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CAN THE LEGACY OF A LACK OF FOLLOW-THROUGH IN FLORIDA STATE PLANNING BE CHANGED?

RICHARD G. RUBINO†

In response to widespread citizen support for more effective management of growth, the Florida legislature in 1985 adopted a comprehensive state plan,¹ amended the state planning act,² and made some notable additions to the local planning act.³ This should be a signal that Florida has become serious about its planning and about controlling its rampant growth. However, this same signal has been issued before, and, due to a lack of follow-through, Florida has failed in the past to implement its state planning program. This article, which focuses on state planning, traces the evolution of modern state planning in Florida and identifies some of the major failings of the state planning efforts begun in 1967 and 1972. The article is intended to raise a serious question about the relevance of the goals and policies in the current state plan and suggest ways in which state planning can be used more effectively for growth management.⁴

I. THE ORIGINS OF MODERN STATE PLANNING IN FLORIDA

Just twenty years ago, the only more-or-less "comprehensive" planning activity in Florida state government was being carried out by five professional planners located deep within a minor section of the Florida Development Commission (FDC).⁵ The task of these planners was not state planning, but the administration of twenty-six planning assistance grants from the United States Department of Housing and Urban Development (HUD) to local governments (known as "701" grants).⁶ Today you can find planners

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1. 1985 Fla. Laws 85-57 (codified at FLA. STAT. ch. 187).

2. 1985 Fla. Laws 85-55 (amending FLA. STAT. ch. 186).

3. 1985 Fla. Laws 85-55 (amending FLA. STAT. ch. 163).

4. Although effective growth management would necessitate the integration of planning at all levels of government—state, regional, and local—this article concentrates on state planning only. It does not attempt to analyze local or regional planning, nor does it address issues of intergovernmental coordination of planning.

5. Interview with Jack Heale, deputy administrator of "701" planning, in Williams, A Summary of Planning Activities in Florida 26 (1967) (available from the Fla. St. U. Dep't. of Urban & Regional Planning) [hereinafter cited as Williams].

6. *Id.* Title VII § 701 of the U.S. Housing Act of 1954 (codified at 40 U.S.C. § 461)

in virtually every state agency—in the Governor's Office of Planning and Budgeting, in the Department of Community Affairs, in the Auditor General's Office and even on the staffs of legislative committees.

In 1965, the FDC applied for "701" planning assistance funds to do a population study and a statewide recreation study.⁷ This was Florida's first move toward modern state planning. However, HUD turned down the application, refusing to fund functional studies until the state had at least initiated a program design for state planning.⁸ When the FDC submitted a revised "701" application for funds to inventory planning resources in the functional departments of state government and to prepare and study to design a comprehensive state planning program, HUD provided a grant of \$27,568.⁹

A. *Origin of Legislative Interest in State Planning*

While the FDC was submitting its "701" application, Fred Schultz, the Speaker-elect of the Florida House of Representatives, initiated an independent effort to prepare legislation that would set up a state commission of planning and budgeting.¹⁰ His efforts were directed towards improving the effectiveness and efficiency of state government, and probably stemmed from when he attended an IBM processing school and was exposed to discussions of state planning programs in California, Hawaii, and Wisconsin.¹¹ Ever since Speaker Schultz paved the way, the Florida legislature has shown an interest in state planning and has retained a role for itself in the state planning process.

The relatively high degree of legislative involvement in state planning might be a consequence of Florida's plural executive system, wherein executive branch responsibilities are dispersed among the governor and six other elected officials, and where the seven together act as a type of executive committee called the Governor

initially provided funds to aid small municipalities to prepare comprehensive plans, but the program was later expanded to include aid to larger municipalities, counties, regional/metropolitan planning organizations, and state planning agencies.

7. See Williams, *supra* note 5, at 1.

8. *Id.*

9. *Id.* at 3.

10. Interview with Wayne Lynch, acting State Planning Director, in Williams, *supra* note 5, at 7.

11. Interview with Fred Schultz, Fla. State Representative, in Williams, *supra* note 5, at 11.

and Cabinet.¹² This dispersion of executive branch authority may have provided the motivation for a relatively high degree of legislative involvement in what many other states consider primarily an executive responsibility.

These independent legislative and executive branch initiatives marked the beginnings of Florida's current state planning scheme. However, Florida's initial effort at state planning came in 1933 with the appointment of a governor's advisory and planning board, created in response to a call for state governments to involve themselves in a federal-state effort to recover from the Great Depression.¹³ Two years later, a law was enacted creating the Florida State Planning Board.¹⁴ Much of the board's activity dealt with natural resources and public works.¹⁵ But its most important function was said to have been "its intensive campaign to interest the people of the State in planning."¹⁶ Due to a lack of state funding, the Florida state planning function disappeared from the scene,¹⁷ becoming less needed as the nation and the state began to recover from the Depression and as the nation focused on a new priority—a world war.

Following the war, Florida amended its state planning legislation to emphasize economic development through public works.¹⁸ With few exceptions, this occurred in most states across the nation.¹⁹

12. The Governor and Cabinet is composed of the seven elected positions of governor, secretary of state, attorney general, state comptroller, state treasurer, commissioner of education, and commissioner of agriculture, as specified in FLA. CONST. art. IV, § 4. Under this arrangement, the governor is responsible for independently administering eleven state agencies. Each of the members of the cabinet independently operates his own agency, and the Governor and Cabinet jointly administer seven agencies. The Governor and Cabinet also serve together under other names, including the Administration Commission and the Land and Water Adjudicatory Commission.

13. NATIONAL RESOURCES PLANNING COMMITTEE, STATE PLANNING: PROGRAMS AND ACCOMPLISHMENTS 11 (1936).

14. FLA. STAT. ch. 17275 (1935). The board was to consist of five members: the chairman of the state road department, two state officials or employees, and two citizens appointed by the governor.

15. T. Curry, *The State Comprehensive Plan: An Evaluation of its Relevance to Public Decision-Making and State Planning Methodology* (Aug. 1978) (Unpublished doctoral dissertation, available at Fla. St. U. Dep't of Urban & Regional Planning).

16. NATIONAL RESOURCES PLANNING COMMITTEE, *supra* note 13, at 11 (1936).

17. T. Curry, *supra* note 15, at 149.

18. 1945 Fla. Laws ch. 22821 (amending FLA. STAT. ch. 420 to create the Florida State Improvement Commission). Although ceasing to function in 1945, the State Planning Board's legislative authority remained in the statutes until 1951. T. Curry, *supra* note 15, at 146-47.

19. Gray, *Survey of State Planning Agencies, 1960*, JOURNAL OF THE AMERICAN INSTITUTE OF PLANNERS 325 (Sept. 1961).

The country was focusing its attention on converting a wartime economy into a peacetime economy. As development became a priority of state governments, planning in Florida and elsewhere was put on hold.

This de-emphasis on state planning occurred at the same time that Florida began to experience its first wave of massive growth. As technological advances in transportation and communication provided the impetus for deconcentration of population on a national scale²⁰ and air-conditioning made living in the South tolerable,²¹ Florida began to feel the first impacts of the Sunbelt movement. This was a period in which a little planning could have been very effective, but planning had been relegated to a forgotten purgatory. Thus, Florida's early years of rapid growth were left unguided.

The separate legislative and executive state planning initiatives of 1966 were eventually combined into the State Planning and Programming Act of 1967.²² The act created an office of state planning under the State Planning and Budget Commission, named the governor as the chief planning officer,²³ and authorized the preparation of the Florida state plan.²⁴ At that point in time the state planning act was considered to be a strong law, for it included most of the items that the National Governors' Conference listed as necessary for effective state planning.²⁵

The Florida state plan was to consist of, in part, overall long-range goals and objectives, short-term objectives and plans, an annual development program and a six-year schedule of proposed capital improvements.²⁶ The act also called for harmonizing the plan with other state agencies and for adoption by the Planning and Budget Commission (i.e., the Governor and Cabinet) sitting with the president of the Senate and the speaker of the House.²⁷

20. See LONG, *POPULATION DECONCENTRATION IN THE UNITED STATES* (1981).

21. RuBino, *Land and Water Policy in Florida: The Experience of a Growth State, 3 Consequences of Changing U.S. Population, Hearings before the House Select Comm. on Population*, 95th Cong., 2d Sess. at 415 (1978) (testimony of Richard RuBino).

22. FLA. STAT. §§ 23.011-.018 (1967).

23. FLA. STAT. § 23.011(1) (1967).

24. FLA. STAT. § 23.012(1) (1967).

25. Committee on State Planning, *A Strategy for Planning: A Report to the National Governors' Conference* (Oct. 18, 1967). These items were: designation of the governor as chief state planner; development of a systems approach to planning; preparation of a capital improvements program; utilization of a planning, programming and budgeting system; development of an information system; and use of mathematical modeling.

26. FLA. STAT. § 23.011 (1967).

27. FLA. STAT. § 23.013 (1967).

A weakness in the planning law was that it failed to designate a time within which the state plan had to be prepared. An even greater problem was that the traditionally Democratic-controlled legislature and cabinet were confronted by the first Republican governor since 1872, a perfect setting for the play of partisan politics.

Legislative leaders and members of the cabinet saw state planning as a means of achieving better coordinated and more efficient governance. However, Governor Claude Kirk, elected in 1966, was interested in state planning only if he could appoint the director of the planning office who would be directly responsible to him, as had been recommended by the National Governors' Conference.²⁸ This condition was written into the act, but with the proviso that the planning director "served at the will of the planning and budgeting committee,"²⁹ that is the Governor and Cabinet. The effects of the proviso became immediately apparent when the cabinet vetoed each of the governor's nominees, until finally a compromise choice was reached.³⁰ Having lost his own choices for the position of director of planning, the governor consequently lost interest in the planning program.³¹

State planning had re-entered the Florida scene only to become a victim of political circumstances. Diverse political interests wedded to give birth to a state planning program, but these interests quickly divorced themselves from the program, leaving it to flounder on its own. There was little follow-through. A state plan was never prepared, and the efforts of the planning office were limited to providing support for program budgeting. This may have been a worthy task, but it was not all that had been intended of the state planning program.

B. State Planning as a Response to Rapid Growth

As the problems of rapid and unrelenting development continued to mount, "Florida's love affair with growth" began to end.³² The abuses of the land craze of previous decades, water supply

28. Interviews with Wayne Lynch, acting State Planning Director, and Tom Ferguson, Administrative Assistant to the Governor, in Williams, *supra* note 5, at 5.

29. FLA. STAT. § 23.011(1) (1967). See also interview with Wayne Lynch, acting State Planning Director, in Williams, *supra* note 5, at 5.

30. T. Curry, *supra* note 15, at 153.

31. *Id.* See also American Institute of Planners, Case Study for Florida, prepared for the U.S. Department of Housing and Urban Development at 7 (Nov. 24, 1976).

32. J. DeGROVE, LAND GROWTH & POLITICS 102 (1984) [hereinafter cited as DeGROVE].

problems, the struggles over the Cross-Florida Barge Canal, a proposed regional jetport in the swamps west of Miami, and other threats to the state's fragile environment culminated in a reawakening of the desire to guide growth.³³

One response to this desire was to sound, once again, a call for a state plan. As before, there were separate legislative and executive branch initiatives. In 1971, under the leadership of Speaker Richard Pettigrew, the House Committee on Community Affairs was directed to study ways in which state planning, especially land use planning, could be used to control Florida's runaway growth. The committee proposed a bill which would have mandated a state comprehensive plan and district physical development plans, but the bill never got out of committee.³⁴

At the same time Governor Reuben Askew was expressing similar concerns about the deficit aspects of growth, especially with regard to a water crisis in south Florida. To confront this crisis he called a conference on water management. A major recommendation that emerged from the conference was that, "[f]or an adequate long-range water supply, the State must have an enforceable comprehensive land and water use plan."³⁵

C. Combining Legislative and Executive Initiatives

The separate legislative and executive initiatives were joined when representatives of both efforts were appointed to a resource management task force created by Governor Askew.³⁶ This task force, chaired by John DeGrove, framed a growth management strategy and paved the way for legislative enactment of the first elements of that strategy.³⁷ One of the principal elements was the

33. *Id.* at 103-09. See also L.J. CARTER, *THE FLORIDA EXPERIENCE: LAND AND WATER POLICY IN A GROWTH STATE* (1974).

34. FLA. HOUSE OF REPRESENTATIVES COMM. ON COMMUNITY AFFAIRS, *FLA. COMPREHENSIVE STATE AND REGIONAL PLANNING ACT OF 1972*, draft 14-2 (Oct. 18, 1971).

35. The Governor's Conference on Water Management in South Florida, Statement to Reubin D. Askew (Sept. 1971).

36. The task force, which was created to find ways to implement the recommendations of the water conference, consisted of fifteen persons: Rep. Don Crane, John DeGrove (chair), Gilbert Finnell, Sen. Robert Graham, Jr., Bruce Johnson, Rep. Ray Knopke, Jack Malloy, Art Marshall, Don Morgan, Richard RuBino, Nils Schweizer, Sen. Jack Shreve, Earl Starnes, Homer Still, and Norm Thompson. For a discussion of the activities of the task force, see J. W. May, *The Florida Environmental Land and Water Management Act of 1972: Planning and Policy-Making Process* (1974) (unpublished Master's Thesis available at Fla. St. U. Dep't of Urban and Regional Planning).

37. See R.G. RuBino, *An Evaluation: Florida's Land Use Law*, in *STATE GOVERNMENT, SPECIAL ISSUE ON LAND USE* 173 (1973). See also R.G. RuBino, *The States and Urban Strat-*

State Comprehensive Planning Act of 1972,³⁸ which reoriented the planning program from its emphasis on program budgeting to a focus on growth management.

The 1972 state planning act specified in greater detail than the 1967 act the preparation of a state comprehensive plan³⁹ and the coordination of a long list of state agency planning and programming activities.⁴⁰ In addition, the legislature wrote a stronger approval role for itself.⁴¹ Unlike the 1967 law, however, this act gave the governor responsibility for state planning without direct cabinet involvement.⁴²

Legislative interest in growth management reached a peak in 1974 when, under the leadership of Speaker of the House Terrell Sessums and Representative Kenneth H. (Buddy) McKay, Jr., the legislature took the unprecedented step of passing a joint resolution adopting a policy on growth for Florida.⁴³ Unfortunately, following a change in the leadership of the House of Representatives and the first indications of a national economic depression, legislative interest in growth management and state planning waned.

After a long and arduous process, a state comprehensive plan was eventually prepared. In 1977, it was adopted by the governor and referred to the legislature for action; however, so much time had passed in its preparation, that its importance had been forgotten, and the former supporters of state planning had gone on to other matters.⁴⁴ This became a time for facilitating economic development, not managing growth. No formal action was taken by the legislature in 1977, and the state plan was resubmitted in 1978. It was accepted, but as "advisory only" without the "force and effect of law."⁴⁵ Hence, the plan was rendered innocuous, and it was thereafter ignored. Once again the state planning banner had been enthusiastically raised and then left to wave in loneliness. As

egies: A Communities Strategy in Florida, prepared for the Nat. Academy of Public Admin., U.S. Dep't of Housing and Urban Dev. 7 (1980); DeGrove, *supra* note 32, at 170-74.

38. FLA. STAT. §§ 23.011-.019 (Supp. 1972).

39. FLA. STAT. § 23.013(1), (2) (Supp. 1972).

40. FLA. STAT. § 23.012(4) (Supp. 1972).

41. FLA. STAT. § 23.013 (Supp. 1972).

42. FLA. STAT. § 23.011 (Supp. 1972).

43. Fla. C.S. for H.C.R. 2800, 1974 Reg. Sess. (a concurrent resolution adopting a policy on growth for the state).

44. Fla. Div. of State Planning, *State Comprehensive Plan: Element Compendium* (1977). See also T. Curry, *supra* note 15, at 170-84.

45. FLA. STAT. §§ 23.0114(1), 23.013(2) (1979). See also N. Stroud & K. Abrams, A Report on a Proposed State Integrated Policy Framework, Fla. Atl. U./Fla. Int'l U. Joint Center for Envtl. & Urban Problems 14 (Sept. 1981).

before, there was a lack of follow-through.

D. State Planning Rediscovered

As state planning was floundering in Florida, the state's growth problems continued to mount, and the need for a well-coordinated state growth management strategy became more pronounced. The economy of the state improved and attention could again be allotted to managing growth, instead of promoting it. Thus the need for state planning—and a state plan—was again rediscovered.

As before, independent legislative and executive initiatives were mounted. In 1982, a Select Committee on Growth Management was appointed by H. Lee Moffitt, Speaker of the House.⁴⁶ Governor Robert Graham, long an advocate of the important role of state planning in growth management, was at the same time gradually improving the effectiveness of state planning and growth management.⁴⁷ As a state senator, Graham had served on Governor Askew's aforementioned resource management task force.

These separate legislative and executive interests were coordinated, and from this union emerged, in 1984, a stronger state planning act.⁴⁸ In some ways the new act was similar to the two state planning acts that immediately preceded it. However, the 1984 act also required:

a) that the state plan be composed of briefly stated goals and policies;⁴⁹

b) the preparation of a special section of the plan relating to the long-term infrastructure and capital outlay needs of the state;⁵⁰

c) that all capital outlay recommendations submitted to the legislature in the budget of the governor be consistent with the state plan;⁵¹

d) that the plan be completed within five months of the enact-

46. See FLA. HOUSE OF REPRESENTATIVES, PRESENTATIONS BEFORE THE SELECT COMM. ON GROWTH MANAGEMENT 2 (Aug. 1983) (charge to the comm. by H. L. Moffitt).

47. In 1979 Governor Graham appointed a Resource Management Task Force "to study and make recommendations for improving the management of Florida's natural resources." 1 Final Report to Governor Bob Graham of the Resource Management Task Force 53 (Jan. 1980). In 1982 he issued Executive Order 82-95 creating an Environmental Land Management Study Committee (known as ELMS II) to review all resource and growth management programs and recommend improvements. In 1985 he established a Growth Management Advisory Committee.

48. FLA. STAT. §§ 186.001-.911 (Supp. 1984).

49. FLA. STAT. § 186.007(1) (Supp. 1984).

50. FLA. STAT. § 186.007(5)(a) (Supp. 1984).

51. FLA. STAT. § 186.007(5)(b) (Supp. 1984).

ment date of the new law;⁵²

e) all state agency budgets and programs be consistent with the state plan and support and further its goals and policies;⁵³

f) the preparation of state agency functional plans consistent with the state plan;⁵⁴ and

g) the preparation, by regional planning councils, of regional policy plans consistent with the state plan.⁵⁵

These were significant changes, but reminiscent of the 1967 act, cabinet involvement was written back into law.⁵⁶ In addition, the legislature reserved a role for itself in any subsequent amendments, revisions or updates to the plan.⁵⁷

II. THE FLORIDA STATE PLAN

The proposed state comprehensive plan—a statement of goals, issues, and policies—was prepared by the Governor's Office of Planning and Budgeting within the time limit. It was accepted by the governor and sent to the Administration Commission (i.e., the Governor and Cabinet) for review. The Administration Commission then submitted this plan to the legislature for its review and action.⁵⁸ The legislature considerably restructured the format of the state plan, but it came through the legislative process relatively intact. With Senate President Harry Johnston and Representative Jon Mills providing the principal support, the state plan was enacted into law effective July 1, 1985.⁵⁹

A number of significant amendments were made to the state planning act in 1985, however. Among these was the removal of a subsection which had given the governor's office relatively strong rule-making authority regarding consistency of other plans to the state plan.⁶⁰ This eliminated a general concern that the state plan-

52. FLA. STAT. § 186.008(1) (Supp. 1984).

53. FLA. STAT. § 186.008(5) (Supp. 1984).

54. FLA. STAT. § 186.022 (Supp. 1984).

55. FLA. STAT. §§ 186.507, 186.508 (Supp. 1984).

56. FLA. STAT. § 186.008(1), (2) (Supp. 1984).

57. FLA. STAT. § 186.008(3) (Supp. 1984).

58. The Florida State Plan, submitted by the Governor and Cabinet, March 6, 1985.

59. FLA. STAT. ch. 187 (1985).

60. FLA. STAT. § 186.006(3) was repealed by 1985 Fla. Laws 85-57 § 7. The section read "[p]repare, and adopt by rule, criteria, formats, and standards for the preparation and the contents of state agency functional plans and regional policy plans." *But see*, FLA. STAT. § 186.507(2) (1985), which states:

[T]he Executive Office of the Governor shall adopt by rule minimum criteria to be addressed in each comprehensive policy plan and a uniform format for each plan. Such criteria shall emphasize the need for each regional planning council, when

ning agency and other state agencies might over-expand their rule-making authority under that provision.

Other significant changes to the 1984 act included: (1) the addition of a requirement that all amendments, revisions, or updates to the plan be enacted by the legislature by general law;⁶¹ (2) a restructuring of the process for adopting state agency functional plans and determining consistency with the state comprehensive plan, particularly to allow greater legislative oversight in the process;⁶² and (3) the creation of a State Comprehensive Plan Committee.⁶³

The State Comprehensive Plan Committee is a body of twenty-one persons with the president of the Senate, the speaker of the House and the governor each appointing one-third of its membership.⁶⁴ It is assigned for administrative purposes to an agency of the legislative branch, the Advisory Council on Intergovernmental Relations.⁶⁵ Even though this committee is scheduled to dissolve by July 31, 1987, it is not unreasonable to believe that this effort could lead to the institutionalization of a continuing legislative state planning and growth management function.

This legislative aggressiveness has resulted in a legislative branch which is highly involved in state planning and growth management activities. But it could also be interpreted as legislative encroachment on what is often viewed as an executive branch responsibility. The legislative-executive struggle over control of the state planning process in Florida could prove to be a laboratory for what Terry Sanford, former governor of North Carolina, referred to as creative tensions, which stimulate competition and encourage improvement.⁶⁶ There is a creative tension regarding the legislative and executive branch roles in the planning process in Florida. Hopefully, this tension will result in continued improvements to the state planning process and not in the disintegration of the

preparing and adopting a comprehensive regional policy plan, to focus on regional rather than local issues.

61. FLA. STAT. § 186.008(3) (1985).

62. FLA. STAT. §§186.021-.022 (1985).

63. 1985 Fla. Laws 85-57 § 3.

64. *Id.* The Committee is to review local and state governments' current taxing structure and recommend tax and funding alternatives and overall financing plans to fund current and future operations. The Committee is to report its findings to the legislature.

65. *Id.* The staff of the Governor's Office of Planning and Budgeting, the executive agency responsible for the preparation and administration of the state plan, is not legislatively authorized to be involved with this committee.

66. SANFORD, *STORM OVER THE STATES* 5 (1967).

process.

A. *A Foundation for an Effective System of Growth Management*

The Florida state plan provides a foundation for an efficient governmental system for planning and growth management. It also anchors what could be an effective intergovernmental growth management strategy, although some pieces of that system remain weakly connected (e.g., there is no strong regional or district link with local governments). Yet, looking at past experience, the same question again arises: Now that Florida has a state plan, will there be follow-through?

Governor Graham, who is in the position to make the greatest use of the state plan, is leaving office soon, and there is no assurance that the next governor will place the same importance on state planning. Also, despite the possible institutionalization of a state planning function in the legislative branch, legislative leadership changes every two years and the future presidents of the Senate and speakers of the House may not view planning with the same priority.

If given at least a modicum of support by the incoming governor and future legislative leaders, the state planning effort can be relevant to decision making, can be relied upon by other agencies and by elected officials, and can be realistic in relation to the goals established for it.⁶⁷ Legislative and executive branch leaders currently appear to have the attitude that prospects for follow-through on the comprehensive state plan appear extremely positive. But this same attitude existed immediately following the adoption of the 1967 and the 1972 state planning acts, and in both of those instances there was a lack of follow-through.

B. *Is The State Plan Too Comprehensive?*

An important difference in the current state planning effort is that over the past two decades, the planning idea has gradually become more ingrained within the bureaucracy. For example, a portion of the state comprehensive plan deals with long-term infrastructure and capital outlay needs⁶⁸ and is tied to a newly created

67. See Fla. Comm. on State Planning, *Relevance, Reliance and Realism, a Report to the Governor's Conference 4-7* (1968).

68. FLA. STAT. § 186.007(5)(a) (1985).

state comprehensive capital facilities and budgeting process.⁶⁹ This institutionalization holds promise for effective long-term use of the plan and, if properly utilized, could become the driveshaft for effective growth management.⁷⁰

However, the current Florida state comprehensive plan is an omnipresent document; it attempts to deal with much more than just the management of growth. It covers education, health, safety, youth, and other subjects running across the full scope of state governmental responsibilities. This approach conforms to the theoretical comprehensive planning model, but its practicality is questionable. It might be attempting to do too much at one time.

According to John B. Olsen and Douglas C. Eadie, there are a number of barriers to the implementation of a government-wide planning system.⁷¹ Some of the principal barriers they identify appear applicable to Florida's current situation:

So little is known at the present time about the applicability of strategic planning in the public sector that a carefully paced, incremental approach appears most sensible.

The complexities and tremendous time demands associated with large-scale planning system implementation would put considerable pressure on the resources of most state governments, no matter how strong the commitment of top management. It is unlikely that many states . . . would be able to assemble the required central research and analysis staff to generate comprehensive environmental forecasts or to analyze the substantial documentation that such processes inevitably generate.

. . . [I]t is highly doubtful that the government-wide planning approach would withstand the political pressure that would surely be directed to a large-scale effort. By its very nature, strategic planning does not, as a primary purpose, generate substantial short-term benefits, although there is frequently useful "fallout." A highly visible, comprehensive effort would be the object of intensive public scrutiny and would be barraged with demands to justify its costs by demonstrable, instant improvements in gov-

69. FLA. STAT. § 216.0158(3) (1985).

70. See Meier, *Capital Facilities Planning and Budgeting: Is a State CIP Possible?*, FLA. ENVTL. & URB. ISSUES 19-22 (Apr. 1985).

71. J. OLSEN & D. EADIE, *THE GAME PLAN: GOVERNANCE WITH FORESIGHT*, 121 (1982). They define "strategic planning," as "a disciplined effort to produce fundamental decisions shaping the nature and direction of governmental activities within constitutional bounds." *Id.* at 4. This comprehensive approach to planning is quite similar to the strategically oriented state planning currently being undertaken in Florida. Robertson, *Passing and Implementing a State Comprehensive Plan for Florida*, FLA. ENVTL. & URB. ISSUES, 12-15 (Oct. 1985).

ernmental services.⁷²

These barriers are precisely what might hinder the follow-through of Florida's current state planning effort. The people involved in the planning program are learning as they go. There is no experience to fall back on, because a state planning program of this scale has never before been attempted. The documentation generated by Florida's comprehensive approach may be beyond the staff resources allotted to the program. The benefits of the program may not be immediate enough to hold it together, especially at a time when the political leadership is about to undergo so much change.

State planning might be more helpful to decision making if it were approached one purposeful step at a time—a sort of strategic incrementalism which would allow concentration on a relatively few high priority areas at a time. Once the planning process is institutionalized for these areas, an additional set of priority areas could be added to the scope of the state plan.

As shown by a major statewide survey, the principal concern of most of the respondents is a need for more effective management of Florida's rapid growth.⁷³ This can best be addressed by limiting the scope of the present state plan to those activities which are most affected by and which most affect growth: land use, water use, and transportation activities. The importance of these items is singled out in the 1984 act, which states that “[i]n preparing the growth management goals and policies, the Executive Office of the Governor initially should emphasize the management of land use, water resources, and transportation system development.”⁷⁴ But despite the preparation of these three “fast track” plans there is a high probability that these “priority” items will become lost in the current muddle of state goals and policies.

C. *The Problem of Determining Consistency*

The state plan is intended to be the document against which the

72. OLSEN & EADIE, *supra* note 71, at 121-22.

73. See Parker & Oppenheim, The 1985 Florida Annual Policy Survey, Fla. St. U. Policy Sciences Program, 1985. See also Frank & Connerly, *Florida's Growth Problems: Public Perceptions and State Policy Responses*, FLA. PUB. OP., Winter 1985, at 2-8.

74. FLA. STAT. § 186.007(4) (1985). See also FLA. STAT. § 186.002 (1985). Functional plans are being prepared for land use, water use, and transportation activities; however, there is little evidence that the plans are being coordinated and that they will be used to “drive” growth management decisions as intended. These areas are also emphasized in § 186.507(3) which deals with regional policy plans.

consistency of the governor's capital outlay recommendations, state agency functional plans, regional policy plans, and local government comprehensive plans are to be measured. However, "consistency" may be the Achilles' heel of the state plan.

The state plan is an impressive document, but a critical look will reveal that it may be impossible to determine whether any proposed action is consistent or inconsistent with the plan. In essence, the state plan regards all goals and policies as equal; no single goal or policy is of greater priority than another.⁷⁵ Compounding the problem is that the plan covers every executive branch responsibility. The plan consists of twenty-five goals, 293 policies, and many sub-policies (e.g., one policy in the health area has twenty-seven sub-policies).⁷⁶

In an attempt to facilitate comprehension, the Governor's Office of Planning and Budgeting has combined the 293 policies into seventy-five "policy clusters" designed to serve as a beginning point for the preparation of state agency functional plans, state agency capital improvement plans, a state capital improvements program, and regional policy plans.⁷⁷ Although this clustering aids in relating policies, it does not solve the problem of the inability to measure the importance of one policy against another. The state plan appears to have something for everyone. Therefore, it may be easier to show consistency, than to determine inconsistency.

The issue is whether the state plan is a realistic tool to aid decision making. If the plan is used as a simple counting of consistent versus inconsistent goals and policies, then it is of highly questionable value, particularly with regard to growth management. This is a problem common to many "policy" plans, for they lack the degree of specificity and identification of priorities needed to truly guide decisions. In the current Florida state comprehensive plan, there is no way to weigh any one of the 293 policies against one another, therefore, the plan has a questionable and possibly short future.

Actually, there are two consistency issues. The first is consistency between the goals and policy statements that appear in the various plans, and the second is a consistency between those goals

75. FLA. STAT. § 187.101(3) (1985) reads in part: "The plan shall be construed and applied as a whole, and no specific goal or policy shall be construed or applied in isolation from the other goals and policies in the plan."

76. FLA. STAT. § 187.201(6)(b) (1985).

77. Executive Office of the Governor, Office of Planning and Budgeting, Policy Clusters, Sept. 18, 1985.

and policy statements and the programs, projects, and budgets that are supposed to implement them.⁷⁸ Under current legislation, consistency among goals and policies may be relatively easy to achieve, but the plan is probably too encumbered with a confusing multitude of unprioritized goals and policies for it to be really useful in decision making. Thus, it is within the second consistency issue, that is consistency in decision making to implement the plan, where the success or failure of state planning in Florida will be decided.

III. CHALLENGE AND OPPORTUNITY

Florida continues to grow and the problems associated with rapid growth continue to mount. Since 1966, attuned legislative and executive leadership has attempted to install a management strategy that is capable of effectively contending with the problems associated with growth. Central to this effort has been the creation of a locus for decision making relative to growth: a state comprehensive plan. The state legislature has mandated planning at all levels—state, regional, and local—and has established procedures to at least partially facilitate coordination among these levels. Much has been achieved, including the formation of a state plan that is receiving national attention. But there are serious questions regarding the potential effectiveness of the plan and the tensions between legislative and executive interests; questions which could mean that Florida state planning will once again fall victim to a lack of follow-through.

Florida cannot afford to rest on the laurels of its 1984 and 1985 achievements in state planning legislation. History belies this privilege. Herein lies the challenge and opportunity to make the state plan into an effective document for decision making. This might best be accomplished by paring back the comprehensiveness of the plan. Those policies dealing with land use, water resources and transportation system development should receive initial attention. Then, after Florida has an effective growth management system in place, the state plan could be incrementally, but strategically, expanded to include other important responsibilities of state government. The opportunity to meet the challenge of follow-through rests in the hands of those currently involved in the planning process and with the upcoming executive and legislative leadership.

78. See FLA. STAT. §§ 186.002(2), 186.007(5)(b), 186.008(5), 186.022, & 186.508 (1985).

