laws should not obscure the fact that some good things were accomplished. The record is clear that urban development patterns that took shape under the DRI process tended to come closer to the ideal of good design and adequate infrastructure than projects that did not go through the process. Furthermore, such projects were subjected to substantial exactions (impact fees) that contributed to the ability to provide needed infrastructure. Nevertheless, the fact that more than 90 percent of Florida's development did not go through this process created a sense of inequity and unfairness. The DRI system failed to account for cumulative impacts that often were far more extensive and destructive. The Water Resources Act was a progressive law that put Florida in the forefront nationally in managing its water resources. The Land Conservation Act set the stage for the development of the nation's most extensive public land acquisition program.

In the decade from 1972 to 1982, it is clear that implementation weaknesses blocked attempts to solve complex and difficult problems. In the late 1960s and early 1970s environmental damage was so clear that a sense of crisis prevailed, and it was possible to pass extensive new laws. But after the laws were on the books, many people who had supported those laws forgot the critical lesson that only im-

plementation--effective, well-funded and timely--puts meaning into legislation.

As the decade wore on, loopholes and incompleteness were revealed in the Local Government Comprehensive Planning Act. The law required each city and county in Florida to put a plan in place, and that was accomplished by the late 1970s. Unfortunately, the requirements of the state law were process and not substance-oriented. The plans had to have a certain number of elements with certain names, but these elements did not have to meet any qualitative criteria. Furthermore, implementing mechanisms did not have to be adopted, and many local governments simply went through the motions of adopting a plan, placing it on the shelf, and never referring to it again. The failure of the state to provide promised funding to local governments for plan preparation undermined the state's credibility in mandating local planning. Moreover, local plans were subject to review and comment, not review and approval, at the regional and state levels. By the end of the decade it was clear that the Local Government Comprehensive Act was not working effectively even where plans



*Canopy roads near Tallahassee*

and implementing regulations were in place. Plans were changed willy-nilly virtually every time a city council or county commission met. In practice, zoning continued driving the plan rather than the plan framing zoning, subdivision regulations, and other implementing mechanisms. The time was ripe for a thorough reappraisal of the system as Florida entered the 1980s. The reappraisal be-

gan in 1978 and continued until the adoption of sweeping new growth management legislation in 1984 and 1985.

### **Growth Management: The Second Stage**

In the late 1970s and early 1980s, a new tide of support emerged for states to take new initiatives in what had come to be called growth management. Some states that had taken action in the 1970s returned to the drawing board to strengthen programs for the 1980s and beyond. Chief among these states were Florida in 1985 and Vermont in 1988. New states adopting comprehensive planning and growth management laws included New Jersey in 1986, Maine and Rhode Island in 1988, and Georgia in 1989. At

the start of the decade, Virginia, Maryland, and Washington were considering the adoption of new legislation. Other states, such as California and Massachusetts (Cape Cod), were looking at or had adopted state enabling legislation to support a regional focus for managing growth.

The forces driving these new initiatives were broader than those of the 1970s. A concern with quality of life concepts focused on the failure to match transportation and land use planning to assure adequate streets, interstate systems, and other modes of transportation. In short, frustration with transportation gridlock fueled the drive for regional and state approaches to manage growth. The environment was still a major concern, but it was part of a broader context.

These new state programs can be distinguished from their 1970s cousins by:

1. A much stronger focus on funding both software (planning) and hardware (infrastructure).
2. A stronger concern for balancing environmental protection with economic development.
3. More emphasis on affordable housing, including increased state funding.
4. A strong concern for matching the provision of infrastructure with the impacts of development.
5. A generally stronger focus on mandated implementation strategies.
6. A stronger focus on protecting important rural lands, including farm land, wetlands and other environmentally sensitive areas.

From the governance perspective, the new state initiatives mandated stronger roles at the state and regional levels, but still reserved the bulk of the planning and implementation responsibilities at the local level. Local authority and funding typically were strengthened by these new laws and regulations. The assignment of new roles and responsibilities at the regional level marked a reversal of the decline in the importance of regional agencies brought on by the sharp reduction in federal funding that began in the late 1970s and continued into the 1980s.

Finally, these new state initiatives should not be confused with rigid growth control, no-growth, or slow growth efforts that have occurred in some places around the nation, especially in California. Most of the state and regional efforts accept the reality of growth where it is occurring, and often encourage it where it is not. Their focus is to manage future growth wisely by providing the infrastructure necessary to accommodate the impacts of development as those impacts occur: the *concurrency* or *pay-as-you-grow* doctrine.

## Florida: Growth Management in the 1980s

Florida was the first state to adopt a new growth management system in the 1980s, replacing its 1970s effort with a

substantially more powerful state, regional, local and private sector partnership. Florida's new laws, adopted over the 1984-1986 period with the major action in 1985, brought the legislature fully into the process for the first time. The ability to achieve major legislative action to establish the new system represented, in turn, a powerful citizen frustration with the perceived failure of all levels of government to manage growth effectively. Mounting infrastructure backlogs, especially in transportation (but evident in other areas such as stormwater management and solid waste), attested that growth did not pay for itself under the existing system of hit-or-miss growth management. The harsh reality of the deficit financing of growth, with its attendant erosion of the quality of life for all Floridians, could no longer be ignored. Citizen frustration and anger communicated itself to the state's political leaders, and stronger actions to strengthen the state's capacity to manage growth followed.

### *The Process*

The new system was put in place largely through two laws approved by the legislature in 1985: the *State Comprehensive Planning Act (Chapter 187, F.S.)* and the *Omnibus Growth Management Act (Chapter 163, F.S.)*. The system had two major components: a process of integrated and mandatory planning and plan implementation at the state, regional and local levels; and a series of substantive requirements involving policies and standards that went beyond process and spoke to the quality of the plans and implementation strategies.

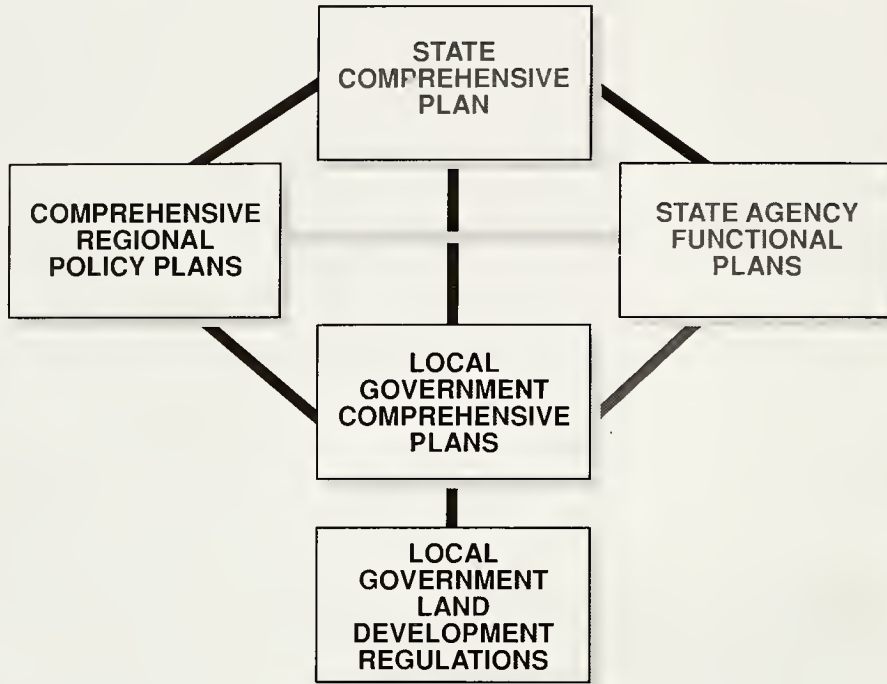
### *Consistency Doctrine*

The process of planning and plan implementation at all three levels of government--state, regional, and local--was linked by the *consistency doctrine* that sharply distinguished the system from earlier efforts. The State Comprehensive Plan mandated by the 1985 law was a relatively short set of goals and policies that defined the framework for the entire system. State agencies were required to produce Agency Functional Plans that were consistent with the goals and policies of the State Plan, with consistency determined by the Executive Office of the Governor. The state planning law specified that these documents should drive the budgetary requests as well as the implementation strategies of the state agencies.

Florida's eleven regional planning councils were given two years after the 1985 laws were adopted to prepare and adopt by rule comprehensive regional policy plans that were consistent with the goals and policies of the State Plan (as determined by the Executive Office of the Governor). These plans were seen as the translation of the goals and policies of the State Plan to the regional level, allowing for sensitivity to the substantial regional differences in the state.

The integrated planning and plan implementation frame-

## Florida's Growth Management System



work was anchored by the requirement in the 1985 Growth Management Act that all local governments prepare comprehensive plans that are consistent with the goals and policies of both state and regional plans. This consistency was to be determined by the Department of Community Affairs (DCA), the state land planning agency. One year after a local plan is submitted to DCA, local governments must have in place implementing strategies in the form of land development regulations that are consistent with the local government's plan. Horizontal consistency at the local level is addressed through a requirement that local plans be compatible with each other as determined through the intergovernmental coordination element of the local plans and by other special requirements. Local governments are given standing in an administrative hearing to challenge the plan of a neighboring city or county if they believe they will be damaged by that neighboring government's plan. Before a challenge can be mounted, local governments must participate in a conflict resolution procedure managed by the relevant regional planning council.

### *Coastal Controls*

The substance of the new legislation can be summarized in three major parts. First, the Omnibus Act contained various provisions attempting to reverse the practice of careless and reckless development along Florida's coast in

high hazard areas, barrier islands, and other areas susceptible to hurricanes and other storm conditions. These specific requirements took the form of a thirty-year erosion line (borrowed from North Carolina's Coastal Area Management Act) which stipulated that intense urban development could not take place on the coast if the erosion rate showed that such land would be under water in thirty years; a strengthening of the coastal control line which regulates the way in which construction can take place in high hazard zones along the coast; and a substantial strengthening of the coastal management element of local government comprehensive plans, which requires far-reaching changes in the way local governments manage development along their coasts.

### *Compact Urban Development*

The second focus of the new growth management system was on incentives and disincentives to encourage compact urban development, discourage unplanned urban sprawl, and bring a

better separation of rural and urban land uses. Little attention was given to compactness in the early stages of developing local plans for submission to the Department of Community Affairs for state review. More recently, DCA Secretary Tom Pelham, with strong backing from the Governor, has drawn on the goals and policies of the State Plan and the language of Rule 9-J-5 to place strong emphasis on anti-urban sprawl measures in reviewing local plans. Plans are being rejected for failure to establish urban service areas or to otherwise develop policies to limit sprawl and assure more compact urban development patterns. The recent Final Report of the Governor's Task Force on Urban Growth Patterns (1989) calls for amendments to the growth management system to put in place much stronger policies for managing urban sprawl. The 1989 legislative session gave considerable support to such amendments, but failed to enact them. In the meantime, DCA Secretary Pelham is discouraging sprawl through local plan reviews. This development illustrates the potential of the state plan to be a creative and living document, with its goals and policies evolving over time to meet the needs of the state.

### *The Concurrency Requirement*

Concurrency, the third substantive thrust of the growth management system put in place in 1985, is also the most powerful. This component of the law asserts that Florida

must abandon its traditional habit of growing without putting the necessary infrastructure in place. For decades Florida has followed a practice of "selling Florida on the cheap," of failing to pay as you grow, of practicing the fine art of deficit financing of growth. Such an approach makes a mockery of the constitutional provision that budgets must be balanced each year. The new law, with its concurrency requirement, states that after new local plans and land development regulations are in place and levels of service agreed on, it shall be unlawful for any local government to issue a single building permit where it cannot be shown that the infrastructure will be in place to support the impact of that development at the time those impacts occur. The use of impact fees and other innovative funding mechanisms are encouraged, but the law is neutral regarding the source of the funds to provide the required infrastructure. The law is absolutely clear on the fact that the funds to put the infrastructure in place must come from somewhere, with the final burden falling on the local government issuing the permit.

The concurrency requirement is the product of a rising frustration in Florida,

and in other parts of the nation, with the slow degradation of the quality of life because of the failure to put infrastructure in place concurrent with the impacts of new development. While the focus is on transportation (the frustration of citizens with traffic jams and semi-gridlock on interstates is well documented), the same principle can and is being applied to park and recreation facilities, solid waste, storm water management systems, and other such components of the broad spectrum of infrastructure needs. The rationale for such a powerful requirement is simple. By not paying-as-we-grow, we are doomed to a long-run decline in our general quality of life, in the character and quality of our environmental systems, and in our economic health. In Florida there is a powerful and broad-based spectrum of support for finding the funding to make the concurrency component of the growth management system a reality.

### **An Analysis of the Key Ingredients of Success in Any Growth Management System**

The key ingredients for success in designing, passing, and implementing a growth management system include, at a minimum, the following:

1. Sustained bipartisan political support.
2. Strong gubernatorial leadership.
3. Sustained citizen support.
4. Sustained fiscal support.

5. The capacity to establish and sustain a new intergovernmental partnership.
6. New governance arrangements, especially at the regional and local levels.
7. The capacity to establish and sustain a new public-private partnership.
8. An effective monitoring and enforcement effort.

### **Bipartisan Political Support**

One extended assessment of seven state programs in land planning and regulation developed in the 1970s found only one case, in Colorado, where bipartisan support failed to develop for a state-initiated program. Early Colorado initiatives in 1970 and later in 1974 became weaker over time as strong Republican opposition to a Democratic governor, expressed through firm control of both houses of the legislature in the decade following 1974, resulted in a steady

reduction in the scope, authority, and funding of the original initiatives. In contrast, other "first wave"

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states such as Vermont, North Carolina, Oregon, Hawaii, and Florida all showed strong and sustained bipartisan support of the major state measures from their adoption in the early 1970s until now.

The experience of second wave states in the 1980s has been similar. In Maine a partisan failure to adopt a new growth management system in 1988 was narrowly avoided when the Republican governor and Democratic legislature agreed on the "right" balance between authority and responsibility by state, regional and local governments in designing and implementing the new system. The same bipartisan support was evidenced in New Jersey (1986), Vermont (1988), and Rhode Island (1988), where a division between the governor and the legislature over the exact "shape" of the system was finally resolved and a strong law passed. In Georgia the governor and both houses of the legislature, including Republican members, supported a strong new planning and growth management law in 1989.

The role of the governor is especially important in achieving and implementing a comprehensive planning and growth management system. Florida has been blessed by a series of governors who have strongly supported the evolution of a growth management system capable of managing Florida's astronomical growth since World War II. Governors Reuben Askew (1971-1979), Bob Graham (1979-1987), and Bob Martinez (1987 to date) have all been supportive of Florida's growth management effort. The opposite case can be seen in California, where in the last seven years Gov-

ernor George Deukmejian, who strongly opposes regional or statewide programs, has left California floundering in its effort to manage growth effectively. Successful growth management efforts are not impossible without the support of the governor, but they are unlikely. Companion legislative support is also necessary, as the painful experience of Colorado demonstrates.

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### Sustained Citizen Support

Sustained citizen support is a key ingredient both in protecting the laws from legislative repeal or weakening and for providing the constituent support for strong implementation. Perhaps Oregon is the most striking example of an innovative state program that has been repeatedly tested for citizen support. That law, passed in 1973, was subjected to a citizen-initiated petition on three occasions from 1976 to 1982. On each occasion a strong campaign was mounted to repeal the legislation; however, citizen groups mounted equally strong and ultimately successful campaigns to support the law. More than once, the co-chairs of a citizen group to oppose repeal of the legislation were the president of the state's leading high-tech company and the head of its largest development firm. Thus, sustained and broad-based citizen support in Oregon has resulted in a steady strengthening of the law and has created a climate for effective fiscal support.

Florida's experience illustrates the point. Starting with a relatively narrow base of support from interest groups (environmental and other citizen groups such as the League of Women Voters), added support has come from local governments, the development community, the corporate sector and other such interests. No major (or even minor) group in the state stands in opposition to the implementation of the system as the state enters the nineties. Opinion polls consistently show broad-based citizen support for full implementation of Florida's growth management system.

### Sustained Fiscal Support

Sustained fiscal support is necessary if major state programs in land planning and regulation are to be implemented effectively. Florida stands as a clear example of both failure and success in this regard. A decade of woefully inadequate fiscal support followed Florida's adoption of the Environmental Land and Water Management Act of 1972. As a result, the law had much less effect than if it had been adequately supported. The state planning agency, for instance, grew to 22 positions in 1974. A decade later, it had

only 21 positions to carry out very broad responsibilities in state programs of land planning and regulation. In contrast, both the California coastal program and the Oregon land use pro-

gram enjoyed substantial fiscal support, largely in the form of pass-through funds to support local government efforts to conform with the new state land planning and regulatory laws. The same has been true in North Carolina with regard to its Coastal Area Management Act; the state picked up more of the fiscal burden as federal funding declined. Fiscal support is a necessary ingredient for a successful program, and it has been absent in some major state innovations of the last fifteen years and present in others.

Florida has learned some lessons in regard to funding, but the issue still looms as the greatest challenge in assuring the success of its growth management effort. Funding remains the only major unsolved problem that threatens the success of the system over time. The Zwick Committee documented the need for more revenues at both the state and local levels to move from the deficit financing of growth to the full implementation of the concurrency requirement of the law. Other analyses have shown the same results. So far, only the funds for planning have remained reasonably on schedule, with about \$30 million appropriated to help local and regional agencies prepare the plans mandated by the system. The annual shortfall for infrastructure alone ranges from \$1.5 to \$2 billion. The legislature and the governor have struggled with the issue at each session of the legislature since 1987. It will be addressed again in the 1990 legislative session.

Florida is a national leader in growth management, but it cannot sustain that leadership role unless the state provides major new sources of revenue both for itself and for local governments. At a minimum, substantial increases in the gasoline tax, local ability to levy an optional sales tax without a referendum, new methods of charging automobile license fees, new ways of taxing revenues from tourists, reconsideration of the sales tax on services, and ultimately, a consideration and implementation of a personal income tax will be necessary if Florida is to be competitive in the twenty-first century as a high-quality, high-growth state with a healthy environment and sound economy.

### The Capacity to Establish and Sustain A New Intergovernmental Partnership

When states enter the arena of planning and growth management, including the involvement in land use decisions once carried out by local governments, tensions are

bound to be a part of the experience. Home rule is an early issue raised when new state and regional roles are discussed. This has been true in every state

where new legislation has been initiated. The challenge is to convince the key county and city actors that new state and regional roles present a win-win situation for both the state and local governments. The argument to support that position are persuasive. Local governments typically receive additional state funds to help support the mandated local plans. New systems typically require that local plans be compatible with each other, thus protecting a given local government from the irresponsible actions of its neighbor(s). Of even more significance to some local governments, the new systems often require that state agency actions in local areas be consistent with the state approved local plan. The approach being taken by many local governments is that to "give a little to get a lot" is a good exchange. In fact, home rule has not been a major problem in the implementation stage of growth management systems. But it is often a major issue to be overcome in getting the new system in place.

For the most part, Florida's cities and counties are working cooperatively with DCA to get their plans and land development regulations in place and approved by the state. DCA has adopted a balanced approach in examining local plans. For example, the state has approached the enforcement of the concurrency requirement by applying the "rule of reason": flexibility to the maximum extent possible short of compromising the concept in any important way. As plans flow in, some are meeting the test, and some are being returned for further work at the local level. In several cases local governments have challenged the state's rejection of plans on the basis of the concurrency requirement or other reasons. In the great majority of cases, the issues have been settled through compliance agreement. The review process is well advanced, with more than half of Florida's 480 cities and counties having submitted their plans to the state for review. The process is moving forward in a surprisingly positive way.

The most dramatic example of putting aside rigid interpretation of the home rule issue in favor of a new partnership between state and local governments occurred in the state of Georgia, where both cities and counties strongly supported the new growth management system from the start, and have continued that support as implementation of the law moves forward.

### **The Capacity to Sustain A New Public-Private Partnership**

The old adversarial roles in which developers were the black hats, environmental and citizen groups the white hats,

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with local governments caught in the cross fire, is no longer standard practice. In many states, including Florida, the private sector strongly supports the full im-

plementation, including funding, of the growth management system. In Georgia, the governor's Growth Strategies Commission members comprised a broad cross section of the leaders of the states major groups concerned with growth management. When the proposed legislation was before the Georgia House and Senate, it was strongly supported by every one of these groups. Included were the State Association of Homebuilders, the Georgia Conservancy, and the county and municipal state associations. Building public-private partnerships pays off both in the adoption and implementation stages for a growth management system.

### **Effective Monitoring and Enforcement Systems**

Inadequate monitoring and enforcement systems have been the largest weak spot in developing and implementing state efforts in land planning and regulation. In one analysis of the actions of seven states, and in a survey of a substantial number of others, there was only one instance of a clear commitment to and support of effective monitoring and enforcement of a state program of land planning and regulation: North Carolina's coastal planning and management program. North Carolina devised an integrated permitting system and a comprehensive monitoring and enforcement system that are the envy of other states working in this area. The system apparently has remained largely in place despite a governor who does not support the program. The importance of monitoring and enforcement has been reemphasized by the federal Office of Coastal Zone Management in its critiques of state coastal planning and management programs. In reviewing state coastal efforts, the federal government's evaluation focuses primarily on attempting to strengthen the state programs in the monitoring and enforcement area.

In Vermont, the low level of fiscal support in general, and the inadequate monitoring and enforcement in particular, left the implementation of the wide range of conditions attached to Act 250 permits largely to voluntary compliance from the private sector. In Florida, flagrant violation by local governments and private sector participants with regard to state programs of planning and regulation repeatedly was either unnoticed or not acted upon during the decade following the adoption of Florida's land and growth management legislation in 1972. Vermont's adoption of Act 200 in 1988 included substantial funding for planning and open space and agricultural land preservation, including an ongoing earmarked funding source from a doubling



of the real estate transfer tax. As noted above, Florida is still struggling with the challenge of funding its comprehensive growth management strategy, with the major problem being the governor's refusal to support any new source of revenue.

Monitoring and enforcement are concerns that are gradually coming into their own in growth management efforts. For instance, 1000 Friends of Oregon has used the administrative and judicial process to force compliance with the statewide goals and policies. In spite of its many successes and continued strong citizen support, Oregon has major problems in regard to local government compliance, especially with counties. Repeated studies have revealed that more than half of the land development regulation actions in certain counties have violated the county-adopted state goals and policies. The problem has become so acute that proposals have been made to remove implementation powers from the county level entirely and place them in an independent unit of government. The growth management systems adopted in the 1980s have put much more emphasis on implementation strategies that promise to strengthen monitoring and enforcement efforts. Nevertheless, the implementation problem remains.

*"The political climate of the future seems destined to be one in which competing interests in many states abandon the adversarial politics of the past and look to consensus politics for the nineties and into the twenty-first century."*

### The Politics of the Future in Planning and Growth Management

Changing roles and responsibilities among state, regional and local governments can be and typically are an intensely political process. A key to success in establishing new planning and growth management systems is a clear understanding of the growth problems. One of the most effective ways of accomplishing this task is the establishment of a commission or task force, appointed by the governor, with the charge to define growth problems. A group, such as Georgia's Growth Strategies Commission, is more effective if its membership reflects the broad range of interests concerned with the problems. Georgia's commission included development, environmental, local government, legislative and agricultural interests that at first glance seemed unlikely to agree on anything. At the end of an eighteen-month period, the commission gave unanimous

support to a strong growth management system with major planning and plan implementation responsibilities at the state and regional level. Also, major new responsibilities were placed on local governments.

While Georgia's success in coalition building is remarkable, it is by no means unique. In state after state in the 1980s, a similar process has gone forward, resulting in new growth management systems in New Jersey, Maine, Vermont, and Rhode Island. Also, Washington, Maryland, Virginia, and Massachusetts are undertaking important efforts at either the state or regional level. California is

awakening from a long dormant period in addressing growth problems, and is beginning to look closely at regional and state frameworks for better managing its growth. The political climate of the

future seems destined to be one in which competing interests in many states abandon the adversarial politics of the past and look to consensus politics for the nineties and into the twenty-first century. New coalitions of developers, environmentalists, and local governments, typically put in motion by farsighted governors and legislative leaders, will give support to the adoption of new comprehensive planning and growth management systems, and provide the essential continued political support so critical to success in any such endeavor. ■

### References

- DeGrove, John M. "The Quiet Revolution Blooms Again: New State Roles in Planning and Growth Management." A summary assessment with a special section on Florida, 9/25/89 -Draft (Subject to Revision)
- DeGrove, John M. "Consistent, Concurrent, Compact: Florida's Search for a Rational Growth Management System," *The Political Chronicle*, Journal of the Florida Political Science Association. Saint Leo, FL: Saint Leo College Press, 1989 - Vol. 1, No. 2, pp. 32-38.
- DeGrove, John M. "Growth Management and Governance," *Understanding Growth Management: Critical Issues and Research Agenda*. Washington, D.C.: UL1 - the Urban Land Institute, 1989, pp. 22-42.
- DeGrove, John M. "The Pay As You Grow Challenge: Financial Management in a Growth Environment," *Financing Growth: Who Benefits? Who Pays? And How Much?* Chicago, IL: Government Finance Research Center of the Government Finance Officers Association. March 1990, pp. 41-52.