



# 40

## Florida's Growth Management Experience: From Top-Down Direction to Laissez Faire Land Use

Aaron Deslatte

### Background

Managing urban land use and development poses challenging governance issues to state and local governments around the globe. Cities account for more than half of the world's population (UN 2012) and 70 percent of all greenhouse gas emissions contributing to climate change (IPCC 2014). Yet, efforts by local governments to manage growth through urban containment policy actions have proven controversial. Urban containment policies attempt to steer growth internally within a community while minimizing fiscal costs and negative interactions between land uses. Not only is there conflicting evidence of the impact of containment efforts in curbing inefficient sprawling development patterns, but containment has also been linked to social stratification and inequity (Dierwechter 2014). This presents fundamental challenges for understanding the containment actions available to local governments, their choices to employ them as a land-use and development strategy, and how patterns of urban containment differ across time in response to changes in the economy and state regulatory processes.

Florida provides an ideal case study of urban containment with a well-documented research record and substantial variation among state and local government growth management approaches. Florida was once viewed as an exemplar of progressive growth management in the United States. Since the

---

A. Deslatte (✉)

Department of Public Administration, Northern Illinois University,  
DeKalb, IL, USA

© The Author(s) 2018

R. Brinkmann, S. J. Garren (eds.), *The Palgrave Handbook of Sustainability*,  
[https://doi.org/10.1007/978-3-319-71389-2\\_40](https://doi.org/10.1007/978-3-319-71389-2_40)

739

1970s, policymakers have employed evolving systems for requiring and coordinating growth planning to contain urban expansion and mitigate the negative externalities of urban sprawl and environmental degradation. The state's intergovernmental regulatory efforts culminated with legislation known as the Growth Management Act (GMA) in 1985, considered a pioneering attempt to steer growth down a more sustainable course. For more than two decades, local governments were required to maintain comprehensive plans for growth consistent with state and regional goals. Cities and counties set uniform level-of-service standards for water, sewer, solid waste, drainage, roads, and open space as well as mandates that roads and other facilities needed by new development be made available "concurrently" when the projects would go online (Ben-Zadok 2005; Chapin et al. 2007; Dawson 1995; DeGrove 2005). Policymakers paired state-level regulatory requirements for concurrent road, sewer, and park development with goals for compactness and consistency across jurisdictional lines (Ben-Zadok 2005). Meanwhile, local governments adopted a range of zoning, transportation, and environmental policy tools in an attempt to combat sprawling development patterns, traffic congestion, and natural resource degradation (Chapin 2007; Feiock and Tavares 2002; Feiock et al. 2008).

As a result, Florida's growth management policies have been the subject of substantial empirical research (Chapin et al. 2007), focused on problems with implementation (DeGrove and Turner 1998), political interference (deHaven-Smith 2000), and policy abandonment (Steiner 2001). Florida's unrelenting growth pressures have also been the subject of a stream of studies examining how institutional and interest group influences shape the political marketplace for land-use policies.

This perspective considers how growth management institutional arrangements are used to supply preferred development policies and provide certainty to land developers and other constituencies (Deslatte 2016). This research has examined the competing values of bureaucratic and political actors influencing land management (Deslatte et al. 2017), conservation policy tools (Feiock et al. 2008), and the balancing act within local governments between environmental public goods and development rights. Feiock et al. (2008) found evidence that the Florida county adoption of land-use tools including urban service boundaries, incentive zoning, impact fees, and transfers for development rights are associated with higher socio-economic populations and fiscal means. Ramirez de la Cruz (2009) found evidence that Florida cities were more likely to adopt density bonuses and smart-growth zoning than another tool with greater redistributive consequences, urban service boundaries, when concerns for urban sprawl were greater. Lubell et al. (2009) found mayor-led cities were more likely

to be responsive to wealthier residents who support conservation goals yet desire to build homes near natural amenities, degrading the resource. These findings collectively suggest that localities are engaging in a series of trade-offs between the job creation and growth forces within their borders and the wealthier (and possibly more environmentally concerned) residents.

One conclusion from these distinct research streams is that even within a coordinated, state-led growth management policy system—albeit, one undermined during implementation—local land-use policies remained highly malleable under competing pressures to protect Florida's scenic coastlines and natural resources while accommodating break-neck growth. Dissatisfied with results on the ground, public support for Florida's growth management regime receded as the state's population surpassed 18 million, its demographics became more racially and economically stratified, and metropolitan areas like Orlando, Tampa, and Miami were re-defined by exurban sprawl (Chapin and Connerly 2007). In 2011, the Florida Legislature and Governor Rick Scott enacted changes, abolishing the state's land-planning agency and effectively removing the state role in most local growth management decisions. This chapter examines local government policy actions related to Florida's growth management experience pre- and post-reform.

## Case Study

Previously a sleepy, backwater locale, Florida began witnessing a deluge of population growth in the 1960s, spurred by air conditioning, expressways, the lack of a personal income tax, and higher incomes for retirees (deHaven-Smith 2000). The state's population in 1970 had reached 6.7 million and surpassed 20 million by 2016.<sup>1</sup> Population encroachment and development of wetlands depleted aquifers, degraded water systems such as the Everglades, and pushed many species such as manatees and Florida panther to the brink of extinction. At the same time, Florida has maintained some of the more stringent property tax limitations in the United States and remains one of only seven states without an income tax. Florida's heightened reliance on sales tax—a benefit when the state was primarily a seasonal tourist retreat—rendered both state and local government budgets more vulnerable to economic turbulence (deHaven-Smith 2000). Efforts to address these problems culminated in the mid-1980s and early 1990s with sweeping changes to land-use and growth management intergovernmental regulations.

Florida's regulatory approach centered on comprehensive planning at the local, regional, and state level in order to coordinate land uses and the spatial

distribution of growth, contain urban sprawl, and protect unique, environmentally pristine wetlands, agricultural operations, and coastal ecosystems (Ben-Zadok 2005). For local governments, the state-level policy interventions have had a marketed impact on how cities and counties plan for future development. Florida growth planning in general has evolved from a period of “first-generation” top-down regulation and strict limits to more incentive-structured comprehensive planning and “smart-growth” eras through the early 2000s (Chapin 2012; Daniels 2001). In 2011, Florida’s local governments were delegated far greater control over their future land uses.

## State-Level Policy Evolution

From the onset, Florida’s state policies have been historically plagued by political interference and implementation problems. Governmental efforts began in earnest in the 1970s to address the mismatch between the tax limitations of local governments and the challenges to wildlife habitat and water quality and quantity, regional sprawl, and urban blight (DeGrove 1984, 2005; DeGrove and Turner 1998). These efforts were intended to develop a cohesive system and state, regional, and local comprehensive planning, a process for reviewing major projects which impacted more than one county, such as planned communities, airports, or shopping malls, and a program for protecting areas of the state where land development would impair critical environmental resources (Pelham 1979). These efforts began with the passage of the Environmental Land and Water Management Act of 1972 which provided for new oversight of Developments of Regional Impact (DRI) and the designation of “critical areas” for protection. The same year, lawmakers also passed the Florida State Comprehensive Planning Act directing state administrators to develop a plan providing long-range guidance to local governments, although lawmakers subsequently refused to adopt the final state plan in 1980. While local growth planning was made mandatory under the Local Government Comprehensive Planning Act of 1975, no consistency requirements guided their development and no enforcement mechanisms were included to control the substance of the plans. The effort had the effect of legitimizing comprehensive plans which merely incorporated existing development patterns.<sup>2</sup>

While lacking clear state direction under its 1970s-era regulatory framework, Florida policymakers revisited the problem beginning with a new study committee created in 1982 by Democratic Governor Bob Graham. The effort convinced lawmakers to authorize a stronger State Comprehensive Plan in 1984 and to pass a sweeping package of legislation in 1985 which came to be

known as the GMA. The GMA was intended to coordinate implementation through the policies of consistency between local, regional, and state plans, compact development restraining sprawl, and the more-or-less concurrent provision of infrastructure to accommodate new development (Ben-Zadok 2005). State and regional comprehensive growth plans were required, local governments would need to make their own plans consistent with these state and regional plans, and the state Department of Community Affairs (DCA) was authorized to determine whether local plans were compliant. Noncompliance could cost cities and counties vital revenue sharing. To meet these standards, local governments would need to collect new data on traffic levels, water consumption, and land-use inventories, as well as including an element in their comprehensive plans to establish levels of service (LOS) standards for roadways and other fixed-capital investments. This way, local governments would be provided with clear state guidance on how to plan for future growth, a consistent framework for resolving land disputes between localities, and the “teeth” to deny development when infrastructure and tax revenues would not support its detrimental impact (O’Connell 1986). To pay for the impact, the state legislature voted in 1987 to extend its sales tax to legal, advertising, medical, banking, and other services.

However, shortly after these combined efforts were passed, impacted industry groups began applying pressure to have the reforms weakened. Fearing a voter backlash, the Republican Governor at the time, Bob Martinez, and legislators reversed course in a December 1987 special session by repealing the services tax, replacing it with a general sales tax hike (dehaven-Smith 2000). Meanwhile, the State Comprehensive Plan was weakened to make enforcement of anti-sprawl provisions such as urban growth boundaries unworkable for the state DCA, which was charged with overseeing the enforcement. The GMA was also amended in 1986—one year after its passage—to clarify that local governments would set acceptable Levels of Service (LOS) only for public facilities they directly oversaw. The same effort limited which types of facilities fell under the rule, effectively exempting local governments from applying the rules to schools, hospitals, jails, libraries, and other facilities. Florida’s growth management system also sparked intense political fights between developers and local governments because of the disproportionate way it divided the costs of new development between existing and new development projects. Essentially, developers proposing new projects could be faced with impact fees which forced them to offset the impacts of traffic caused by prior developments. The transportation “concurrency” requirement generated negative spillover effects by making it prohibitively costly for infill and redevelopment to occur within the blighted bellies of larger cities like Miami, leading

lawmakers to change level-of-service standards in 1992, 1993, and 1999 to try and stem a development exodus to sprawling, unincorporated areas (Kim et al. 2014).

Florida grappled through much of the 1990s and early 2000s with the sprawling realities of the land-use policies which now effectively steered growth to the exurbs and the lack of adequate tax revenues to offset the impacts of rapid population growth. One exception came in 2005 at the peak of the mid-2000 housing boom, when Republican Governor Jeb Bush and legislators appropriated \$1.5 billion for its infrastructure backlog and more stringent requirements for local governments to link development more closely to provision of adequate water, schools, park space, and roadways.

It was a renewed state focus that would not last. Within six years of the 2005 reforms, Florida policymakers and the development community were ready for a massive shake-up. The Great Recession and election of a new governor with no previous experience in government opened a window for fundamental changes in Florida's growth management laws. The legislature for the first time in more than a century comprised super majorities of Republican lawmakers, and construction and real estate activity slowed to a crawl by the time Rick Scott was elected in November 2010. Scott, a former healthcare Executive from Texas who self-financed \$73 million of his own campaign, labeled DCA a "job killer" during his campaign and made good on a pledge to abolish the agency during the spring 2011 session. New presiding officers in the Florida House and Senate also responded to the housing slowdown by making major changes not just to the agency overseeing land use but the rules local governments and developers were to follow.

Largely written by development lobbyists, HB 7207 repealed the administrative rule that governed state review of local comprehensive planning, 9J-5, and streamlined growth management regulations by eliminating state-mandated concurrency for roads and schools as well as other provisions of the law (Deslatte 2011). Along with the rule, the state regulators were prohibited from rejecting amendments where they determined there was no demonstrated population need or projects which had not demonstrated financial feasibility. With land-planning oversight consolidated into a new Department of Economic Opportunity (DEO), the bill limited the time the agency had to review comprehensive plan amendments and barred regulators from objecting to most amendments unless they impacted "state resources or facilities." DRI reviews were also eliminated for a wide array of job-producing uses.

Finally, citizen participation in the planning process was substantially curtailed. The new Division of Community Planning within DEO saw its planning staff cut from approximately 60 under the old DCA to 30 full-

time employees under the new regime (Deslatte 2011). Along with a smaller staff, the division was no longer required to issue an Objections, Recommendations, and Comments (ORC) report for each proposed large-scale amendment. In the past, ORC reports were the primary means by which citizens who lacked access to professional planning staff were able to determine the impact of proposed local plan amendments. The division was also prohibited from intervening when the public challenged an amendment, shifting the responsibility for bringing a legal challenge solely to citizens. Local governments were also forbidden from allowing or requiring referenda for plan amendments.

Many local planning attorneys, Republican policymakers, and developers defended the 2011 about-face in state-planning philosophy as a necessary evolution to remove complex and overlapping planning requirements that were slowing economic recovery. They argued that cities and counties had bolstered expert planning staffs in-house during the previous two decades and could function without the state looking over their shoulder. Removing state planning could even allow for more creativity and collaboration in meeting diverse community goals, some proponents argued. But environmentalists and other planning experts called the reform the work product of profit-maximizing developers who had little regard for long-term environmental and collective-action consequences. Foremost among the critics was Thomas Pelham, a St. Petersburg land-use lawyer who twice served as DCA Secretary under Governors Martinez (1987–1991) and Charlie Crist (2007–2011). Pelham resigned the day Scott was sworn into office and wrote that the 2011 reform was “radical, extremely unbalanced, and poorly drafted and vetted legislation that undermines planning and growth management for the benefit of special development interests” (Pelham 2011).

## Local Government Land-Use Policy Tools

Florida's local governments have emerged to a new regulatory landscape as a result of the 2011 reforms. To provide a snapshot into local government land-use activities, Florida cities were surveyed in 2002, 2007, and 2015 to assess variation in land-use policy tool utilization rates pre- and post-reform as well as identifying any correlation between these land-use policies. Zoning reflects the police power local governments in the United States wield to promote public welfare by dividing land into districts (zones) and imposing different land-use controls in these zones. Zoning tools may be designed to accommodate development by promising greater densities per parcel for developers

willing to invest in blighted areas or provide public amenities. Or they may be more coercive to prohibit unwanted activities or externalities, such as urban service boundaries, which render it impractical for development outside an identified municipal geography (Ramirez de la Cruz 2009). They may also be designed in a less top-down regulatory fashion in order to incentivize more sustainable land uses (Chapin 2012). Research at the national level suggests that containment efforts also have impacts on housing prices, giving rise to fears of gentrification and racial/ethnic and income stratification, as well as posing public health problems by increasing drive/commute times and reducing physical exercise, among other health concerns (Anacker 2010; Berry 2001; Nelson et al. 2007).

The surveys each asked the senior planning official in each jurisdiction “[w]hich of the following Land Use Management Techniques have been used by your jurisdiction in the last 24 months?” The tools included mixed-use development; incentive zoning; historic district ordinance; floodplain zoning; large lot zoning; open space zoning; public use land acquisition; performance zoning; zero lot line housing; transfer of development rights; conservation ordinances; cluster development; and impact fees. These policy tools represent a variety of conservation and smart-growth approaches employed to preserve open spaces or steer development into more compact, contiguous patterns to minimize Florida’s historic pattern of urban sprawl which has led to many of its environmental and quality-of-life concerns. The responses indicate that smart-growth land-use tools were more heavily utilized during the economic boom period in which the 2007 survey was administered. Cities turned to a wider array of land-use tools in 2007 than in either the periods preceding or following it. The results also indicate that Florida’s historical pattern of underfunding infrastructure contributed to distributional conflicts at the local level. Utilization rates for the three surveys are reported in Table 40.1.

The 2002 survey was mailed to growth management and planning directors for 403 Florida cities, with a response rate of 80 percent. Respondents reported that the most utilized tool was impact fees (57 percent), mixed-use zoning (53.8 percent), and historic preservation zoning ordinances (30.7 percent). No other land-use technique was utilized by more than 30 percent within the prior 24 months. This suggests cities did not develop more diversified smart-growth approaches until the housing boom later in the decade.

In particular, heavy reliance on impact fees charged to developers is evident, a product of the intergovernmental failure to adequately finance the capital improvements required under Florida’s concurrency mandate on local governments. Impact fees have been often considered a smart-growth

**Table 40.1** Policy tool utilization rates

	2002	2007	2015
Incentive zoning	21.00%	78.20%	26.80%
Mixed use	53.80%	26.60%	66.90%
Historic preservation	30.70%	65.40%	34.40%
Floodplain zoning	23.10%	53.30%	60.80%
Large lot zoning	11.80%	72.40%	25.00%
Open space zoning	15.10%	64.40%	42.30%
Public land acquisition	22.60%	50.50%	44.50%
Performance zoning	8.70%	82.80%	17.00%
Zero lot line housing	28.50%	65.90%	28.80%
Transfer of development rights	5.90%	83.70%	9.20%
Conservation ordinance	26.90%	89.10%	9.20%
Cluster development	24.10%	61.80%	22.90%
Impact fees	57.00%	12.40%	14.4%

incentive rather than a top-down regulation because municipalities only require developers to contribute to infrastructure enhancement when they directly contribute to the stress on public works and infrastructure. However, their utilization by Florida counties and cities began in the early 1960s as a way to shift funding requirements for roads, sewers, and other infrastructure from the general population of local governments to the development industry (Juergensmeyer 2008).

Florida became known as a battleground for impact-fee use thanks to decades of litigation from road contractors, home builders, and other construction-related industries and groups over their constitutionality and application (Marshall and Rothenberg 2008). At the same time, the state's historic failure to address long-standing deficiencies in transportation infrastructure promised when the 1985 GMA was adopted led to a widely recognized backlog in meeting service standards in many locations, prompting higher utilization of impact fees in many localities (Chapin et al. 2007; deHaven-Smith 2000). As part of the 2005 growth management reform, school concurrency became mandatory and local governments were required to develop "proportionate fair share mitigation" ordinances which allowed developers to pay their "fair share" of the impacts on transportation and school systems rather than compensating for prior backlogs. From 2006 to 2009, the Florida Legislature developed state-wide "enabling legislation" to standardize the tests for whether impact fees were being utilized exclusively to finance new development rather than paying for backlogs of infrastructure projects. These statutory changes appear to have contributed to a dampening effect on impact-fee use. The 2007 survey (mailed to 405 cities, 56 percent

response rate) found the use of impact fees had declined to 12.4 percent. Another contributory factor may have been wider use of smart-growth zoning which may have shifted some development pressure to preferred locations where infrastructure was available.

The 2007 survey also found higher rates of utilization for 11 of the 13 policy tools displayed in Table 40.1. Transfer of development rights (83.7 percent) and performance zoning (82.8 percent) showed the largest percentage-point increase in utilization over 2002. Both of these approaches represent technical attempts to channel development pressure away from locales where it would be most detrimental to the productive agricultural, forest, and wildlife habitat of other environmentally sensitive lands in a city. TDRs designate “sending areas” where communities want less development and “receiving areas” where more intensive land uses may be permitted. Development rights are then transferred from sending to receiving areas. Meanwhile, performance zoning replaces traditional district-based zoning with performance standards for energy use, wastewater, and types of housing developed, while steering pressure away from floodplains, wetlands, and other less suitable locations. While neither represent classically coercive regulatory prohibitions against any development, they do impose higher technical skill requirements on municipal staffs and likely add time and expense to development projects. It follows that these tools would become more popularized in periods of heightened development pressure. In 2007, Florida was at the apex of its housing boom. The heightened demand for developable land during this period also could explain the popularization of land-use tools such as conservation ordinances (89.1 percent) designed to stave off development and incentive zoning (78.2 percent) intended to maximize existing space by offering density bonuses or provide public benefits such as affordable housing or green spaces.

The 2015 survey was sent online and via mail to senior planning officials in 410 cities, for a response rate of 42 percent. This survey suggests land-management techniques returning to something akin to their pre-boom rates of utilization. Compared to 2007, respondents reported declines in utilization for 10 of the 13 policy tools. Only mixed-use (66.9 percent) and floodplain zoning (60.8 percent) were utilized by a majority of the municipalities responding. The largest declines were for conservation (−79.9 percentage points) and TDR (−74.5 percentage points) tools, lending some support to the political market expectation that these tools would become more valuable to particular policy demanders during heightened periods of economic expansion and development pressure.

The 2011 reform allowed local governments to opt out of the requirements for providing roads and other infrastructure more or less concurrently with new development. Approximately 21 percent of cities responding to the 2015 survey indicated they have considered repealing their concurrency requirements for parks and recreation as well as transportation. Cities on average reported no change in their level of support for economic development and conservation before and after the changes.

Are the changes in policy tool utilization significant? Given the non-normality of the binary response variables for the tools, a nonparametric statistical test was used to provide evidence that the distributions of policy choices significantly differ across time periods. Differences in the proportions of the underlying distributions were tested with the Wilcoxon-Mann-Whitney rank-sum tests for each policy tool. The nonparametric procedure tests whether the change across two time periods is unlikely to be a random anomaly. In the comparisons of 2002–2007, all 13 policy tools demonstrated evidence of significant differences between the two time periods. In the 2007–2015 comparison, the tests find evidence that 11 of the 13 tools are significantly different, while in the comparison of 2002–2015 found that 8 of 13 were significantly different. Intuitively, this suggests the 2002 and 2015 survey respondents’ choices are more alike than either are with 2007. To assess the overall survey bundle of tools, a multivariate analysis of variance (MANOVA) was also performed, which found the mean differences between all the “groups” statistically significant. We find this presents adequate evidence that the differences in utilization between survey periods is significant (Table 40.2).

**Table 40.2** Wilcoxon-Mann-Whitney test for difference in distributions of samples

	H: 2002–2007	H: 2007–2015	H: 2002–2015
Incentive zoning	–10.92 (.000)**	9.36 (.000)**	–1.26 (.209)
Mixed use	5.5 (.000)**	–7.7 (.000)**	–2.48 (.013)*
Historic preservation	–6.72 (.000)**	5.73 (.000)**	–0.74 (.46)
Floodplain zoning	–5.96 (.000)**	–1.39 (.164)	–7.08 (.000)**
Large lot zoning	–11.66 (.000)**	8.53 (.000)**	–3.15 (.002)**
Open space zoning	–9.62 (.000)**	4.03 (.000)**	–5.62 (.000)**
Public land acquisition	–5.58 (.000)**	1.11 (.269)	–4.3 (.000)**
Performance zoning	–14.02 (.000)**	11.79 (.000)**	–2.31 (.021)*
Zero lot line housing	–7.12 (.000)**	6.71 (.000)**	–0.05 (.958)
Transfer of develop. rights	–14.93 (.000)**	13.51 (.000)**	–1.13 (.257)
Conservation ordinance	–11.89 (.000)**	14.38 (.000)**	4.12 (.000)**
Cluster development	–7.28 (.000)**	7.11 (.000)**	.257 (.798)
Impact fees	9.47 (.000)**	–11.99 (.000)**	–3.17 (.002)**

Note: Z-score reported (Prob >|z|)

\* $p < .05$ ; \*\*  $p < .01$

## Lessons Learned

Political combatants in land use have contradictory objectives, because growth management decisions are inherently distributional in nature. Development interests seek profits, environmental or neighborhood activists seek protection of the environment or exclusion of outsiders, and policymakers interested in smart-growth principles attempt to satisfy a multiplicity of interests with often unforeseen consequences (Clingermayer 2004; Molotch 1976). Florida's growth management experience reflects seemingly incompatible impulses to maintain its image as a low-tax destination for retirees and businesses, power its economic engine via population gains and low-density development, while periodically acknowledging the central role that environmental resources play in its desirability to new residents and employers.

One lesson from Florida's experience is that state-led growth-control initiatives may be no more successful than local efforts to forestall the growth machine. A strong central role for the state in local land use was justified in the 1970s because local political institutions were deemed too weak to resist the development pressures driving environmental degradation and sprawl. Ironically, the multi-decadal effort to implement state growth management mandates encountered its own bumpy ride. Regulatory intentions were often stymied or weakened by legislators and governors fearful of voter backlash or Florida's powerful coalition of realtors, home builders, community developers, road contractors, and other development interests. As a result, Florida has continued to struggle with worsening traffic and sprawl as the Orlando and Tampa metropolitan areas continue to fuse along Interstate 4. Water management challenges have resulted in permanent use restrictions in places like South Florida. And rampant over-building of sprawling development in unincorporated areas or through special community development districts outside of municipalities has persisted through the housing bubble collapse and recession of 2007–2009.

Florida's state implementation problems have also plagued local governments. Survey data suggest Florida cities have returned to a "business as usual" post-recession, with a few exceptions. City reliance on impact fees to finance infrastructure has declined and will likely remain low now that the state has made the transportation concurrency mandate optional.

Mixed-use zoning remains the tool of choice for cities attempting to reintroduce a combination of commercial and residential uses within the same neighborhoods and development projects. Large lot and open space zoning, or zero lot-line housing, remain more common than zoning policies aimed at

addressing social inequities. Large-lot zoning is often used to limit development densities and preserve the rural, agricultural, or environmental character of communities by requiring mandatory-minimum acreages for residential dwellings. Suburban or rural communities seeking to “fend off” the encroaching urban densities of central cities adopted large-lot zoning in the 1950s and 1960s (Schoenbrod 1969). The policy has been criticized over concerns about race or income-based exclusionary purposes as well as its failure ultimately to prevent land from being subdivided into smaller units for development.

Open space zoning use remains higher, representing a “middle-ground” tool which aims to focus less on individual housing units and more on the larger development patterns of neighborhoods—allowing for denser development in areas or a larger tract of land in exchange for preserving rural or environmentally sensitive attributes on another section of the acreage.

Florida has witnessed a marked decline in the use of incentive zoning from the 2007 and 2015 survey periods. Incentive zoning tools offer developers greater density “bonuses” (such as additional housing units per acre) in exchange for providing some types of community benefit such as affordable housing units or public park space. These efforts were attempts to reverse the effects of the sprawling and stratified suburban development that occurred post-World War II.

Lastly, municipalities also reduced their use of conservation zoning ordinances or hybrid approaches intended to prevent urban uses on pristine lands or those with larger ecosystems or natural resource protection value, such as water-recharge areas or threatened species habitat. The use of transfer of development rights programs in which housing construction rights are re-located to more development-friendly locations fell from a peak of 83.7 percent in 2007 to 9.2 percent in 2015. Such programs are intended to allow for the creation of greater conservation easements or rights on would-be preserved lands without diminishing the asset value of landowners who may seek to develop their property into higher uses. Local government utilization of more- or less-inclusive land-use tools may be a cyclical process, and the results indicate that Florida cities expanded their “tool box” during a peak period of demand for developable land.

## Challenges and Barriers

It remains to be seen whether Florida's return to a more *laissez faire* approach to community planning will fulfill the promises of large landowners or the dire predictions of detractors. But Florida has made a major shift from

top-down coercive action to local control. Questions of whether regional or polycentric governance arrangements are superior for managing growth have held a central role in the urban literature (Howell-Moroney 2007, 2008). With historical growth rates not expected to return to pre-2007 levels for decades, Florida local government's experiences before and after these reforms can demonstrate whether the new rules for the road will lead to better policy outcomes.

Many salient questions remain. One involves the counter-factual. What would have happened had Florida never enacted its state oversight? Did the state system of coordination lead to increased planning capacities for managing growth at the local and regional level? Did it contain or spur discontinuous, sprawling land-use patterns? Land-management tools intended to stave off development may need to be carefully examined apart from "smart-growth" tools whose users make the key assumption that growth is inevitable and its spatial implications for resource use, quality of life, and inter-generational equity must be considered holistically. Since land-use management instruments have not been examined longitudinally, future research should explore these dynamics.

A larger question is, how do land-use policies of individual local governments influence the broader sustainability or urban regions? With some exceptions, political economies for policy tools are rarely examined over extended periods of time (Yi and Feiock 2014). Ultimately, this could allow for the examination of how commitment to sustainability in land use (something local governments in the United States have engaged in for half a century) influences the willingness to make other sustainability commitments, such as reducing carbon footprints. Unraveling these questions will be key to understanding how local governments in the United States and internationally confront the next half century of rapid urbanization.

## Notes

1. Florida Legislature Office of Economic and Demographic Research: [http://edr.state.fl.us/Content/population-demographics/data/CountyPopulation\\_2016.pdf](http://edr.state.fl.us/Content/population-demographics/data/CountyPopulation_2016.pdf).
2. Carriker, Roy R. "Comprehensive Planning for Growth Management in Florida," EDIS document FE642, Food and Resource Economics Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, <http://ufdcimages.uffib.ufl.edu/IR/00/00/13/51/00001/FE64200.pdf>.

## References

- Anacker, Katrine B. 2010. Still Paying the Race Tax? Analyzing Property Values in Homogeneous and Mixed-Race Suburbs. *Journal of Urban Affairs* 31 (1): 55–77.
- Ben-Zadok, Efraim. 2005. Consistency, Concurrency and Compact Development: Three Faces of Growth Management Implementation in Florida. *Urban Studies* 42 (12): 2167–2190.
- Berry, Christopher. 2001. Land Use Regulation and Residential Segregation: Does Zoning Matter? *American Law and Economics Review* 3 (2): 251–274.
- Chapin, Timothy S. 2007. Local Governments as Policy Entrepreneurs. *Urban Affairs Review* 4 (4): 505–532.
- Chapin, Timothy. 2012. From Growth Controls, to Comprehensive Planning, to Smart Growth: Planning's Emerging Fourth Wave. *Journal of the American Planning Association* 78 (1): 5–15.
- Chapin, Timothy S., and Charles E. Connerly. 2007. Attitudes Towards Growth Management in Florida: Comparing Resident Support in 1985 and 2001. In *Growth Management in Florida: Planning for Paradise*, 67–81.
- Chapin, Timothy S., John I. Carruthers, and Harrison T. Higgins. 2007. *Growth Management in Florida: Planning for Paradise*. Burlington: Ashgate Publishing Co.
- Clingermayer, James C. 2004. Heresthetics and Happenstance: Intentional and Unintentional Exclusionary Impacts of the Zoning Decision-Making Process. *Urban Studies* 41 (2): 377–388.
- Connerly, C.E., T.S. Chapin, and H.T. Higgins, eds. 2007. *Growth Management in Florida: Planning for Paradise*. Farnham: Ashgate Publishing.
- Daniels, Tom. 2001. Smart Growth: A New American Approach to Regional Planning. *Planning Practice and Research* 16 (3–4): 271–279.
- Dawson, Mary. 1995. The Best Laid Plans: The Rise and Fall of Growth Management in Florida. *Journal of Land Use and Environmental Law* 11: 325–325.
- DeGrove, John M. 1984. *Land Growth and Politics*. Chicago: American Planning Association.
- DeGrove, J. 2005. *Planning Policy and Politics: Smart Growth and the States*. Cambridge, MA: Lincoln Institute of Land Policy.
- DeGrove, J.M., and R. Turner. 1998. Local Government: Coping with Massive and Sustained Growth. In *Government and Politics in Florida*, ed. R.J. Huckshorn, 169–192. Gainesville: University Press of Florida.
- DeHaven-Smith, Lance. 2000. Facing Up to the Political Realities of Growth Management. *Florida Planning* 7 (5): 14–17.
- Deslatte, A. 2011. Developers Helped GOP Gut Florida's Growth Act, Records Show. *Orlando Sentinel*, September 4, pp. 1. Available at: [http://articles.orlando-sentinel.com/2011-0904/news/os-growth-management-gutting-20110904\\_1\\_billy-buzzett-growth-management-growth-act](http://articles.orlando-sentinel.com/2011-0904/news/os-growth-management-gutting-20110904_1_billy-buzzett-growth-management-growth-act).

- . 2016. Boundaries and Speed Bumps: The Role of Modernized Counties Managing Growth in the Fragmented Metropolis. *Urban Affairs Review*. <https://doi.org/10.1177/1078087416655401>.
- Deslatte, A., W.L. Swann, and R.C. Feiock. 2017. Three Sides of the Same Coin? A Bayesian Analysis of Strategic Management, Comprehensive Planning, and Inclusionary Values in Land Use. *Journal of Public Administration Research and Theory* 27 (3): 415–432.
- Dierwechter, Yonn. 2014. The Spaces that Smart Growth Makes: Sustainability, Segregation, and Residential Change Across Greater Seattle. *Urban Geography* 35 (5): 691–714.
- Feiock, Richard C., and Antonio Tavares. 2002. County Government Institutions and Local Land Regulation. In *Analysis of Local Land Markets and the Impact of Market Regulations*, ed. Paul Cheshire and Stephen Sheppard. Cambridge: Lincoln Land Institute.
- Feiock, Richard C., Antonio F. Tavares, and Mark Lubell. 2008. Policy Instrument Choices for Growth Management and Land Use Regulation. *The Policy Studies Journal* 36 (3): 461–480.
- Howell-Moroney, Michael. 2007. Studying the Effects of the Intensity of the U.S. State Growth Management Approaches on Land Development Outcomes. *Urban Studies* 44 (11): 2163–2178.
- . 2008. A Mixed Method Look at State Growth Management Policy. *The American Review of Public Administration* 38 (3): 339–361.
- IPCC. 2014. *Intergovernmental Panel on Climate Change Working Group III Contribution to Fifth Assessment Report*. United Nations, New York: IPCC.
- Juergensmeyer, Julian Conrad. 2008. Infrastructure and the Law: Florida's Past, Present and Future. *Journal of Land Use* 23: 441–458.
- Kim, Jeongseob, Ruth L. Steiner, and Yizhao Yang. 2014. The Evolution of Transportation Concurrence and Urban Development Pattern in Miami-Dade County, Florida. *Urban Affairs Review* 50 (5): 672–701.
- Lubell, M., R.C. Feiock, D. La Cruz, and E.E. Ramirez. 2009. Local Institutions and the Politics of Urban Growth. *American Journal of Political Science* 53 (3): 649–665.
- Marshall, J. Michael, and Mark A. Rothenberg. 2008. An Analysis of Affordable/ Work-Force Housing Initiatives and Their Legality in the State of Florida. *The Florida Bar Journal* 82 (6): 53–59.
- Molotch, Harvey. 1976. The City as Growth Machine: Toward a Political Economy of Place. *American Journal of Sociology* 82 (2): 309–332.
- Nelson, Arthur C., Casey J. Dawkins, and Thomas W. Sanchez. 2007. *The Social Impacts of Urban Containment*. Hampshire: Ashgate Publishing.
- O'Connell, Daniel W. 1986. New Directions in State Legislation: The Florida Growth Management Act and State Comprehensive Plan. In *Perspectives on*

- Florida's Growth Management Act of 1985*, ed. John M. DeGrove and Julian Conrad Juergensmeyer. Boston: Lincoln Institute of Land Policy.
- Pelham, Thomas G. 1979. *State Land-Use Planning and Regulation*. Lexington: Lexington Books.
- Pelham, Thomas. 2011. Florida Comprehensive Planning System Encounters Stormy Weather. *American Bar Association, Section of State and Local Government Law, State and Local Law News* 3 (Summer): 1–15.
- Ramirez de la Cruz, Edgar E. 2009. Local Political Institutions and Smart Growth: An Empirical Study of the Politics of Compact Development. *Urban Affairs Review* 45 (2): 218–246.
- Schoenbrod, David S. 1969. Large Lot Zoning. *The Yale Law Journal* 78 (8): 1418–1441.
- Steiner, R. 2001. Florida's Transportation Concurrency: Are the Current Tools Adequate to Meet the Need for Coordinated Land Use and Transportation Planning? *Florida Journal of Law and Public Policy* 12: 269–297.
- United Nations. 2012. *2012 World Urbanization Prospects: The 2011 Revision No. ESA/P/WP.224*. New York: United Nations.
- Yi, Hongtao, and Richard Feiock. 2014. Renewable Energy Politics: Policy Typologies, Policy Tools, and State Deployment of Renewables. *Policy Studies Journal* 42 (3): 391–415.