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Growing for a Sustainable Future: Miami-Dade County Urban Development Boundary Assessment

Office of Sustainable Communities
Smart Growth Program

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Cover Images: (Miami-Dade County Urban Development Boundary near Everglades National Park, agricultural land outside the boundary) Source: Subrata Basu

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EXECUTIVE SUMMARY

Miami-Dade County, Florida, like many communities around the country, faces development pressures and struggles to manage its growth. Unlike many other communities, Miami-Dade County is bounded by an ocean and two national parks—places that the community wishes to preserve. Decades ago, to address unchecked growth and development, county officials decided to institute growth management strategies. Now that these policies have been in place for many years, Miami-Dade County requested the U.S. Environmental Protection Agency's (EPA's) assistance in reviewing the policies and guidelines of its Urban Development Boundary (UDB), a key tool in the county's growth management strategy.

The UDB dates from the 1970s and was incorporated into the county's Comprehensive Development Master Plan in 1983. The UDB should contain a 10 plus 5-year supply of land for residential development. Proposed changes to the UDB require a two-thirds vote from the County Commissioners. In 2008, the UDB contained 269,000 acres (420 square miles), of which approximately six percent was undeveloped.[1] Very little land has been added to the UDB in the last 20 years.

Developers and citizens' groups have both expressed discontent with the process for amending the UDB, which permits landowners and developers to apply for amendments every two years. Under question is whether this current process of amending the boundary manages growth outside the boundary effectively while encouraging infill development inside the boundary. For the purpose of this document, the term "infill" includes vacant land development and redevelopment projects.

The EPA team and the county held a policy workshop in Miami on October 14-16, 2009, to discuss ideas for amending the UDB and to provide options for county officials to consider.

Among the issues identified at the workshop and discussed in this report are:

- The remaining undeveloped land inside the UDB may or may not be sufficient to accommodate 15 years of residential development, depending on how the infill policies are implemented.
- Low-density residential development on 5-acre per unit zoning outside the UBD.
- Agricultural land outside the UDB is dwindling. Combined with changing farm economics and competition from other countries, this gradual loss of farmland is threatening the "critical mass" required to sustain agricultural operations.

Deciding where the boundary might ultimately be located was beyond the EPA team's charge. Instead, this report focuses on several related questions, including:

- What process could be used to amend the UDB?

[1] Miami-Dade County Department of Planning and Zoning, Urban Development Boundary Amendments Adopted from 1976 through 2008. November 25, 2008.

- What methodology could be used to determine land supply?
- What policies could be in place inside the boundary to encourage infill development?
- What policies could be in place outside the boundary to encourage land conservation?

To answer these questions, the EPA consultant team met with a variety of stakeholders, including elected officials, developers, citizens' groups, property owners, and environmental groups. In these meetings, the team learned what works in the current process for amending the UBD and what could be improved. The team also used stakeholder input to develop options that could help the county balance growth management strategies focused outside the line and those geared for inside. The majority of the report addresses the first two questions. Encouraging infill and the promotion of land conservation are discussed throughout the report with specific examples from other communities.

Outside-the-Line Policy

Simply creating the UDB does not necessarily conserve land, especially because of the 5-acre zoning outside the line. This report presents several options the county could consider for the ultimate disposition of land outside the UDB, including:

- A master plan for the conservation and development of the area currently outside the boundary.
- A formal phasing plan using the Urban Expansion area mechanism.
- Better-coordinated land acquisition programs.
- Larger and more comprehensive landowner compensation programs.
- Policies that ensure more land remains in agricultural use instead of acting as a reserve for future development.

Inside-the-Line Policy

Protecting land outside the UDB requires progressive policies inside the line. Many of these policies are already in place, but the county wants to promote more infill development. Possible steps include:

- Targeting infrastructure investments to infill areas.
- Ensuring that infill policies reflect market realities and promote redevelopment.
- Promoting horizontal mixed use as well as vertical mixed use.
- Promoting a variety of housing types, sizes, and styles.
- Promoting and enabling higher-density employment centers near transit stations.

The next steps for local decision-makers are to review the options provided here and determine how to address the management of the line. This assistance was not meant to help Miami-Dade County decide where to place the line, but rather to analyze current practices and point out options that could be considered when the county revises the process for managing the UDB. It will be up to elected officials and staff to determine how, if at all, to change the process for managing the UDB and policies that govern development inside and outside the line.

I. INTRODUCTION

Miami-Dade County, Florida faces many of the same growth issues that challenge communities around the country. With highly urbanized areas, suburban strip development, and farmland, the county contains many resources and assets, but it also must deal with a variety of development issues and pressures as it struggles to balance continued growth with making the most of its existing infrastructure and investments. Recognizing the need to be creative and to make its land development more sustainable over the long term, county staff applied to the U.S. Environmental Protection Agency (EPA) Smart Growth Implementation Assistance (SGIA) program for help in analyzing the policies and procedure for managing its Urban Development Boundary (UDB). (See Appendix A for more information on the SGIA program.)

Managing growth is a function of values – what a community seeks to preserve and how best to encourage development in logical and appropriate locations. Determining what to preserve and what is meant by appropriate is defined through community input and public policies. Some communities, including Miami-Dade County, try to systematically manage their growth using a growth boundary. For Miami-Dade County, the question was not where to move the growth boundary, but rather to question if the current process for moving the line still made sense with respect to their values. In broad terms, Miami-Dade County wants to keep its agricultural identity, protect its unique natural environment, and encourage development in areas with existing infrastructure, transit, and other amenities.

The UDB is used primarily to keep development from spilling toward highly sensitive lands like Everglades National Park. Because the county is an attractive place for new jobs and residents, the boundary has been moved to accommodate approved additions to the urbanized area. Through the years, the management of the UDB yielded incremental parcels. These were added through requests from developers or county staff. The county has sought to explore how this system could be improved.

Figure 1: *Infill opportunities exist around Miami, especially here along the Miami River. (Source: Subrata Basu)*

Miami-Dade County is projected to gain 700,000 residents by 2030.[2] Where these people will live is a critical consideration that drives decisions about growth management, provision of affordable housing, and transportation investments. These decisions will have a profound impact on how the county works to address climate change adaptation and mitigation.

This report addresses many of the questions related to the effectiveness of the boundary expansion process and raises others that could help the county improve its growth management strategies, specifically related to the establishment of goals that influence how and where investments are made. This report contains four case studies that describe different methods for addressing growth management and how those policies can inform the process in Miami-Dade County. The ideas discussed in this report draw from growth management strategies in communities such as Boulder, Colorado; Portland, Oregon; San Diego, California; and Sarasota, Florida (see Appendix B for case studies of these communities).

Through assistance from EPA, elected officials and staff hoped to better understand options for improving the management of the UDB. This report summarizes the analysis and discusses many of the important factors communities should consider when revising their development policies to grow in a more environmentally, economically, and socially sustainable way.

[2] Miami-Dade County. Population Projections. http://www.miamidade.gov/planzone/Library/research/PopProj2006-2030.pdf. Accessed November 16, 2010.

II. Overview and Purpose of the Miami-Dade Urban development Boundary

The UDB is an important tool in Miami-Dade County's overall growth management system. Although it places geographical limits on certain types of urban development, it does not dictate the density or amount of development permitted either inside or outside the boundary. These issues are addressed through other policies in the county's Comprehensive Development Master Plan (CDMP), primarily the future land use element and future land use map.

The CDMP establishes the UDB as a central element of the county's growth management system. The CDMP describes goals that the UDB is intended to achieve, including the efficient use of infrastructure and the promotion of compact development. The UDB's purpose, according to the CDMP, is to protect and preserve wetlands, prevent low density development away from transit and neighborhood amenities and unconnected development patterns, and plan for efficient expansion and improvement in infrastructure and public services.[3] While planning staff understand that the UDB has several goals and outcomes, the team's review found that there is wide interpretation among stakeholders as to the goals and outcomes of the UDB, contributing to the lack of consensus among key decision-makers on the boundary's location and the procedures for boundary expansion that led to the county's request for assistance on this project.

The team's discussions with a wide variety of stakeholders, including planning staff, elected officials, development industry interests, and self-identified "slow-growth" advocates, suggested that they see the Miami-Dade UDB as having several different purposes including:

- To direct the efficient and cost-effective delivery of public services;
- To promote compact development and encourage transit ridership; and
- To preserve agricultural land and wetlands.

While most stakeholders listed more than one of these goals as a reason the UDB exists, the "highest priority" goal differed markedly by stakeholder. This lack of consensus on the UDB's primary goal(s) has also led to substantial disagreement on whether UDB expansion is desirable and, if so, where the UDB might be expanded. Different goals yield different implementation mechanisms and comprehensive plan policies.

For example, the goal of efficient service delivery might lead Miami-Dade County to expand the UDB to parcels immediately adjacent to areas currently served by water and sewer, regardless of whether or not those places contain environmentally sensitive land. By contrast, the goal of protecting agricultural land and land required for watershed protection might lead Miami-Dade County to place environmentally sensitive land or active agricultural land outside the UDB, even if these lands are located adjacent to existing water and sewer. Because the fundamental goals of the UDB are not clear, the county has struggled with how to implement a UDB strategy. Growth boundaries can play an important role in supporting planning and development goals, but their purpose needs to be clear.

[3] Miami-Dade County. Comprehensive Development Master Plan. Amended April 2010.

Very low-density residential development (5-acre minimum lot sizes) is permitted outside the boundary, while a variety of development types and densities are permitted inside the boundary. Other county policies seek to focus development inside the boundary by encouraging infill and protecting land outside the boundary from any type of development through land conservation and acquisition.

Any proposed changes to the UDB occur through the plan amendment process, which requires review and approval of proposed changes by the County Commission, as well as review and comment from the state's Department of Community Affairs.

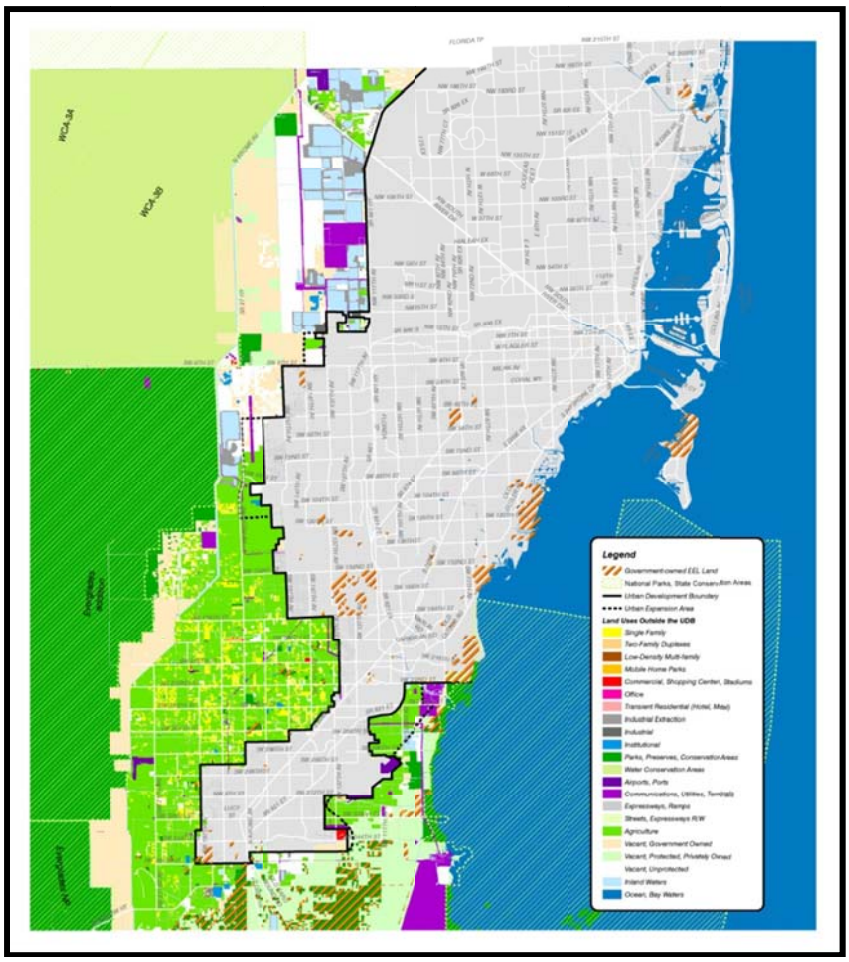

Figure 2: *Urban Development Boundary Map with Boundary Changes. (Source: Miami-Dade County)*

The UDB is required to contain a 15-year residential land supply (10 years of supply plus 5 additional years' supply in reserve). Miami-Dade County may also designate "Urban Expansion Areas," or UEAs, outside the boundary, which are areas considered to be appropriate locations for future growth to occur.

For many years, changes to the UDB resulted from staff analyses of land supply and demand, and planning staff developed many of the proposals for UDB expansions. Two major review cycles, in 1983 and 1988, resulted in numerous site-specific UDB changes and were done in coordination with CDMP update cycles. The vast majority of other applications filed since 1975 have been driven by private applicants. Many of these private applications were filed and not adopted. In the last 15 years, this process has been driven more by private applicants than by staff analysis of needed supply. The county's perceived result is that moving the line is driven by landowners wishing to amend the CDMP to bring more land inside the UDB. These proposed changes to the UDB are considered every other year. Under the current process, many residents are concerned that more and more land outside of the line will be subject to development pressures.

When it was first created in 1975, the UDB contained approximately 233,000 acres (364 square miles). Since then, it has been increased by approximately 15 percent to 269,000 acres (420 square miles). (By contrast, approximately one million acres in Miami-Dade County lie outside the UDB, much of which is permanently preserved.) Currently, about six percent of the land inside the boundary is undeveloped.[4]

Most of this 36,000-acre expansion of the UDB occurred prior to 1990. Roughly half of this expansion occurred in 1988, following passage of the Growth Management Act, when about 16,000 acres of land were added to the UDB. Realizing the long term purpose of the act to restrict growth at the fringe, local officials expanded the boundary in the short term (in 1988) to provide a suitable amount of land available for development. In the past 21 years, only about 2,400 acres have been added, most of it the result of amendments in 2006, which added more than 1,400 acres.

UDB expansions have slowed in recent years in part because changes to the UDB require approval by a supermajority of the Board of County Commissioners (meaning nine out of 13 commissioners must approve). Although proposed UDB expansions have often received a great deal of publicity, very few have been approved since the two-thirds rule was adopted in the 1990s.[5] The two-thirds rule was put in place to raise the threshold of what could be considered an allowable expansion of the boundary. Making it more difficult to move the boundary ensured that each change was vetted with staff, elected officials, developers, and others.

[4] Miami-Dade County Zoning Advisory Board Hearings for Properties Outside the Boundary, November 2008.
[5] Miami-Dade County. Comprehensive Development Master Plan, Miami-Dade County, 2008.

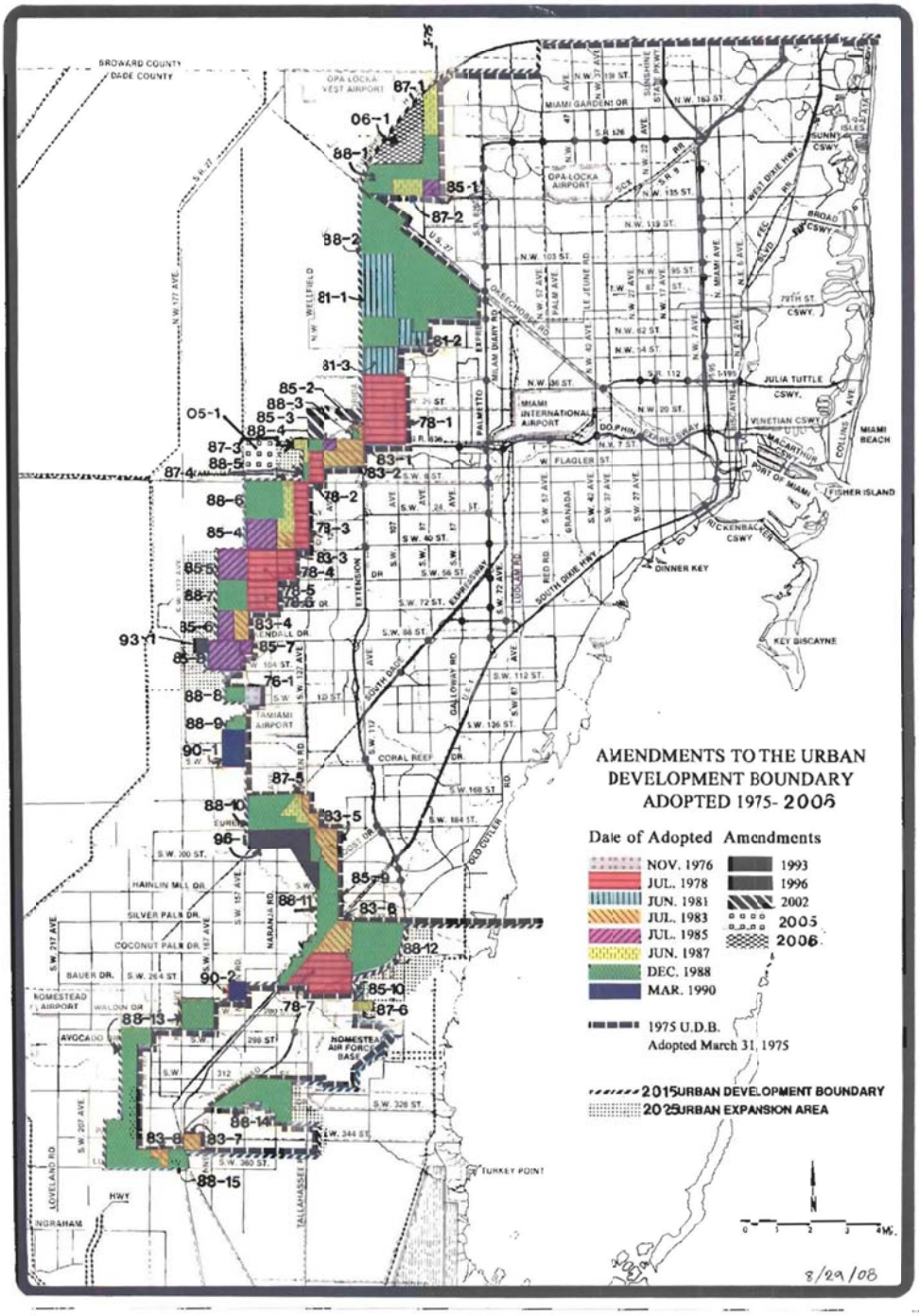

Figure 3: *Size of the Urban Development Boundary, 1975-2006. (Source: Miami-Dade County)*

According to county data, prior to 1990 the majority of the new land uses permitted through these expansions were residential, primarily low-density residential (five units per acre) or estate density residential (2.5 units per acre). In contrast, changes to the UDB since 1990 have arisen primarily from proposals for non-residential development.

Though much of the land outside the UDB is owned by the federal government or otherwise protected, some 67,000 acres are still in agricultural cultivation. Other land outside the boundary, some of it privately owned, is required to protect and recharge Miami-Dade County's ground water supply. In spite of the 5-acre minimum lot size for residential development, approximately 1,250 new residences were issued permits outside the boundary between 1994 and 2006. The EPA team's tour of lands outside of the UDB went through areas of the county with scattered, low-density residential development, which can be problematic for achieving some of the county's growth management goals of preserving agricultural land and natural resources and encouraging development at sites with adequate infrastructure.

III. CURRENT STATUS AND ISSUES

Miami-Dade County is preparing its state-mandated Evaluation and Appraisal Report (EAR). As part of this process, the county is revisiting the CDMP and the UDB policy in a comprehensive way for the first time in many years.

As this effort is being undertaken, participants involved in the process include advocates of infill development, environmental groups seeking to protect wetlands outside the boundary, industry groups wanting to protect agricultural land, greenfield landowners seeking to expand the boundary, and the Hold the Line group, which is dedicated to not moving the UDB. Based on information from county staff, all parties seem weary of the biennial amendment process, but simultaneously wary of ceding their right to promote, protect, or develop their interests.

Six percent of the land inside the boundary is now undeveloped.[6] It is likely that this land will accommodate more development than it might have in the past. The county has aggressively pursued infill opportunities through its Urban Center Districts along current or future transit lines. The CDMP promotes urban centers in places where mass transit, roadways, and highways are highly accessible. These centers are planned to be compact, mixed-use, and pedestrian-friendly areas. For example, Urban Center Districts have been successfully pursued in Kendall, the current terminus of the Metrorail line, and are underway in Naranja along the planned bus-rapid transit line that will connect with the Metrorail in Kendall.

Nevertheless, the remaining land inside the boundary may not yield a 10- to 15-year supply unless the county, in cooperation with the 35 cities, promotes infill development on vacant and underused land. It is relatively easy to identify vacant parcels and determine their development potential. While the promotion of redevelopment sites inside the UDB is a policy that needs additional attention, support for infill development has been strong among proponents of housing choice and using existing infrastructure resources. Coordination among local jurisdictions is critical in finding the potential infill sites and redevelopment. Infill development has occurred more in several Miami-Dade cities than in most other cities in Florida. However, it has proven to be more difficult to identify the development potential on underused parcels, especially if the land is located inside one of the cities.

Underused land may have the potential for more intense development, and in many cases the market may be ready to absorb this new development if it is built. However, owners of underused land are not always interested in taking advantage of this development potential, especially if they are longtime landowners who have a low cost of living and the land is generating profits for them. In addition, political considerations often constrain landowners' ability to realize the maximum development potential on underused land. Some nearby residents want to reduce the development potential of underused land in order to preserve a low density development pattern, and elected officials are often receptive to their concerns. Regulatory issues, such as minimum parking standards and requirements for vertical mixed-use, can also make it difficult to redevelop these sites when the market cannot support this type of development or when the political or community will does not exist to support these policies.

The experiences of Miami-Dade County and other communities in the United States suggest that land conservation goals can be difficult to achieve by relying only on the UDB policy. The 5-acre

[6] Miami-Dade County Zoning Advisory Board: Hearings for Properties Outside the Boundary, November 2008.

minimum lot size outside the UDB discourages large subdivisions but allows spread-out development that uses a lot of land. As the housing production numbers outside the boundary reveal, there is a market in Miami-Dade County for estate housing with 5- to 10-acre lots.[7] Much land has been developed in piecemeal fashion this way. This development pattern has been occurring for the last 40 years, in part due to the parcelized development of land.

Even if the amount of land converted to estate housing outside the boundary is relatively small, it can have a disproportionate impact on the sensitive land that the boundary is supposed to help protect. The spread-out land development pattern outside the boundary can create more stormwater runoff per household because it creates more impervious surfaces and compacted lawns.[8] This runoff picks up pollutants from roads, parking lots, and other surfaces and deposits them in the county's water bodies. This piecemeal pattern also makes it more difficult to maintain a viable agricultural economy in areas outside of the UDB because some farming activities need large pieces of land, often with a buffer between the farm and residential neighbors to reduce complaints about noise, odor, or dust.

The dwindling supply of agricultural land is an especially urgent issue. Miami-Dade County still has roughly 67,000 acres of agricultural land in active use outside the boundary. The problem of splitting apart parcels of agricultural land is not new, but the issue has reached a critical point. Farmers are already struggling to maintain profitable crops due to international competition and are gradually shifting to higher-value-added crops in order to survive in an expensive marketplace with limited agricultural land. Further piecemealing for spread-out development could have a cascading effect, as it becomes more difficult for farmers to continue their operations when residences are nearby, thereby encouraging them to seek other uses for their land or in some cases sell their land for low-density residential development. Miami-Dade County is already dangerously close to losing its critical mass of land in active agriculture usage (see Figure 3). The experience of other communities indicates that if cultivation dips below 50,000 acres,[9] then the county will begin to lose agricultural suppliers and other vital pieces of infrastructure including labor as well as irrigation efficiencies required for agriculture. Eventually, this could lead to the demise of agriculture in the county.

[7] Miami-Dade County Department of Planning and Zoning Housing at a Glance, , Research Division, February 2008.
[8] US EPA, Protecting Water with Higher Density Development, 2006.
[9] Personal communication with Subrata Basu, Assistant Director, Miami-Dade Planning Department on October 21, 2009.

IV. FUTURE OPTIONS

As Miami-Dade County reconsiders its UDB policy, the team's review of the situation and discussions with stakeholders suggests that the county faces two fundamental questions:

- Where could the boundary ultimately be located?
- What process could be used to amend the boundary?

The first of these two questions is a public policy and political question beyond the scope of this project. Many of the answers to this question are found by discussing the topic with a diverse range of stakeholders within south Florida. The boundary location depends on their opinions and on policy decisions made at the staff and county executive levels. The decision about the final location of a growth boundary is closely linked to the fundamental reasons for the boundary itself. For example, if the core purpose of the boundary is to protect agricultural lands, then the boundary is likely close to a final location in some areas of the county. If, on the other hand, the boundary is intended to promote compact, orderly expansion of the urban area, then the boundary would then need to be expanded every so often so as to accommodate the region's growing population.

The second question, which the team was charged with answering, focuses on process and revolves around the issues of clarity and certainty. Most of the stakeholders that the team talked to were unhappy with a process that revolves around regular fights over project-initiated proposals. They also saw the process as offering little certainty to development interests and landowners outside of the UDB.

To determine a process for expanding the UDB, the county could consider the following questions:

- What methodology could be used to determine land supply?
- What policies could be in place inside the boundary to encourage infill development?
- What policies could be in place outside the boundary to encourage land conservation?

While these questions exist help frame the discussion of what to do with the UDB, this section will describe actions in two main topic areas: Options for Boundary Location and Process Options. Subsequent sections will discuss Outside-the-Line Policies and Inside-the-Line Policies.

A. POLICY OPTIONS

The county has five fundamental options with respect to the boundary line's location:

- Hold the line where it is in perpetuity and promote redevelopment and infill to accommodate growth in the county.
- Allow the line to move gradually until it reaches the boundaries of the Everglades, Biscayne National Park, and other natural and manmade boundaries.

- Choose a final boundary somewhere in between the current UDB and the Everglades, Biscayne National Park, and other natural resources.

- Remove the boundary altogether. This option was not discussed at the workshop.

- Make no changes. This option was not discussed at the workshop, but policy is available.

Any of these options will have consequences for land supply methodology, policy approaches, and management of the boundary. While the project focuses on process options, the county must also determine which of these options makes the most sense to choose. As the process for determining the line and the boundary location are inherently linked, it is important for the county to decide its goal for growth management and select a process and boundary location that are complementary.

Figure 4: *Different land uses (agriculture and residential) meet at the development boundary. (Source: Subrata Basu)*

B. PROCESS OPTIONS

The two most viable options for the process of considering amendments to the UDB appear to be:

- A "Business as Usual" Approach: A continuation of the current system of having an applicant-driven process to propose boundary changes every two years.

- An "Analysis of Land Supply" Approach: A shift to updating the boundary less frequently (every 5-7 years) based on staff analysis of land supply during a regular, programmed process such as the EAR process.

During its site visit and in meetings with interest groups and the public, the team found most stakeholders appear weary of the Business as Usual system of biennial, applicant-driven amendment applications. They perceive this process to be expensive, time consuming, and

combative, often leading to unhappiness from both winners and losers in the process. Yet at the same time, most stakeholders appear to have a hard time envisioning a better alternative.

Landowners appear to like the current system because it gives them control over when, where, and how they may seek an amendment to the boundary. Despite this sense of control, however, applicants almost never succeed in winning approval for an amendment application.

This system has an additional component—movement of the line is also based on a 15-year supply to accommodate growth. This means that regardless of specific discussions about individual parcels, decisions are ultimately guided by the need to keep a designated amount of land available for future development. This distinction is important to note because it illustrates that the county does have long-term planning in mind with the current system.

By contrast, boundary advocates, such as the Hold the Line organization, often express displeasure with the current applicant-driven system, arguing that it gives landowners too many opportunities to pursue amendments to the boundary, resulting in many one-off fights. Yet under the current system, these boundary advocates almost always win these fights. Amendment applications, which require a supermajority approach, are almost never approved.

The Analysis of Land Supply approach is used in many places, and it has many variations. In metropolitan Portland, for example, the region is required under state law to maintain a 20-year supply of land inside the boundary. The law gives Metro, the elected regional planning body, latitude in determining the need. By contrast, in metropolitan Seattle, Washington, the power to change the Urban Growth Area (UGA) lies not with the regional planning agency, but with the counties. In both cases, however, the boundary is established not in response to individual applications but as the result of a periodic analysis of supply and demand.

Alternatively, California's Local Agency Formation Commissions (LAFCOs) use a process in which land use policies are guided by a state-commissioned entity. Each county has a LAFCO, a regulatory and quasi-legislative commission. LAFCOs are the California state legislature's agent to make indirect land-use decisions—controlling timing and location of land use but not directing land use decisions. For example, a LAFCO cannot force a zoning decision or overturn a city decision on a subdivision. For more information, see Appendix B.

A shift to an analysis of land supply update process would have many advantages like further predictability of the process, but would require stakeholders to accept a different type of risk than they experience in the current system. Landowners would have to accept that they could not seek amendments frequently; boundary advocates would have to accept that the boundary might be expanded, though in the context of a more comprehensive growth strategy. A move to this alternative approach would likely stimulate more intense debate over the methodology the county uses to calculate land supply. A land analysis-based periodic update would allow the county to plan future urban development in expansion areas more comprehensively.

Despite these changes, intense debates over the line would not vanish under a land supply analysis process; rather, they would shift focus from individual landowners and their applications to the overall question of whether and when the boundary could be expanded. This, in turn, would shift the debate away from the merits and costs of proposed project-based expansions and toward the county's methodology for determining land supply needs, which would presumably drive the

process. The EAR, which must be completed every seven years, would provide a logical opportunity for this periodic update.

Either choice has consequences for policy, methodology, and management. Where the line is and whatever the process is, the county will need:

- A clear, technically sound methodology to assess underused and vacant land capacity.
- Strong and/or highly tailored policies both inside and outside the line to direct growth and development.
- Political will to commit to the UDB as the main growth management policy.

C. METHODOLOGY ALTERNATIVES AND IMPLICATIONS

As stated above, the shift to a more comprehensive staff-driven approach would place more scrutiny on the county's methodology for determining vacant land supply. Miami-Dade faces a fundamental choice in approaching how it quantifies the need for additional land. This decision is not about the skill or adequacy with which the Miami-Dade staff executes these analyses. Instead, the issue lies with the choice of methodology that would be used to model development potential and future land use need.

The methodology is used to assess the future residential needs relative to available supply. It is, in part, based on recent trends but also incorporates expected future outcomes that have not been seen in the past. Residential supply is based on the amount of developable vacant land including underutilized parcels, redevelopment capacity, and capacity within urban centers. The capacity of vacant parcels, including small infill parcels, is counted at 80 percent of the maximum allowable capacity based on the existing land use and zoning. The capacity of urban centers is similarly analyzed. Redevelopment capacity is based on large scale approval by local jurisdictions and estimates of future redevelopment capacity. Refinements to the methodology are being made to capture future potential redevelopment capacity based on building to land value ratios; age of structure; and the ratio of allowable to existing density. Capacity analysis is continuously adjusted to account for all relevant changes.

Residential demand is assessed in terms of housing units that will be needed to accommodate projected population growth of the county over the planning horizon. The population growth figures are converted into housing units by applying the persons per household ratio to determine residential demand. This ratio is adjusted as new data becomes available. The demand is then divided into the need for single-family and multi-family type demand. This mix is adjusted based on historic and recent trends in development and is updated annually.

As an alternative, Miami-Dade County could adopt a methodology used in other places that forecasts that the county's policy efforts will succeed in creating more compact development and more mixed-use and transit-oriented development. In Portland, it is called "outcomes-based" planning. Portland recently used this methodology to determine that its Urban Growth Boundary need not be expanded by large amounts. Rather than assume that current trends will continue into the future, this approach assumes that the county's policies will be effective. This methodology,

not surprisingly, is likely to result in a smaller projected need for land in the future than the current methodology.[10]

While an outcomes-based methodology creates a stronger link to the CDMP's goals, this approach is not common in the United States. Employing an outcomes-based approach requires belief in the power of the CDMP to yield real change on the landscape and the political support to model future conditions based upon the goals and policies of the plan.

The choice of methodology is fundamental to the future of Miami-Dade County because it will drive planning, population, and employment projections and capital improvement program (CIP) investments. For example, a "past trends" model is much more likely to yield CIP investments that support lower-density growth across the county and therefore work at cross-purposes with the UDB—even though one of the major purposes of the UDB is to assist in efficiently delivering public services, such as roads, water, and sewer. In contrast, an outcomes-based methodology is more likely to yield CIP investments that work with the CDMP's policies to support more compact development, promote mixed uses, and develop a land use pattern that supports a range of transportation modes. The choice of methodology is linked to the county's belief in and commitment to the CDMP; the current approach reflects a view that the plan is ineffective, while the proposed alternative sees the plan as a vision that can be realized.

[10] Metro, Urban Growth Report, http://www.oregonmetro.gov/index.cfm/go/by.web/id=29959. Accessed September 25, 2010.

V. OUTSIDE-THE-LINE POLICY

While the current UDB encourages compact, mixed-use development inside the boundary, it does not guarantee that environmental goals—especially protection of agricultural land and wetlands—will be achieved outside the boundary. These goals are threatened by some county policies outside the boundary, especially the 5-acre zoning requirement. This threat would remain even if the current boundary is never changed.

Given that the Bert Harris Act[11] makes further downzoning unlikely, the county could consider a variety of policy tools outside the boundary to protect these lands, including:

- ***A master plan for the ultimate conservation and development of the area currently outside the boundary***

This approach would use a formal planning process to determine where an appropriate ultimate boundary could be located. Once this study is completed, the master plan would allow development inside the relocated boundary and require conservation outside that boundary. The master plan would be final, and no further expansion of the boundary would be allowed. This approach has the advantage of determining the ultimate use of all land outside the boundary at once, ensuring that sensitive land would be permanently preserved. Some land would undoubtedly be earmarked for eventual development, but the comprehensive nature of the planning effort opens up the possibility of development that promotes the county's goal of compact development. At the same time, the plan would likely call for permanent preservation of large portions of land outside the current boundary using a variety of mechanisms, including landowner dedications in exchange for development and other tools described in this section.

In Florida, the state's Optional Sector Planning (OSP) model has been used by several communities as they develop long-term sector plans for large swaths of largely undeveloped tracts. While this program is capped at five demonstration communities, the county might research the OSP model if it pursues this option. This approach has been widely used in Southern California, which, in general, does not have urban growth boundaries. In San Diego, Orange, and Riverside counties, regional-scale planning processes—driven in large part by the need to protect federally listed endangered species—have laid out ultimate conservation and development areas. Perhaps the most comprehensive approach has been taken in Riverside County, California, where the Riverside County Integrated Project[12] creates zones that will be developed and zones that will be conserved, as well as new transportation corridors to serve the developed zones and a land use plan for the unincorporated areas.

[11] Florida State Senate. Bert Harris Act. http://www.flsenate.gov/statutes/index.cfm?App_Mode=Display_Statute&Search_String=&URL=Ch0070/Sec001.htm&StatuteYear=2004. Accessed November 17, 2010.
[12] Riverside County Integrated Project. http://www.rcip.org. Accessed September 20, 2010.

- ***A formal phasing plan using the Urban Expansion Area mechanism***

The current UDB system includes a very valuable but underused tool: the Urban Expansion Area (UEA).[13] The UEA system could be quite effective if paired with a county-established ultimate boundary, with the UEAs employed to phase development to that ultimate boundary. This approach would require the county to reassess its current UEAs, most likely designating more or different areas for expansion. The county would also likely need to create some kind of "trigger" that would allow the boundary to be moved to include UEAs. For example, the process could trigger an expansion of the UDB when available land inside the boundary drops below a certain threshold or when overall densities within a given UEA reach a certain point.

The Urban Expansion Areas policy is as follows:

> When additional supply is needed,
>
> I. The following areas shall *Not be Considered*:
> a. The Northwest Wellfield Protection Area;
> b. Water Conservation Areas, Biscayne Aquifer Recharge Areas, and Everglades Buffer Areas designated by the SFWMD; and
> c. The Redland area.
>
> II. The following areas shall be *Avoided*:
> a. Delineated Future Wetlands;
> b. Land designated Agriculture;
> c. Category 1 Hurricane Evacuation Areas;
>
> III. The following areas shall be given *Priority*:
> a. Tiers having the earliest projected supply depletion year;
> b. Land contiguous to the UDB;
> c. Locations within one mile of a Planned Urban Center or Extraordinary Transit Service corridor.
> d. Locations having projected surplus service capacity where necessary facilities and services can be readily extended.[14]

Another possible scenario is assessing the need at the Evaluation and Appraisal Report (EAR) every seven years for a 10-year period with yearly update/review. Any modification during the seven-year EAR process to the UDB would be based purely on projected needs, resulting in possible designation of UEAs as needed. Any request for expansion could be made only within the UEA and would be required to meet a set of criteria (e.g., design standards, minimum size development, transfer of development rights, basic street layout and cross-sections, etc.).

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[13] The UEA is the area located between the 2005 UDB and the 2015 Boundary. It is the area where current projections indicate that further urban development beyond the 2005 UDB is likely to be warranted sometime between the year 2005 and 2015.

[14] Miami-Dade County. The Urban Development Boundary: Holding the Line for Our Quality of Life. http://www.miamidade.gov/district08/library/hold-the-line-presentation-web.pdf. Accessed August 5, 2009.

- ***A better-coordinated set of land acquisition programs***

One important way that the county is pursuing land conservation goals outside the boundary is through the acquisition of land by a variety of entities, including the water management district, other utility agencies, nonprofit land organizations, and the county's Environmentally Endangered Land (EEL) program. All these programs use public or philanthropic funds to purchase sensitive land from willing sellers. These efforts would be more effective at protecting the most critical lands if they were coordinated with each other, with the CDMP future land use map, and with the process of amending the UDB. To assist in the success of the EEL program, the county has been working to secure land through a Purchase of Development Rights (PDR) program, which holds great potential to protect sensitive land outside the UDB—especially agricultural land that can be cultivated by private owners even after the rights have been sold.

Lack of coordination between growth policies and land acquisition programs can lead to a situation where different government agencies are working at cross purposes, which can cause policy confusion and make it more expensive for agencies to purchase land or development rights. For example, the movement of Orange County, Florida's urban services area in the vicinity of the Econlockhatchee River caused the St. John's water district to purchase the land at a very high price.[15]

Figure 5: *Land acquisition and protection programs provide habitat for birds like this flock of wilets. (Source: Subrata Basu)*

- ***Larger and more targeted compensation programs***

A PDR program has been effective in many communities, but it has two inherent limitations. First, it is limited to willing sellers; key landowners may choose not to sell. Second, it is limited

[15] Fulton et al, "The Shape of Metropolitan Growth: How Policy Tools Shape Growth Patterns in Seattle and Orlando, Brookings Institution, 2006; http://www.solimar.org/virtual/index.html#2006

by the availability of financial resources. Purchase of development rights is expensive because most of the land's value is tied to its development rights.

The county could consider expanding the PDR program and also implementing a Transfer of Development Rights (TDR) program, as called for in the CMDP, to provide even more permanent protection for agricultural land outside the UDB. There are several TDR programs in Florida, although few of them are aimed at agricultural lands. Palm Beach, Sarasota, and St. Lucie counties each have employed TDR programs aimed in part at protecting active agricultural and ranch lands. These programs vary substantially in their design and implementation, but each has identified agricultural lands in its TDR sending areas and linked its TDR programs to other planning tools aimed at protecting these areas from encroaching suburban development.

For instance, Sarasota uses TDR in conjunction with several other incentives, including density bonuses and the Sensitive Land Purchase Program; further discussion of these programs can be found in Appendix B.

TDRs can be used in innovative ways to implement a development and conservation plan, even with a UDB. King County, Washington, has a pilot project in its 2008 Comprehensive Plan Update for the expansion of its UGA to include the Covington Creek development. The expansion for this project is contingent upon the use of a TDR to increase the density of development in the project area and to ensure the conservation of rural land in another area at a ratio of four acres of conserved rural land for each new acre of urban land. Since adoption of the plan, economic conditions have shifted, and the Covington Creek development has not been built. The 2008 Comprehensive Plan Update did not include policy language for the general expansion of the UGA in other parts of the county using this process. However, the pilot project would presumably be the basis for the development of this type of policy in the future.

The future role of TDR in King County's UGA expansion policy is uncertain. However, future policy will likely be based upon the preliminary policy agreement for the pilot project, which was simplified and generalized before being adopted in the 2008 Comprehensive Plan. The preliminary policy agreement establishes requirements for proposed projects that would require altering the UGA. In order to alter the UGA, projects would be required to be between 10 and 100 acres in size, located adjacent to the original 1994 Urban Growth Boundary, be accessible for urban utilities and not within an Agricultural Production District or Forest Production District. The projects would be required to purchase TDRs from rural sites outside the expansion area which provide a buffer of permanently preserved open space.

- ***Better-targeted agricultural policies***

Ensuring the long-term viability of agriculture in Miami-Dade County will require far more than simply holding the UDB in its current position. The 5-acre lot zoning will continue to take farmland out of production because such lots can be used for low-density development rather than agriculture.

In many other places around the country, this situation has been addressed by downzoning land to 20-, 40-, 80-, or 160-acre lots to eliminate the possibility of low-density development. This approach is not feasible in Florida's legal context. Therefore, in addition to the TDR/PDR programs mentioned above, the county could consider restricting 5-acre lot zoning outside the boundary to agricultural operations only. In addition, the county could work with farmers and

other agencies to help farmers find and connect with new markets for their products as a response to the current problem of being undercut by foreign producers.

Evaluating the Outside-the-Line Options

None of the above tools is revolutionary or untested in the state. Each of these approaches has been used successfully in other metropolitan areas in the United States and in Florida to ensure permanent conservation of natural areas and working landscapes close to development. These tools work best if used together; there are substantial synergies between many of these strategies with the potential to yield more effective outcomes when employed in a coherent, cohesive manner. Those communities that have been most successful in managing growth at their edges, including Portland, Seattle, and Sarasota, have employed a range of planning tools to do so.

Boulder County, Colorado, also employs strategies that are focused on getting results from their outside-the-line policies. The county has an extensive conservation program that purchases land to create a greenbelt of parks and open space. Each policy is geared toward meeting the strategic goals of accommodating growth and preserving assets related to natural resources. To accomplish these goals, Boulder County buys land at fair market value that will add to open space that can be added to its greenbelt system – land that will be preserved and direct future growth and development away from sensitive lands, as well as minimizing the annexation of land that does not have adequate infrastructure to accommodate the growth. For more about this program and other strategies in Boulder County, see Appendix B.

VI. INSIDE-THE-LINE POLICY

No matter where the UDB is located, strong and clear development policies inside the line will be required to achieve desired development, environmental, and economic goals. Miami-Dade County has a long history of employing effective infill and redevelopment policies and using infrastructure investments to support development that promotes the CDMP's goals. In many ways, Miami-Dade County and its municipalities are leaders in the state in this regard. For example, the Metrorail transit system and planned expansions of both rail and bus rapid transit have created a solid backbone upon which to create more compact nodes inside the UDB. The county has pursued this type of development in unincorporated urban centers such as Kendall and Naranja. However, to promote infill development even more successfully and to create compact, mixed-use centers, the county wants to take additional steps to achieve its policy goals related to infill development.

One option the county could consider is to develop policies that direct growth to existing communities and make it easier for those places to absorb growth. With incentives to grow inside the line, infill development would reduce growth pressures on rural areas; use land, infrastructure, and services efficiently; and improve quality of life in older communities. For example, the state of Maryland recognized the benefits of infill in many communities, from Baltimore's revitalized waterfront neighborhoods to tight-knit villages like Centreville and downtown Ellicott City due to its statewide priority funding areas program that encouraged growth and development toward areas that had existing services and infrastructure. The key to this program is to provide development funds and resources to communities that are planning for growth at infill sites. A successful infill strategy at the local level maintains or restores continuity to streetscapes, strengthens neighborhoods, preserves historic structures, and introduces compatible uses that complement existing community attributes and fulfill local needs.[16] Infill capitalizes on previous public investments made in existing infrastructure and minimizes the need for costly new infrastructure. Furthermore, new infrastructure that serves spread out development typically serves fewer customers/households than new or upgraded infrastructure in infill areas. Work commissioned by EPA analyzed the infrastructure costs for a 750-acre site in South Carolina comparing a traditional neighborhood development (TND) and a conventional subdivision found significant cost savings for the infill TND site. Response times for emergency and police services can be shorter for neighborhoods in existing communities than in peripheral, spread-out areas.[17]

[16] Maryland Office of Planning. *Managing Maryland's Growth* June 2000.
[17] US EPA with Morris Beacon Design, Comparative Infrastructure Analysis of Smart Growth and Conventional Projects, 2009.

Perhaps the most important area to address is how the county can coordinate infill development with the 35 cities in its jurisdiction. Much of the available land inside the UDB is inside city boundaries. In theory, the county has the power to assert land use control over critical areas inside cities, as it has done around transit stations. But asserting further control, though possible, is fraught with potential political problems. A more collaborative option might be for the county to coordinate with cities not only regarding land availability and data (which happens now) but also regarding infill development policies. Wherever possible, municipal comprehensive plans could align their policies with those of the county so that the UDB can perform its regional purpose of directing development to existing and emerging centers.

One of the most comprehensive resources on infill strategies, specifically about connecting growth management to encouraging in-town redevelopment, is the New Jersey Department of Community Affairs' *Infill Development Standards and Policy Guide*.[18] This document contains strategies and programs that can be used for infill development. Any community can benefit from the application of these resources, but Miami-Dade County in particular might want to examine the infill financing strategies. This guide provides specific requirements for promoting infill development such as contiguous parcel development and enabling eminent domain to be used in specific instances when economic benefit of redevelopment can be realized. Financial tools like Location Efficient Mortgages are also part of the toolbox employed by the state. New Jersey has also put in place Sustainable Jersey,[19] a statewide voluntary program where local governments put in place policies to encourage sustainability and infill practices and in return, funding for development and sustainability is made available to continue their work.

Location efficiency is also employed in Illinois, particularly in Chicago. This strategy has been an integral part of getting residents to understand the connections between housing and transportation costs. Investing in areas with transit benefits the entire region. In addition, Chicago city staff work with community development organizations and nonprofits to finance land purchase and site rehabilitation. In general, this coordination is typically complemented by strategies to streamline the development process by reviewing plans prior to submittal for formal review, thus making it easier for more creative projects to receive approval. The goal is to have broad policies that encourage sustainable growth and development, as well as putting into place specific strategies that make infill development the preferred and cost efficient choice.

Either on its own or in collaboration with cities, the county could step up its efforts to promote infill development. Most of these ideas are already in the county's planning policies, but the county could implement the ideas more aggressively. Tying UDB expansion to use of these ideas—for example, by creating a "trigger" that allows expansion only when certain densities inside the line are achieved—could encourage infill.

Efforts to incorporate infill strategies into public policy could have several aspects, including:

- Ensuring that infrastructure investments are targeted to designated infill areas. Though they often have available land, infill areas frequently do not have the necessary infrastructure

[18] State of New Jersey. *Infill Development Standards and Policy Guide* http://www.state.nj.us/dca/divisions/osg/docs/infillstandards060106.pdf. June 2006.
[19] Municipal Land Use Center at the College of New Jersey. Sustainable Jersey. www.sustainablejersey.com. Accessed November 2, 2010.

capacity for expansion. At the same time, the county's infrastructure investment is sometimes directed to spread-out, greenfield development. Alignment between targeted infill areas and infrastructure investment is vital.

- Ensuring that infill policies reflect market realities, so that developers take advantage of infill opportunities when they are available but are not hamstrung by unrealistic policies or goals. For example, although there is often considerable political pressure to maximize parking in a new project, new developments in compact, mixed-use areas often do not need as much parking as is mandated by minimum parking requirements. In many communities, these requirements were developed for greenfield projects accessible only by car and may not be relevant for infill projects with good walking, biking, and transit access. A careful review of minimum parking requirements may be warranted, especially for projects located in areas with good transportation options. EPA's *Parking Spaces/Community Places: Finding the Balance: Finding the Balance Through Smart Growth Solutions* provides an additional perspective on this issue.[20]

- Pursuing both vertical and horizontal mixed-use. Reviewing development requests over the previous few years and confirming with county staff, demand for mixed-use buildings may not be substantial, but there is increasing demand for mixed-use districts, in which different uses are conveniently located within walking distance from one another. County policy has often emphasized "vertical mixed-use" (mixed-use within individual buildings), which is expensive and difficult to build and often hard to market to end users due to the fact that this type of development carries a higher risk from lenders and is harder to phase in like horizontal mixed-use. Other metropolitan areas as diverse as Sioux Falls, South Dakota, and Austin, Texas, have found success with a "horizontal mixed-use" strategy, with policies that bring commercial, office, and light industrial uses closer to residential areas. A horizontal mixed-use strategy can make sense in more spread-out, automobile-oriented places outside of the primary transit corridors and urban centers.

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- Promoting a variety of housing types, sizes, and styles and providing opportunities for these products to come to market. Many households today neither want nor need a large house and

[20] U.S. EPA, Parking Spaces/Community Places: Finding the Balance through Smart Growth Solutions. U.S. EPA, 2006, p. 20-28.

a high-maintenance yard. Many of these households prefer a smaller home conveniently located near day-to-day services and transit and in a walkable community.

- Promoting higher density employment centers near transit stations. One way to concentrate employment is a minimum density requirement in place of the more traditional maximum densities found in many local zoning and land development regulations.

San Diego's Smart Growth Opportunity Areas policy is a comprehensive inside-the-line strategy that is very similar to Miami-Dade County's urban centers concept. Smart Growth Opportunity Areas are "pedestrian-friendly activity centers that are connected to other activity centers by transit or could be in the future."[21] San Diego promotes infill by targeting growth and development in transit corridors and centers. These centers are based on how large the center is and where it is located.

The Smart Growth Opportunity Areas consist of priority areas for infrastructure improvements and development potential. To realize the goals of the Smart Growth Opportunity Areas, San Diego County provides incentives for development such as permit streamlining; reduced parking standards; and flexibility for mixed-use development, infill development, and affordable housing. The result of these policies is to create communities and neighborhoods where residents have transportation options to access destinations like stores, their place of business, or civic uses. Typically, planning for and designing neighborhoods that provide transit access to homes and businesses is a significant component of the city of San Diego's General Plan.

[21] San Diego Association of Governments. Land Use and Regional Growth. http://www.sandag.org/index.asp?projectid=334&fuseaction=projects.detail. Accessed November 18, 2010.

VII. ENVIRONMENTAL ISSUES

Successful growth management in Miami-Dade County is critical to the economic, environmental, and cultural preservation of the region. Policies and goals have been established to address these needs. Development decisions both small and large have great impacts on the built and natural environments. While not formally part of the scope of this project, addressing climate change mitigation and adaptation can occur through focusing on policies that work to preserve land, reduce water usage, and improve air quality through reduction of vehicle miles traveled. Initiatives like the Southeast Climate Action Compact provide a central effort for Miami-Dade County, Broward County, Monroe County, and Palm Beach County to work together to address climate change. This compact works to coordinate local, regional, state, and federal actions on climate issues. This group is taking the lead on a climate action plan. Policies from this report could be incorporated into this climate work to ensure continual coordination. This type of coordination of policies and procedures are applicable in communities around the country.

The UDB's goals outside the line are to preserve wetlands and agricultural land. While it is not a primary focus of the current process for growth management, the creation of a development process where developers are encouraged to consider the long-term preservation of land would help communities reap environmental benefits from protecting highly sensitive areas, resulting in better water and air quality.

Keeping development inside the UDB can help South Florida's efforts to preserve Everglades' species, including Florida panthers, Cape Sable seaside sparrows, and American crocodiles. Strong land protection can help protect wetlands, restore disrupted timing and flows of water, and protect water quality, including in South Florida's lakes and estuaries. It can also preserve habitat for wading birds and other species and help fight the loss of native habitat to exotic species. Many organizations and groups have come together to support maintaining the UDB where it is now, including Audubon of Florida, Environmental and Land Use Center, Sierra Club, and many others.[22]

Inside the line, the UDB is focused on more efficient provisions of public services, compact development, and promoting transportation options, which can reduce the amount people need to drive and thus reduce air pollution and greenhouse gas emissions. Infill strategies and more compact development in appropriate locations can bring new amenities and opportunities to communities and make inside-the-line neighborhoods more attractive places to live, reducing development pressure outside the line.

[22] Audubon of Florida et al. The Importance of Maintaining the Miami-Dade County Urban Development Boundary, February 2005, http://www.udbline.com/FINALwhitepaper.pdf. Accessed September 22, 2010.

However, the environmental benefits of the UDB would likely increase if the UDB process were accompanied by stronger policies for areas both inside and outside the line. Using the tools suggested in the Outside the Line section will make it easier to permanently preserve sensitive land; using the tools suggested in the Inside the Line section will make it easier for people to walk, bike, or take transit to their destinations.

VIII. NEXT STEPS

It is clear that "business as usual" is not working as well as the assorted stakeholders in Miami-Dade County would like. Some steps the county could consider to respond to stakeholders' concerns and better use the UDB include:

- Make policy decisions about the design and use of the UDB in a manner that considers impacts to development inside and outside the line;
- Review and confirm the relevance of the guiding principles behind the UDB;
- Employ a methodology that envisions a future in which the land use analysis needs are projected and predicted accurately to ensure predictability for developers; and
- Pursue a multi-faceted package of policies and programs that work to promote infill redevelopment in urban areas and protect environmentally sensitive lands and active agricultural lands outside the UDB.

Climate change is one of the most important issues for this region. Given the time and resources devoted to the Southeast Climate Action Compact by Miami-Dade County and the other partners, it is clear actions on that effort and those generated from this work need to be coordinated in order to produce effective results. While separate initiatives are necessary and purposeful, county officials must pay attention to results produced from these separate efforts. To that end, information can be shared and decisions will be the result of informed opinions that aim to achieve coordinated results.

To accomplish these things, county staff and elected officials could review this report (and the PowerPoint presentations from the October 2009 workshop) to determine which elements are the most relevant for moving forward. Decisions about how to proceed could be discussed in a workshop with a group of key stakeholders and/or a half-day public session to review selected options. Once this is complete, a course of action might include establishing a protocol for changing and updating the UDB. The entire document provides a series of decisions that need to be made and options for consideration in order to determine the most appropriate course of action for growth management in Miami-Dade County.

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To facilitate this process, county staff might review these options, vet their preferences with the appropriate stakeholders, and coordinate decision-making with complementary efforts (such as work for the Southeast Climate Action Compact and implementation of Miami21).

It is also important to recognize the role that methodology plays in shaping and driving decision-making. There really is no "objective" methodology to determine the land supply because any chosen system will have some assumptions and preconceptions, unless all factors and inputs are

agreed to by a consensus agreement. The methodology chosen might assume a future urban form—either a continuation of the current situation or the successful implementation of the county's policies. The UDB debate cannot be resolved until there is consensus about what kind of future Miami-Dade County could both forecast and plan for. Concurrent with any review of the UDB could be a serious consideration of the methodology employed by planning staff. As discussed in this report, the team believes that Miami-Dade County would be well served by closely considering the "planning for the future" approach employed by many successful communities in the United States.

While this document is grounded in the experience of Miami-Dade County, the lessons are easily transferred to a larger and broader audience (i.e., communities seeking ideas on how to manage growth plus the tools to do it effectively).

IX. CONCLUSION

With its commitment to managing growth through the UDB and the larger growth management system that has been in place for several decades, Miami-Dade County has a good start on getting the type of development that meets its environmental and economic goals. The UDB itself creates a significant barrier to extensive development in environmentally sensitive areas, and it clearly drives some development to infill locations. Miami-Dade would not be as compact and efficient an urban area without the UDB. Cities and counties throughout Florida can look to Miami-Dade County's experience and learn from its many successes. The county has pursued many other important and effective policies that complement the UDB, ranging from the PDR and EEL programs outside the line to the Urban Center strategy inside the line. In sum, the extensive benefits of well-managed and planned development are clear in Miami-Dade County, and the county's elected officials and citizens should be proud of the many successes that came from this "quality growth" process.

The UDB makes it easier for the county to achieve more compact and walkable urban centers, strengthen the viability of agricultural areas outside the line, and protect unique environmentally sensitive lands in the county. This is why the policies inside and outside the line are just as important as where the line goes. Despite the focus upon the UDB, no discussion about UDB location and amendment process could move forward without a discussion about how to strengthen and better implement these policies.

Miami-Dade County has a long history of innovative and forward-thinking planning initiatives, many of which have shaped growth in the county for the better. Central to this commitment to effective governance has been the UDB, which has been in place for over three decades.

The team's assessment is that the UDB has been and remains an effective tool for promoting the county's development goals in the region. However, because of a lack of agreement over the core purpose(s) of the UDB and a contested process for considering changes to the UDB, the time is ripe for a detailed review and assessment of this central tool of the CDMP.

APPENDIX A: EPA'S SMART GROWTH IMPLEMENTATION ASSISTANCE PROGRAM AND MIAMI-DADE COUNTY SITE VISIT

Communities around the country are interested in fostering economic growth, protecting environmental resources, and planning for development, but they may lack the tools, resources, or information to achieve these goals. In response to this demand, the Development, Community, and Environment Division (now the Office of Sustainable Communities) of the U.S. Environmental Protection Agency (EPA) launched the Smart Growth Implementation Assistance (SGIA) Program. This competitive program provides technical assistance through contractor services to selected communities to help them meet economic, environmental, and other community goals.

Miami-Dade County was one of three communities selected to participate in the SGIA program in 2008. The county asked EPA to help it study policies that govern its UDB, including those that preserve land outside of the growth boundary and those that encourage infill development inside the boundary.

The team visited Miami on December 8, 2008, for a preliminary site visit and from October 14 to 16, 2009, for the official public work session. The work session activities included a tour of lands at the UDB, agricultural land outside of the boundary, and infill development inside the boundary. By visiting these locations, the EPA team learned about the issues that government and community leaders addressed with respect to growth management and resource allocation. The site visit also included interviews and discussions with elected officials, key local contacts, important stakeholders, and county staff. On the second day of the site visit, a public forum was held to allow all interested parties to hear about the project and provide feedback. All of these perspectives were considered and weighed as the project team prepared a series of presentations about options for the UDB and strategies that could help the county reach its growth management objectives.

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Kevin Nelson, Lee Sobel, and Summer Goodwin of EPA participated on the EPA staff team for this project. Stephanie Ross and Aileen Tschiderer contributed to the case studies. Both were interns at EPA.

APPENDIX B: DEVELOPMENT BOUNDARY CASE STUDIES

1. Boulder, Colorado

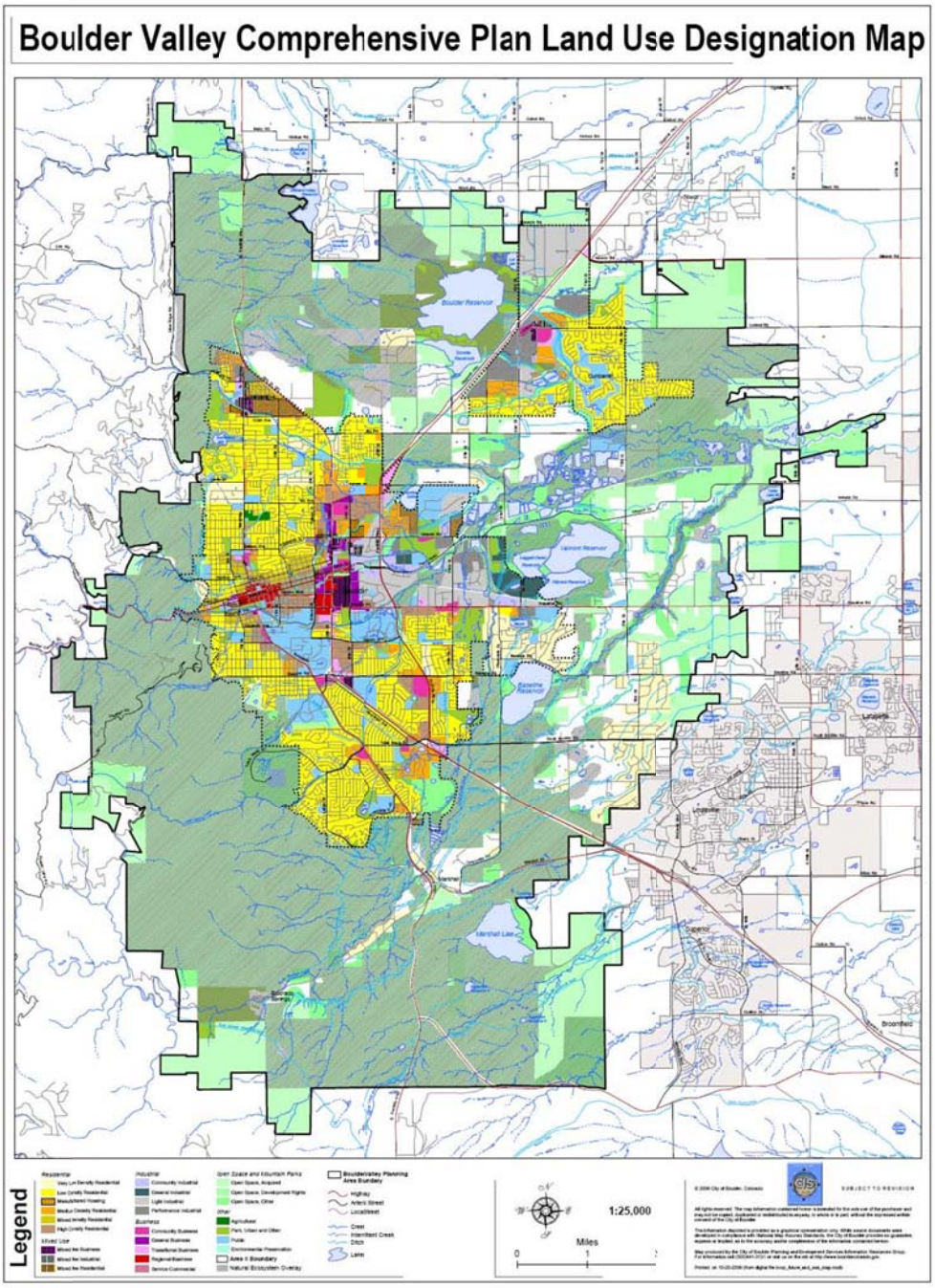
Introduction
Boulder, Colorado, is located along Colorado's Front Range in the northwest corner of the Denver metropolitan area. Land use policy in the city and county of Boulder is guided by its citizens' desire to live in a vibrant and sustainable community. Boulder is known for its creativity in land use management. In 1959, the city created an urban growth boundary (UGB) or urban service boundary called the "blue line," which limited municipal water service to development below 5,750 feet to preserve the mountain backdrop. In 1967, Boulder was the first place in the nation to pass a tax specifically for the preservation of open space. This case study discusses the themes and guiding principles of land use planning in the Boulder Valley, how the city and county address goals similar to those of Miami-Dade County, and what Miami-Dade County can learn from this type of planning structure.

Description of the Growth Boundary
In 1977, the city of Boulder and Boulder County jointly adopted *The Boulder Valley Comprehensive Plan* (BVCP) to guide land use decisions. The BVCP seeks to protect the natural environment of the Boulder Valley while fostering a livable, vibrant, and sustainable community. The BVCP guides decisions on growth, development, preservation, environmental protection, economic development, affordable housing, culture and the arts, neighborhood character, and transportation (see Figure B-1). The BVCP also governs the provisions of services such as police, fire, emergency medical services, water utilities, flood control, and human services. The BVCP has instituted Area Maps I, II, and III, a system of overlays to define the land use pattern for location, type, and intensity of development. The city and county work together to implement the BCVP; periodically analyze and evaluate existing land use regulations, zoning, and processes; and consider the rights of affected property owners. This process ensures that changes required to bring regulations into compliance with the comprehensive plan are consistent. The county has intergovernmental agreements with local governments to delegate authority for implementing policies, including land use regulations and tax sharing of annexed properties. Several community plans guide day-to-day decision-making, including sub-community plans, area plans, and functional master plans, which are closely coordinated and integrated with development and implementation of the BVCP.

The BVCP planning time frame is approximately 15 years. The BVCP is reviewed at least every five years for possible amendments to reflect changes in circumstances and community desires. Each five-year review of the plan extends the planning period an additional five years. Growth projections are set at values for population and employment in the year 2030. Boulder has determined that the BVCP will help the community grow in a way that brings benefits and minimizes harm while maintaining a desirable community size.

Boulder's first urban service boundary, the "blue line," was established in 1959 as a citizen-initiated city charter amendment (see Figure B-2). The blue line was meant to protect the foothills from development, which was considered imminent and detrimental to the natural beauty of Boulder. It ensured that city water service could not be used to further urban development into the foothills. The city council then began to investigate a broader service area concept. From the

study, a service area was drawn that could use a gravity flow sewer system, the boundary of which is roughly the natural drainage basin for the Boulder Valley.



ın Map.

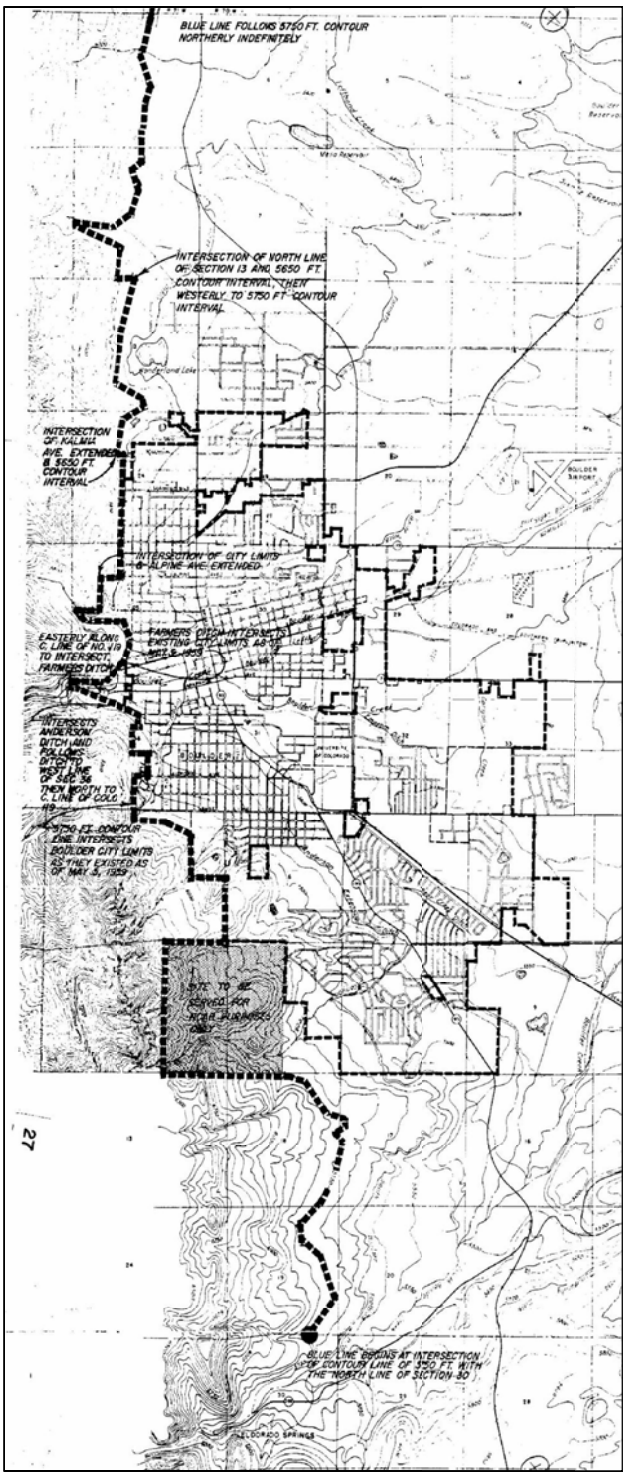


Figure B-2: *Blue Line Map. (Source: Boulder County, Colorado)*

This service area approach was intended to extend services along three major arteries or spokes radiating from the center of Boulder to the north, south, and east, with development occurring along the rim of the Boulder Valley. This pattern would allow development to begin in the outer reaches of the city's service area and to work inward toward the city, while allowing development adjacent to the city to work outward.

In the 1970s, the city and county of Boulder began collaborating on planning efforts. The city changed its service area concept with the adoption of the 1977 Boulder Comprehensive Plan, which was based on staged development. It divided Boulder Valley into three service areas (see Figure B-3):

- Area I – land within existing city limits, which is receiving all municipal services and is expected to accommodate future urban development.
- Area II – land under county jurisdiction that is eligible for annexation within the next 15 years. Area IIA is the focus of the first three years, and Area IIB is available for development for the remainder of the planning period.
- Area III – land remaining in the Boulder Valley, not planned for urban development within the 15-year planning period. Area III is split into the Area III Rural Preservation Area, where the city and county intend to preserve the existing rural land uses, and Area III Planning Reserve Area, where the city and county intend to maintain the option for future development.

Discussion of Guiding Principles

The city and county of Boulder place a high value on the livability and health of the Boulder Valley and the natural systems in and around it. Planning decisions here are rooted in preserving undeveloped areas for future generations, as well as anticipating and adapting to changing community needs. In drafting the BVCP, Boulder considered the following themes:

- Boulder's natural setting and open space define Boulder's size and shape;
- Activity centers define areas of high activity and intensity;
- Distinctive character that defines the quality of Boulder's centers and residential neighborhoods; and
- Boulder's "Mobility Grid" defines important intersections and corridors.

The city and county have also adopted principles of community, environmental, economic, and social sustainability to interpret and guide implementation of the BVCP. The city and county have identified the following aspects of the plan in which thinking sustainably is most crucial:[23]

- The critical interrelationships among economic, social, and environmental health;
- The way people produce, trade, and consume affects the community's ability to sustain natural resources;
- Social and cultural equity and diversity create valuable human capital that contributes to the economy and environmental sustainability;
- Planned physical development has an impact on social conditions and could be considered in community planning; and
- The quality of environmental, economic, and social health is built upon the full engagement and involvement of the community.

The BVCP declares an across-the-board opposition to establishing new, incorporated communities in the Boulder Valley. The city of Boulder intends to limit growth unless sufficient progress is made in reducing negative growth impacts and increasing community benefits.

Comparison to Miami-Dade County

Boulder's growth management policies are centered on conservation and preserving community character. Miami-Dade County's policies appear to be primarily concerned with accommodating growth and delivery of services. Boulder and Miami-Dade County use some of the same planning strategies, such as proving the viability of level of service prior to new development. Below are specific areas in which Boulder addresses some of the primary issues that Miami-Dade County faces.

<u>Conservation Outside the UDB</u>

In 1976, Boulder voters approved a 0.4 percent sales and use tax to support an open space program for the community. The voters periodically (and temporarily) raise the tax, and it is currently 0.73 percent. With this tax money, Boulder has purchased over 37,000 acres of protected area in the Boulder Valley—more than 60 percent of the total planning area. The open space forms a belt of land surrounding the city's planning area, which is protected from annexation under Colorado law. Boulder County's open space program adds to the city's program

[23] Boulder County, Colorado. Boulder County Comprehensive Plan, http://www.bouldercounty.org/lu/bccp/pdf/bccp_with_maps_bookmarks.pdf. Accessed September 15, 2009.

with an additional 54,000 acres of land to the north and southeast, plus some preserve lands to the west and southwest.

The open space program has affected the location of growth in Boulder in at least three ways:

- By compensating owners of close-in property who otherwise might have campaigned for comprehensive plan and zoning changes;
- By buying property zoned for development in the county; and
- By limiting annexation and new transportation/growth corridors.

A compliment to the open space program is Charter Section 84, which established a 55-foot height limit on new buildings in the city. Limiting future building to mature treetop height ensures that the citizens of Boulder will be able to enjoy the views of the open space and park lands they have purchased.

Unlike many cities that have either spread into the countryside or facilitated leapfrog development, Boulder has created a sharp edge between urban and rural development.[24] Miami-Dade County's Comprehensive Development Master Plan (CDMP) deals with a similar situation when planning growth around the various national parks and coastal management areas. Although park boundaries are imposed upon Miami-Dade County rather than voluntary as in the Boulder Valley, both have implications for accommodating growth and population projections. While the park boundaries serve as a second growth boundary limiting development, Miami-Dade County still has the ability to amend and adjust its growth boundary to reflect current and anticipated demands, while Boulder's open space and the greenbelt surrounding the county is clearly off limits.

Staged Urban Service Area

Once Boulder decided on the staged urban service area concept in the 1970s, the reservation of Area III ultimately made it possible to acquire most of the open land surrounding the city as city open space, out to the rim of Boulder Valley. The definition of areas where services are to be provided (along with initial designations of land use) allows a direct link between land use planning and infrastructure planning. Parks, recreation, police, fire, transportation, water, sewer, and flood control service providers can develop their master plans knowing where services are to be extended, over what timeframe, and for what types of land uses. The urban service areas also help to focus investment on redevelopment in the city. Through redevelopment of underused areas and infill development, the city has been able to capitalize on its existing public investments in infrastructure.

According to the BVCP, new and urban development is defined as, "a) all new residential, commercial and industrial development and redevelopment within the city; or b) any proposed development within Area II subject to a county discretionary review process before the Board of County Commissioners," and shall not occur until and unless adequate facilities and services are available.[25] The county determines that the new development is consistent with the land use projections, maps, and policies of the BVCP in effect.

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[24] de Raismes III, J. et al. Growth Management in Boulder, Colorado: A Case Study, http://ci.boulder.co.us/files/City%20Attorney/Documents/Miscellaneous%20Docs%20of%20Interest/x-bgmcs1.jbn.pdf. Accessed September 15, 2009.

[25] Boulder County, Colorado. Boulder County Comprehensive Plan, http://www.bouldercounty.org/lu/bccp/pdf/bccp_with_maps_bookmarks.pdf. Accessed September 15, 2009.

The staged urban service area concept is a less stringent approach than Miami-Dade County's Service Concurrency Management Program, which mandates that a specific level of service be adopted for roadways, public transit, water, sewer, solid waste, flood protection, public school facilities, local recreational open space, and drainage prior to development. While Miami-Dade County denies future development without proof of the level of service, it does more readily allow development in general. The city and county of Boulder, however, require that land be already identified as developable and that the development have proven benefits that will improve the quality of life of its residents before discussions of service provisions are heard.

Activity Centers

Activity centers are identified in the BVCP as an integral part of the community design, along with the city's natural setting, character, and mobility. They are a fundamental strategy in planning a vital and productive retail base and transit-oriented, walkable development and are specifically identified in several of Boulder's sub-community plans.

Activity centers are distributed throughout the community as focused hubs of activity at regional, sub-community, and neighborhood scales. Regional centers, including the downtown business district and the university, are meant to be multi-purpose destinations with relatively intense land use that draw people from a large area. Sub-community centers include schools, libraries, shopping areas, and trailheads and are designed to meet needs for goods and services. Sub-community centers draw people from the surrounding area and may be single- or multi-purpose destinations. Neighborhood centers include small parks, transit centers, daycare facilities, and corner stores and are meant to be gathering places with services that meet essential day-to-day needs. Neighborhood centers are designed to draw people from a small area and create a sense of community through interaction.

Boulder's activity centers are located within walking distance of neighborhoods and business areas, with connections to public transit. They are designed to be compatible with surrounding land uses and preserve the context and character of neighborhoods and surrounding business areas. This is similar to Miami-Dade County's Urban Center Districts, which encourage moderate- to high-density, mixed-use development near transit centers. However, because many of Miami-Dade County's Urban Center Districts require retrofits before they can be developed, the county has to garner public support and input via public workshops, and then rezone the districts.

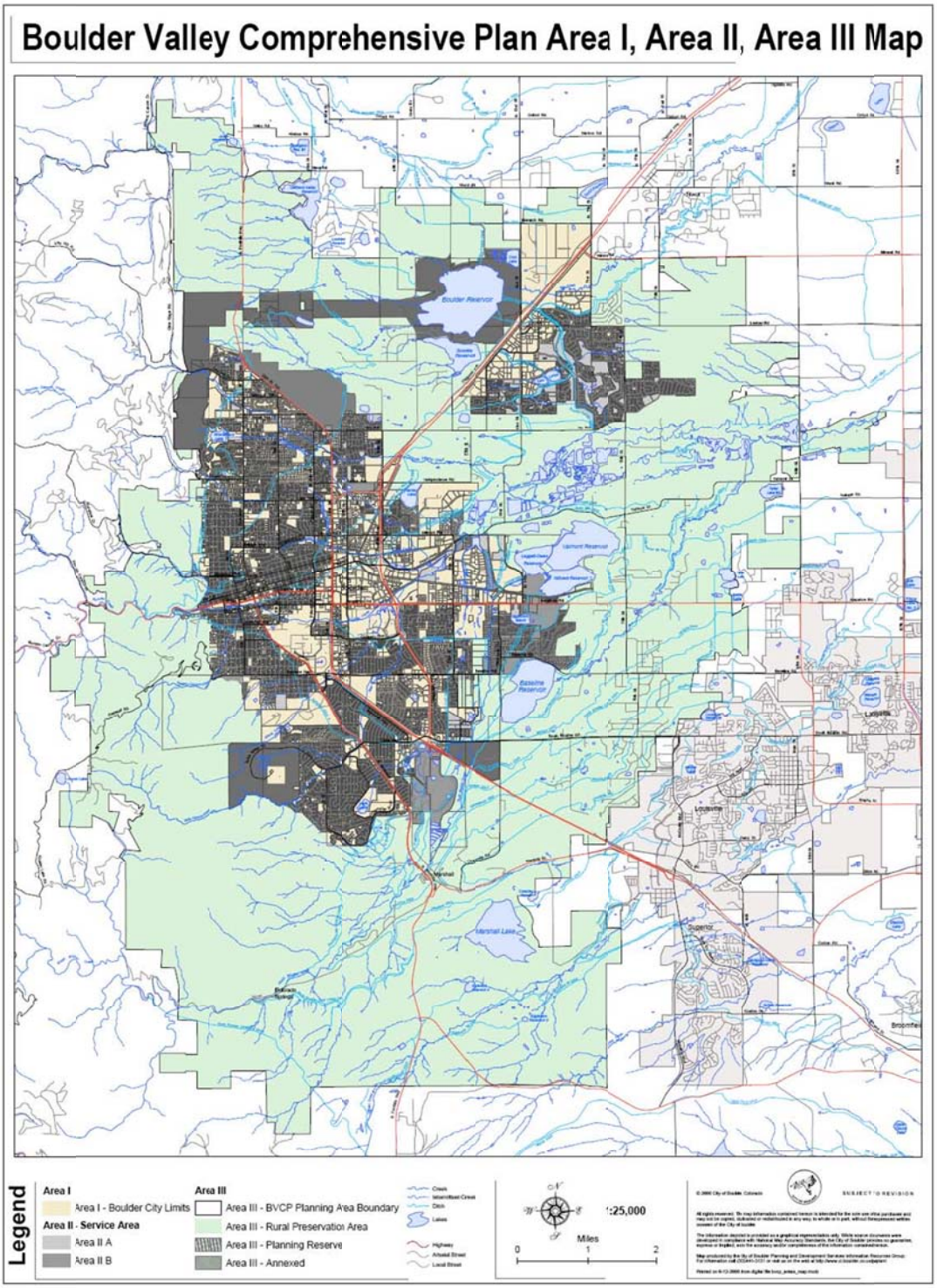

Figure B-3: *Boulder Valley Comprehensive Plan Area I, Area II, Area III Map. (Source: Boulder County, Colorado)*

Annexation

Boulder manages growth on its fringe through annexation strategies that include:

- Annexation is required before the city will furnish facilities and services.
- The city actively pursues annexation of unincorporated lands entirely contained within its boundaries, Area II properties along the western boundary, and other fully developed Area II properties. Applications to the county for development of these areas instead of annexation are referred to the city for review and comment. The county is heavily influenced by the city's response and may require that the landowner conform to one or more of the city's development standards so that any future annexation into the city will be consistent and compatible with the city's requirements.
- Annexation of existing, substantially developed areas is done in a manner that respects existing lifestyles and densities. The city expects that these areas will be brought to city standards only where necessary to protect the health and safety of the residents and may phase in new facilities and services.
- In order to reduce the negative impacts of new development in the Boulder Valley, the city annexes Area II land with significant development or redevelopment potential only if the annexation provides a special opportunity or benefit to the city. Emphasis is given to the benefits achieved from the creation of permanently affordable housing or other special opportunities or benefits such as receiving sites for transferable development rights (TDRs), land and/or facilities for public purposes over and above what is required by the city's land use regulations and environmental preservation.
- Annexation of substantially developed properties that allow some additional residential units or commercial square footage will be required to demonstrate community benefits commensurate with their impacts. Annexations that resolve an issue of public health without creating additional development impacts are encouraged.
- The only annexations outside of the Boulder Valley Planning Area are for lands included in the open space program.
- Publicly owned property located in Area III that is intended to remain in Area III may be annexed to the city if the property requires less than a full range of urban services or requires inclusion under city jurisdiction for health, welfare, and safety reasons.

In Miami-Dade County, annexation is driven in part by policies that govern incorporation of municipalities. In each case, considerations about economic impact are weighed before decisions are made. Typically, municipalities seek to add neighborhoods and communities that add to their tax base. The annexing jurisdiction and the community representing the area to be annexed consider the provision of government services to drive the process. The county periodically installs moratoriums on annexation in order to weigh options about costs and resources as well as to enable people with opposing perspectives to come to consensus on issues.

Cluster Development and Transfer of Development Rights

Boulder does not have any density requirements in the BVCP per se, but it does provide incentives and remove regulatory barriers to encourage mixed-use development where and when appropriate. These incentives include public-private partnerships for planning, design, or development; density bonuses tied to affordable housing and other zoning incentives; new zoning districts; and review and revision of floor area ratio and open space and parking requirements.

Boulder has an established mixture of housing types in many of the neighborhoods developed over the last 30 years. The BVCP continues to encourage this mixture of housing types as well as developing mixed-use and more compact housing along multimodal corridors.

The BVCP encourages two types of cluster development: industry clusters and non-urban, planned unit development. Industry cluster development attracts businesses in similar industries to foster business growth and competitiveness and is a key strategy in the BVCP Economic Vitality Program.

A non-urban, planned unit development is a type of subdivision that permits one additional residential unit per 35 acres if the development occurs on only 25 percent of the property and the remaining acreage is encumbered by a conservation easement. The undeveloped acreage remains in private ownership, but the conservation easement is deeded to the county.

In 1989, the development regulations were modified to allow combining development units from two or more non-adjacent parcels of land. Development rights from one parcel are transferred to one or more other parcels, which is meant to preserve lands deemed to be significant, such as agricultural, open space, environmental, or cultural resources.[26]

Conclusion

The city and county work together to implement the BVCP by channeling growth to the city's service area, preserving lands outside the urban growth boundary, keeping the community compact, intensifying the core area, providing for affordable housing, and improving transportation options. According to county and city planners, additional efforts are still needed in addressing the imbalance between jobs and housing, making more affordable housing available, promoting appropriate redevelopment and good design, supporting economic vitality, and reducing traffic congestion by providing a balanced, multimodal transportation system.

One advantage of Boulder's approach to land management is that the BVCP creates an identifiable urban/rural edge and helps preserve rural lands outside the city. The greenbelt helps focus development within the city and eliminates competition from the county for retail development and tax revenues.[27] Because of the success in funding and operating the open space program, Boulder has been able to determine its ideal city size and to carefully guide the location and type of growth, as well as protect the environment through open space protection.

One potential pitfall of this growth management strategy is that the large acreage involved in the open space program has exacerbated the regional imbalance between jobs and housing by forcing new development into farther flung areas of the region and has created problems with traffic congestion, lack of affordable housing, and school facility needs.[28] Within Boulder, housing prices have risen because of both reduced housing supply and increased housing demand. As a result, many of the people who work for the city cannot afford to live in it; about 55 percent of

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[26] de Raismes III, J. et al. Growth Management in Boulder, Colorado: A Case Study, http://ci.boulder.co.us/files/City%20Attorney/Documents/Miscellaneous%20Docs%20of%20Interest/x-bgmcs1.jbn.pdf. Accessed September 15, 2009.

[27] Pollock, P. "Controlling Sprawl in Boulder: Benefits and Pitfalls" Land Lines: January 1998, Volume 10, Number 1 http://www.lincolninst.edu/pubs/PubDetail.aspx?pubid=435

[28] Pollock, P. "Controlling Sprawl in Boulder: Benefits and Pitfalls" Land Lines: January 1998, Volume 10, Number 1 http://www.lincolninst.edu/pubs/PubDetail.aspx?pubid=435

the city's workforce lives outside the city limits.[29] The high cost of housing has made it more difficult to attract workers that can afford to live in Boulder, and some residents are concerned about the danger of pushing Boulder to "extreme gentrification—a ghetto for the very rich."[30]

Maintaining rural lands and open space, controlling spread-out development, conserving natural resources, and supporting agriculture are high priorities in both Boulder and Miami-Dade County. While Miami-Dade County may not desire as strict an approach to growth management as Boulder uses, it may be able to use some aspects of the BVCP when considering future growth boundary revisions.

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[29] Pendall, R. et al. "Holding the Line: Urban Containment in the United States" Brookings Institution, 2002, p. 7-12.
[30] de Raismes III, J. et al. Growth Management in Boulder, Colorado: A Case Study, http://ci.boulder.co.us/files/City%20Attorney/Documents/Miscellaneous%20Docs%20of%20Interest/x-bgmcs1.jbn.pdf. Accessed September 15, 2009.

2. Portland, Oregon

Introduction

In 1973, the Oregon state legislature adopted the nation's first land-use planning laws, motivated by a coalition of farmers and environmentalists that wanted to protect natural and agricultural land from development. To address future growth, the land use legislation requires metropolitan regions to:

- Set urban growth boundaries (UGB);
- Use urban land wisely; and
- Protect natural resources.

Portland adopted a UGB in 1979 that separated urban land from rural land and encouraged compact, transit-oriented growth. While metropolitan Portland's population of 1.58 million has grown by 50 percent since 1973, the city's land area has grown by only two percent.[31]

Description of the Growth Boundary

The current UGB encompasses approximately 400 square miles (see Figure B-4). This area includes the greater Portland metropolitan area, which incorporates Washington, Multnomah, and Clackamas counties, along with 24 cities and more than 60 special service districts. As of February 2000, about 1.3 million people lived within the UGB. The boundary was based on a projection of the need for urban land as well as the land development plans of individual property owners.[32] The primary role of the boundary is to control urban expansion into farm and forest lands. By concentrating development within the boundary, the UGB promotes the efficient use of public facilities and services as land inside the boundary supports services such as roads, water, sewer systems, parks, schools, and fire and police protection.

Metro, the elected regional government, is in charge of managing the UGB for the greater metropolitan area. Metro operates though the Metro Council, whose seven councilors are elected by the region's voters. Every five years, the Metro Council is required to conduct a review of the land supply and, if necessary, expand the boundary to meet that requirement.

To manage the UGB, Metro can:

- Coordinate between regional and local comprehensive plans in adopting a regional urban growth boundary;
- Require consistency of local comprehensive plans with statewide and regional planning goals; and
- Plan for topics of metropolitan significance including (but not limited to) transportation, water quality, air quality, and solid waste.[33]

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[31] Vancouver Sun. Portland Draws Line. http://www.canada.com/vancouversun/news/story.html?id=c6d6c9de-fff6-48f1-8787-b9eef980720c. Accessed August 3, 2009.
[32] Metro. Urban Growth Boundary. http://www.metro-region.org/index.cfm/go/by.web/id/277. Accessed August 3, 2009.
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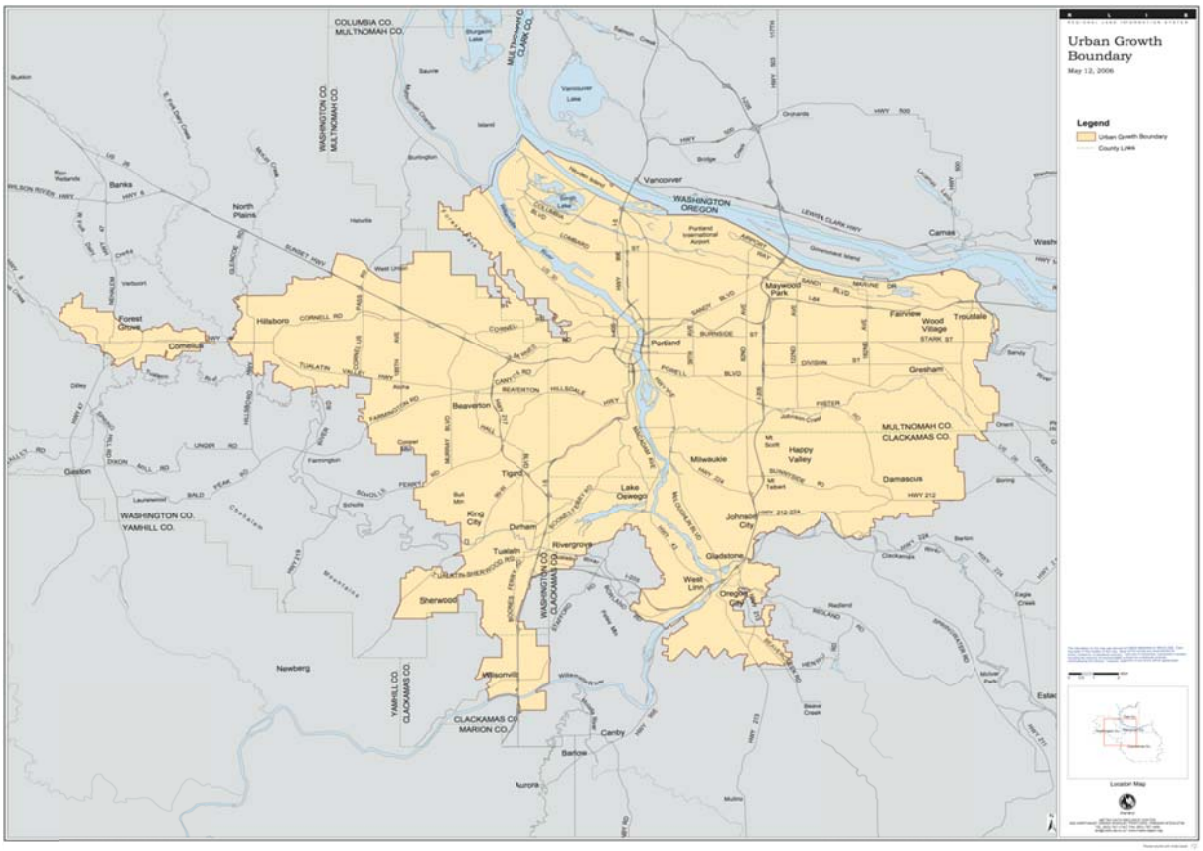

Discussion of Guiding Principles

The Portland region's growth management policy is described in the 2040 Growth Concept. The Growth Concept, a blueprint for managing growth, defines development in the area through the year 2040 and guides growth so that community characteristics are protected, transportation systems ensure the mobility of the population, and the natural environment is preserved. The goals of the 2040 Growth Concept are:

- To encourage efficient land use, directing most development to existing urban centers and along existing major transportation corridors;
- To promote a balanced transportation system within the region that accommodates a variety of transportation options such as bicycling, walking, driving, and public transit; and
- To support the region's goal of building complete communities by providing jobs and shopping close to where people live.[34]

The goals of the 2040 Growth Concept correspond with Metro policies that encourage:

[34]Metro. 2040 Growth Concept. http://www.metro-region.org/index.cfm/go/by.web/id/277. Accessed August 3, 2009.

- Safe and stable neighborhoods for families;
- Compact development, which uses both land and money more efficiently;
- A healthy economy that generates jobs and business opportunities;
- Protection of farms, forests, rivers, streams, and natural areas;
- A balanced transportation system to move people and goods; and
- Housing for people of all incomes in every community.[35]

Comparison to Miami-Dade County

Miami-Dade County and Portland take a similar approach to growth management. They encourage a separation of rural lands and urban development and are guided by their desires to efficiently provide public services and protect the natural environment. Yet while the approaches Miami-Dade County and Portland take are similar, their growth management strategies are implemented differently.

Activity Centers

As in Miami-Dade County, compact activity centers concentrate development, which directs growth to existing communities and protects the natural environment. In Portland, the 2040 Growth Concept proposes centers along transit corridors, including both regional centers and town centers. Most development and growth is planned to occur in these centers to use existing public investments efficiently. The 2040 Growth Concept designates 37 centers in the Portland metropolitan region that provide points of focus for multimodal transportation, housing, redevelopment, and employment opportunities. In response to the Growth Concept, local governments have proved very flexible, amending their comprehensive plans, providing financial assistance, and investing in public infrastructure. Miami-Dade County and Portland (as well as most other communities) both emphasize that transportation and infrastructure are necessary for livable communities and healthy development.

Funding

While the UGB designates where development can occur, some land within the UGB is undeveloped and not planned for development due to lack of funding. In 2005, to address this lack of funding, Portland adopted an excise tax assessment on construction permits. The tax, assessed on permits issued by cities and counties in the region, is set at 0.12 percent of the value of the improvements for which a permit is sought. The tax funds planning of future expansion areas, future urban reserves, and planning that enables redevelopment of centers, corridors, and employment areas within the existing UGB. It also provides funding for regional and local planning that is required to make land ready for development after its inclusion in the UGB.[36]

Annexation

In acquiring new land and extending the UGB area, Portland and Miami-Dade County both use a ranking system that allows more environmentally fragile and vibrant ecosystems to be protected and land needed for growth to be annexed.

Metro is responsible for ensuring that there is a 20-year supply of land use for future residential development within the boundary. Metro conducts an evaluation of land supply for residential

[35] Metro. 2040 Growth Concept. http://www.metro-region.org/index.cfm/go/by.web/id/277. Accessed August 3, 2009.
[36] Metro. Metro Construction Excise Tax. http://www.oregonmetro.gov/index.cfm/go/by.web/id=18459. Accessed August 5, 2009.

and employment land every five years. Metro first examines whether the land supply can meet needs, then whether implementing efficiencies would allow the current supply to meet the need. If the land supply does not meet the required standard, Metro can expand the boundary. Portland's UGB has moved about 36 times since its inception.

Urban reserves are land areas outside of the UGB that will allow the UGB to expand in the future and the cost-effective provision of public services and facilities in the urban reserve when the land is eventually included. To determine where to expand the boundary when needed, the state has outlined priority categories for land:

First priority

Urban reserve land – Areas outside the current UGB that are designated as lands that could be brought into the UGB in the future to accommodate growth. Urban reserves provide certainty to landowners, developers, and governments about where future development of land can and cannot occur. Metro does not have designated urban reserves at this time.

Second priority

Exception land (also known as non-resource land) – Land next to the UGB that is not farm or forest. Second priority also could include farm or forest land that is completely surrounded by exception land but that is not "high value" farm or forest land.

Third priority

Marginal land **–** A classification of non-resource land unique to Washington County that allows dwelling units on land used exclusively for farming.

Fourth priority

Farm or forest land – In this category, soil class or forest productivity further sets priorities. Priority is given to the area of lower productivity. In other words, the best, most productive farm or forest land is the last land to be considered for inclusion in the UGB.

Just as Metro has jurisdiction over land within the boundary and over the UGB itself, Metro also has jurisdiction over land brought into the boundary. Newly incorporated land is labeled as a "transition zone." Development may not occur in this zone until the land has been annexed, which requires the consent of the majority of voters in the area.[37]

Miami-Dade County has its own expansion location policy, which designates which lands can and cannot be considered for development and which have priority.

Environment

Portland's environmental concerns are mainly focused on watershed health and air quality. Policies and practices in the 2040 Growth Concept address these specific concerns in addition to

[37] Metro. Guidelines for bringing land into the urban growth boundary. http://www.oregonmetro.gov/index.cfm/go/by.web/id=280. Accessed August 5, 2009.

providing a long-term strategy for environmental protection that includes land acquisition, land use and environmental regulation and incentives, and citizen education and environmental stewardship.

With regards to air quality, the compact development proposed by the 2040 Growth Concept and encouraged by the UGB uses land more efficiently, which makes it easier for residents to get around without a car if they choose. The 2040 Growth Concept also helps Portland to meet state-mandated air quality standards as it complies with the minimum and maximum number of parking spaces for new developments set by the state. By regulating parking, the state helps ensure that land is used more efficiently and that alternative transportation is encouraged.

The Urban Growth Management Functional Plan provides tools to help achieve the goals of the 2040 Growth Concept. The Functional Plan includes measures that reduce flood and landslide hazards; control soil erosion; reduce pollution of the region's waterways; and protect streams, rivers, wetlands, and floodplains by avoiding, limiting, or mitigating the impact on these areas from development. The Functional Plan also has performance standards for streams, rivers, and wetlands to protect water quality. The standards require erosion and sediment control and planting of native vegetation on the stream banks when new development occurs.

Miami-Dade County, as a means of comparison, takes into account environmental considerations for both the inside-the-line and outside-the-line policies. Inside the boundary, infill policies and procedures focus on efficient use of public services and promoting compact development that allows people to drive less. Outside, the policies relate to watershed protection and agricultural land use. Used together, these policies can produce better environmental results.

Housing

There is debate over whether Portland's UGB has caused housing prices to rise and to what extent. Regardless of the debate, Portland aims to provide affordable housing for all incomes. The Functional Plan is intended to reduce barriers to sufficient affordable housing for all income levels in the region, create housing opportunities commensurate with the wage rates of jobs available across the region, initiate a process for addressing current and future needs for affordable housing, and reduce concentrations of poverty.[38] Housing affordability is a concern in every jurisdiction. While it was a topic of discussion during the EPA project in Miami-Dade County, it was not a major factor in conclusions generated due to the need to focus the scope of the conversation.

[38]Metro. Urban Growth Management Functional Plan. http://www.oregonmetro.gov/index.cfm/go/by.web/id=274. Accessed August 5, 2009.

Conclusion

Portland is an excellent example of how a UGB can effectively concentrate growth. A 1991 study by ECO Northwest found that 91 percent of single-family homes and 99 percent of multifamily development between 1988 and 1990 occurred within the UGB. A 2002 study by Northwest Environmental Watch found that existing neighborhoods were maintaining or increasing density and that residential developments in 2000 were accommodating more people. Accommodating additional residents in existing neighborhoods appears to be a consistent trend.[39] A UGB, as Portland shows, can be an effective way to manage growth, encourage compact development, and minimize impacts upon natural resources. Innovative strategies, such as the construction excise tax, can help overcome challenges encountered in enacting land use plans.

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[39] Ozawa, C., Editor. The Portland Edge: Challenges and Successes in Growing Communities. Ed. Island Press, 2004. p. 44-47.

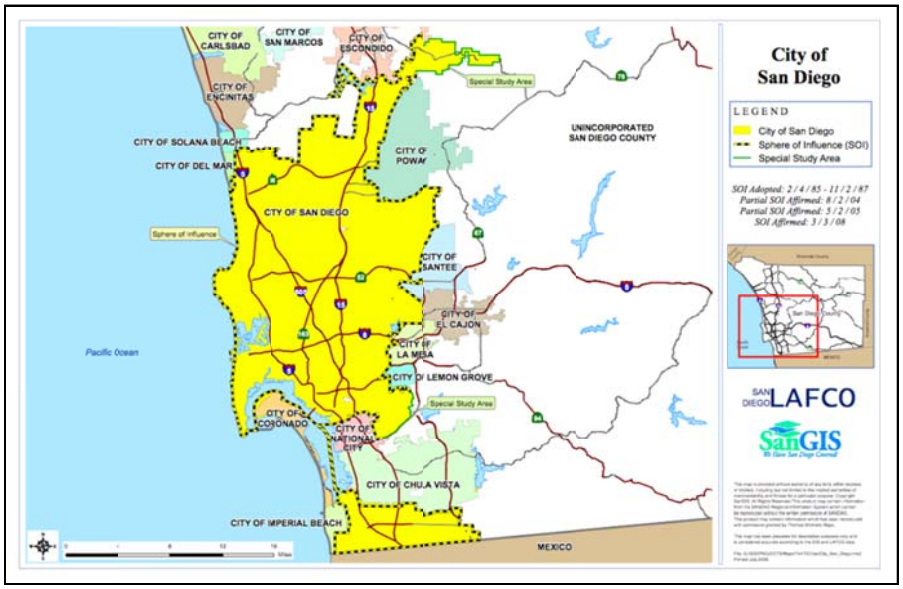
3. San Diego, California

Introduction

Growth management in San Diego is conducted quite differently than it is in Miami-Dade County because San Diego does not have an urban growth boundary (UGB). In San Diego County, planning decisions are made by numerous government agencies: the San Diego Association of Governments (SANDAG), the San Diego Local Agency Formation Commission, the San Diego County Water Authority (CWA), and the city of San Diego. Each agency has different goals. This case study presents the themes and guiding principles of land use planning in the San Diego region, strategies these agencies use to work toward goals similar to those of Miami-Dade County, and what Miami-Dade County can learn from this planning structure.

Description of the Growth Boundary

The California state legislature has given Local Agency Formation Commissions (LAFCOs) the authority to manage jurisdictional boundaries. Each county has a corresponding LAFCO, a regulatory and quasi-legislative commission. LAFCOs are the state legislature's agent to make indirect land-use decisions—controlling when and where land uses are developed, but they do not make direct land use decisions. For example, a LAFCO cannot force a zoning decision or overturn a city decision on a subdivision.



A LAFCO's primary purpose is to manage municipal boundary changes, including annexations, detachments, incorporations, disincorporations, formations, dissolutions, consolidations, mergers, and the establishment of subsidiary districts.

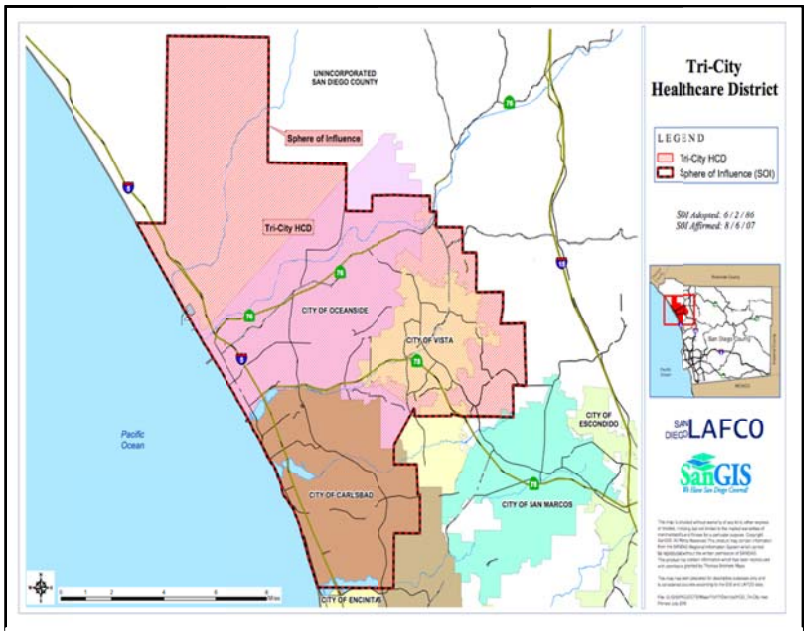
ies.

The Cortese-Knox- Hertzberg Local Government Reorganization Act of 2000 provided guidance to LAFCOs, discouraging dispersed, spread-out development. LAFCOs have planning and regulatory powers, adopting and revising "spheres of influence" for future boundary and service areas, and reviewing and acting on proposals to change boundaries.

A sphere of influence is a planning document that guides a city or district's future boundary and service area, telling landowners and residents where the LAFCO projects a city or district will annex in the future. The city of San Diego's sphere of influence is similar to its jurisdictional

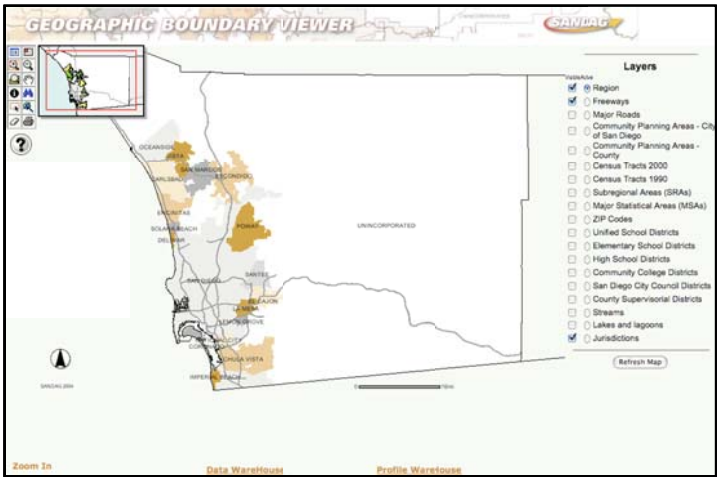
boundaries (see Figure B-5). The LAFCO reviews and revises the sphere of influence every five years. Any registered voter, landowner, or local government can request a boundary change.

LAFCOs regulate boundaries for 26 special districts, including fire protection, irrigation, water, sanitary, resource conservation, and recreation districts. When determining spheres of influence, LAFCOs can consider present and planned land uses, including agricultural and open space lands; present and probable need for public facilities and services; present and probable future capacity of public facilities and services that the agency provides or is authorized to provide; and the existence of any social or economic communities of interest.



All boundary changes need to be consistent with spheres of influence, but counties, cities, regional governments, and other districts may form their own organizations to regulate boundaries not under the jurisdiction of LAFCOs (see Figure B-6).

SANDAG is the regional decision-making body for growth, transportation planning, housing, environmental management, public safety, and border issues. It is made up of 18 city and county governments (see Figure B-7). SANDAG does not regulate boundaries per se, but guides growth and development according to its Regional Comprehensive Plan (RCP) adopted in 2004.



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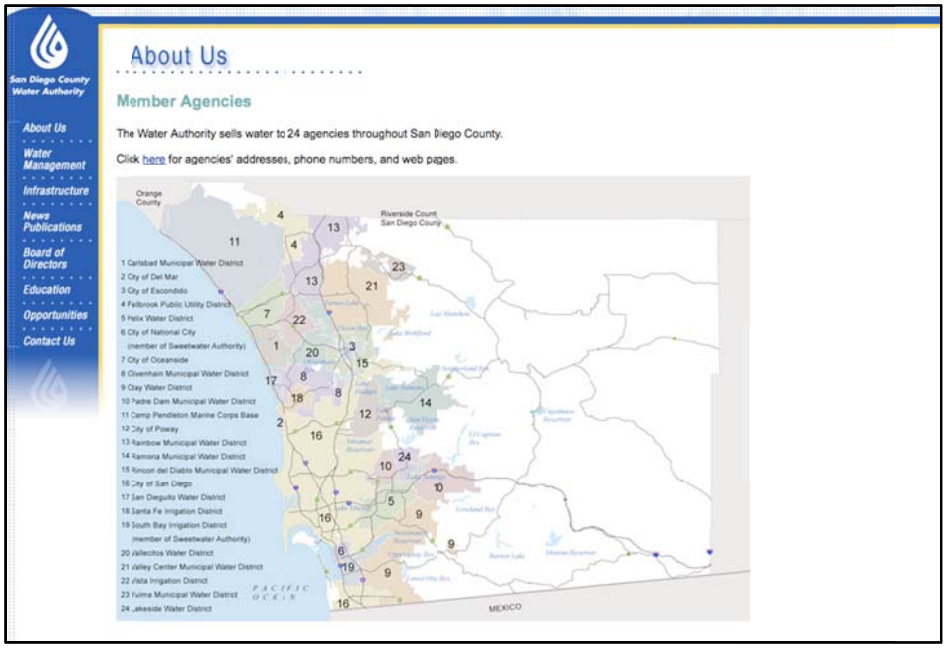
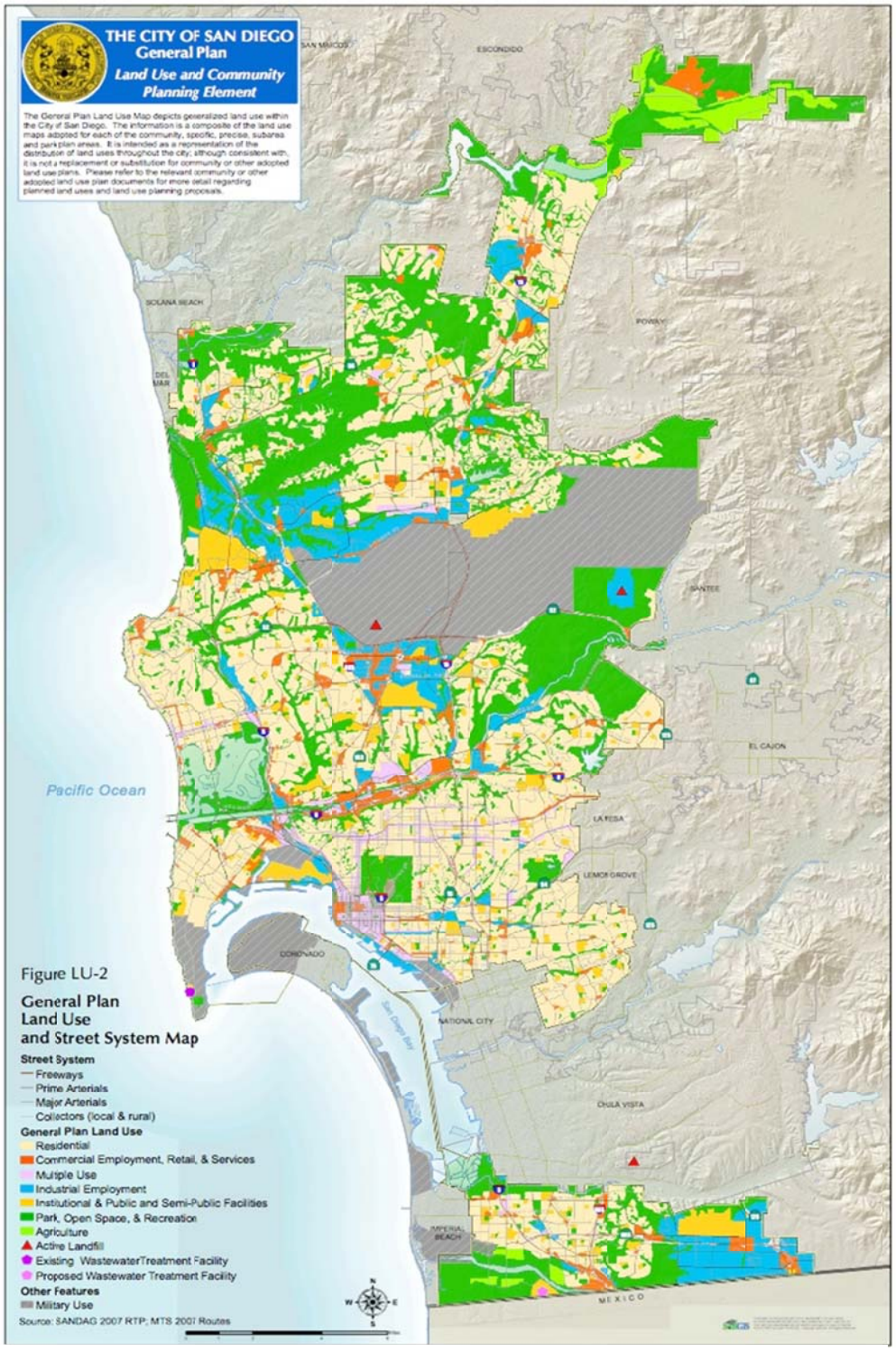
A third major influence for planning decisions in San Diego is the San Diego CWA. The CWA was created to manage the region's Colorado River water rights and has evolved into a "water wholesaler," separate from city or county government. The CWA purchases water from the Metropolitan Water District of Southern California and others and sells it to 24 local member water agencies. The CWA is primarily concerned with infrastructure and water delivery. However, any changes in the boundaries of its member agencies

can be approved by the CWA prior to water delivery to member communities, thus giving the CWA a significant role in regional planning efforts (see Figure B-8).

State law requires each city to adopt a general plan to guide its future development. San Diego adopted its "City of Villages" strategy in 2008, which includes the following ten elements: land use and community planning, mobility, economic prosperity, public facilities, services and safety, urban design, historic preservation, conservation, noise, and housing.

The City of Villages strategy is designed to sustain the long-term economic, environmental, and social health of the city and its neighborhood and focuses growth in mixed-use activity centers that are pedestrian-friendly and linked to regional transit (see Figure B-9). Because the general plan was designed to complement and support the SANDAG RCP, and because SANDAG and the San Diego LAFCO are among nine agencies included in the creation of the general plan, the guiding principles and goals discussed below can be assumed to be similar to those of the city of San Diego General Plan.




THE CITY OF SAN DIEGO
General Plan
Land Use and Community Planning Element
The General Plan Land Use Map depicts generalized land use within the City of San Diego. The information is a composite of the land use maps adopted for each of the community, specific, precise, subarea and park plan areas. It is intended as a representation of the distribution of land uses throughout the city; although consistent with, it is not a replacement or substitution for community or other adopted land use plans. Please refer to the relevant community or other adopted land use plan documents for more detail regarding planned land uses and land use planning proposals.
SAN MARCOS
ESCONDIDO
SOLANA BEACH
POWAY
DEL MAR
SANTEE
EL CAJON
Pacific Ocean
LA MESA
LEMON GROVE
CORONADO
NATIONAL CITY
CHULA VISTA
IMPERIAL BEACH
MEXICO
Figure LU-2
General Plan
Land Use
and Street System Map
Street System
Freeways
Prime Arterials
Major Arterials
Collectors (local & rural)
General Plan Land Use
Residential
Commercial Employment, Retail, & Services
Multiple Use
Industrial Employment
Institutional & Public and Semi-Public Facilities
Park, Open Space, & Recreation
Agriculture
Active Landfill
Existing WastewaterTreatment Facility
Proposed Wastewater Treatment Facility
Other Features
Military Use
Source: SANDAG 2007 RTP; MTS 2007 Routes

Guiding Principles

The connection between water availability and jurisdictional expansions is recognized in California law as a key factor that a LAFCO can consider when reviewing requested boundary changes. The Cortese-Knox-Hertzberg Act emphasized that it is state policy to encourage orderly growth and development essential to the state's social, fiscal, and economic well-being. LAFCOs are also called on to balance development with state interests of discouraging dispersed development, preserving open space and prime agricultural lands, and efficiently extending government services.

Housing for persons of all incomes is also identified as an integral part of promoting orderly development. Other goals that LAFCOs can consider are:

- Discourage dispersed, inefficient development and promote orderly development;
- Accommodate growth within the boundaries of agencies that can provide services;
- Extend government services efficiently;
- Promote collaboration of local officials in addressing regional growth issues;
- Preserve open space;
- Preserve agricultural and resource lands; and
- Give responsibility to the agency that can best provide governmental services.

The SANDAG RCP calls for a parallel planning concept that focuses on:

- Improving connections between land use and transportation plans using smart growth principles;
- Using land use and transportation plans to guide decisions regarding environmental and public facility investments; and
- Focusing on collaboration and incentives to achieve regional goals and objectives.

The RCP has two key emphasis areas. The first is to identify Smart Growth Opportunity Areas where compact, mixed-use, pedestrian-oriented development exists, is planned, or has the potential for inclusion into local land use plans, and give highest priority for transportation and facility improvement resources to these areas. The second area of emphasis is to use transportation and land use considerations to guide other plans, and to place a greater emphasis on sub-regional planning and implementation of these programs.

While collecting data for the RCP baseline report, SANDAG found that in the two years since adopting the RCP, San Diego had improved the quality of life in the following areas:

- One-third of new housing was built in Smart Growth Opportunity Areas;
- Ninety-nine percent of new housing was built in the San Diego CWA service area;
- Growth in transit ridership outpaced population growth;
- Crime was decreasing;
- Beach closures were declining;
- Air quality was improving; and
- The share of the region's energy produced from renewable resources was increasing.

Two years is not long enough to tackle every issue and SANDAG identified the following areas still needing improvement:

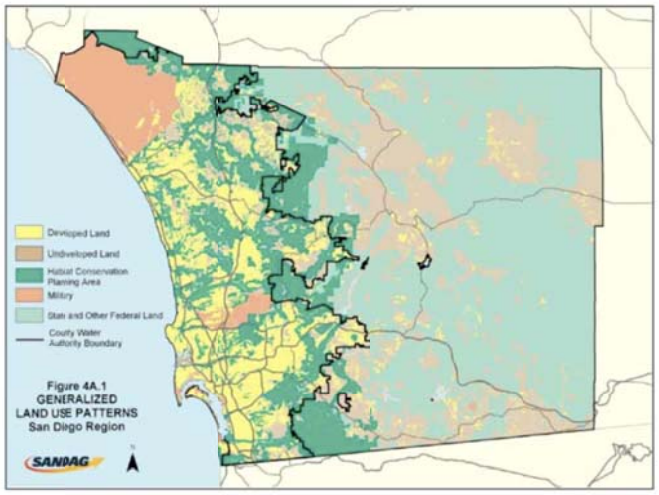
- Housing affordability;
- Congestion on most roads and freeways;

- Water body impairment;
- Beaches losing sand; and
- Job growth in the region concentrated in low-wage industries.

Comparison to Miami-Dade County

The San Diego system for growth management is a complicated, multi-pronged, highly regulated, reactive method of managing land use. Though each district's sphere of influence is clearly defined, the boundary of that sphere can often be modified if a landowner or municipality has the time and resources to pursue it. Unlike Miami-Dade County, land use outside of a boundary or sphere of influence is not set aside for specific uses, but it is unable to receive the services provided in that sphere. This method discourages dispersed development—a development that receives running water without being in a water district—and is a fundamentally different way of managing sprawling development than Miami-Dade County. A major influence in the evolution of this method may be that San Diego has very little land to expand to—development is creeping up mountain sides and reaching across the border of Mexico (see Figure B-10).

FIGURE 4A.1—GENERALIZED LAND USE PATTERNS IN THE SAN DIEGO REGION



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San Diego's growth management strategy has some similarities to Miami-Dade County. The sphere of influence model is similar to the concurrency requirements in Florida. In California, services cannot be delivered without being included in the sphere of influence, just as growth is not permitted without a proven level of service in Florida. However, unlike Florida, development is sometimes permitted and constructed prior to petitioning the LAFCO for inclusion in any one district.

The San Diego RCP also addresses many of the same issues that concern Miami-Dade County. The RCP is a capable blueprint for San Diego's growth since it focuses on urban centers and mixed-use development, priority development in combination with infrastructure and transportation improvements, and encourages infill and redevelopment.

Boundary Changes

Although a LAFCO's primary purpose is to manage boundary changes, it appears that most boundary changes performed by the San Diego LAFCO are done to annex land to a municipality or other service district. Annexations and jurisdictional expansions are desired by municipalities that want to increase their tax base and by landowners who desire an increased level of service. By controlling the boundaries of local governments, LAFCOs can influence the time, location,

and character of land development. However, because these factors are only considerations and not requirements, the LAFCO's influence on growth depends on its commissioners' priorities.

Boundary change requests can be submitted by a citizen, landowner, municipality, or district by petition or resolution, or by the LAFCO itself. A governing body, such as a county board of supervisors, can initiate a boundary change in its county by resolution. LAFCOs may initiate boundary changes for district consolidations, dissolutions, mergers, subsidiary districts, or related reorganizations, but LAFCOs cannot initiate city boundary changes or district annexations or detachments.

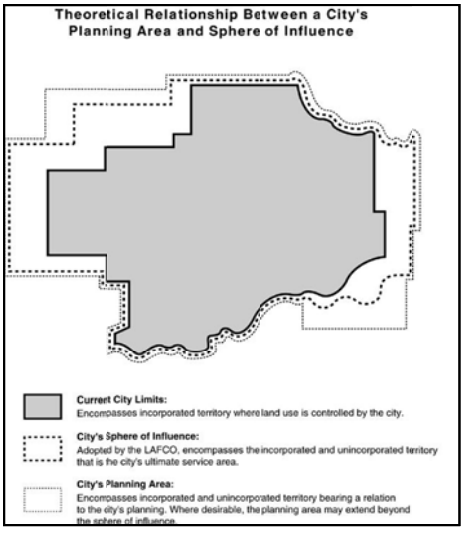
When LAFCOs review boundary changes for cities or special districts, the commissioners consider whether the boundary changes (and the proposed land use decisions that would result from the change) are consistent with the local governments' spheres of influence. LAFCOs can also recommend and suggest conditional additional boundary changes, based upon the spheres of influence.

When a LAFCO considers a proposal, it determines:

- If the proposal obtained the required number of signatures if initiated by petition;
- If the affected local governments have agreed to an exchange of property taxes;
- If an environmental impact report is required to comply with the California Environmental Quality Act; and
- If a significant percentage of protests are lodged to take further action.

The number of protests determines whether or not the boundary change requires voter approval:

- If fewer than 25 percent of registered voters or landowners protest, the conducting authority orders the boundary change without an election;
- If between 25 percent and 50 percent of registered voters or landowners protest, the conducting authority could approve the boundary change, but the proposal could also go to an election for voter approval; and
- If 50 percent or more of the registered voters or landowners protest, the conducting authority could terminate the boundary change, and the proposal would fail.



The process for changing a boundary takes approximately four to six months if it is a simple, non-controversial change. If a boundary change is denied, it can take at least one year before a change request is re-initiated. Of all proposals submitted to the San Diego area LAFCO in 2008, 26 of 28 were approved, and two were withdrawn.

Reorganizations may occur at any time, though the LAFCO conducts a municipal service review of cities' and special districts' spheres of influence at least every five years. Because of this review requirement, LAFCOs are continually updating the five-year plan for the future service area and boundary for each sphere of influence (see Figure B-7). This process is similar to the Miami-Dade County Comprehensive Development

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Master Plan (CDMP) update that occurs every seven years. However, unlike Miami-Dade County's UDB, which is approved through 2015, no long-term projections are created to guide development.

Urban Centers

Miami-Dade County's CDMP describes an urban center as an area intended to be moderate- to high-intensity design-unified, which contains a concentration of different urban functions integrated both horizontally and vertically, at various scales, with an emphasis on promoting transit-oriented development and transit use. This is very similar to San Diego's Smart Growth Opportunity Areas concept, which the RCP describes as pedestrian-friendly activity centers that are connected to other activity centers by transit or could be in the future.

The RCP identifies seven categories for Smart Growth Opportunity Areas:

- Metropolitan Center
- Urban Center
- Town Center
- Community Center
- Transit Corridor
- Special Use Center
- Rural Community

The resulting Smart Growth Opportunity Areas will be priority areas for infrastructure improvements and development potential. The RCP encourages incentives for development in these areas, such as permit streamlining; reduced parking standards; and flexibility for mixed-use development, infill development, and affordable housing. Connection of transit and land use planning is also a major component of the city of San Diego's General Plan.

Affordable Housing

Both Miami-Dade County and the San Diego planning agencies recognize that providing affordable housing is an important component of growth. While both communities are planning for significant population growth, Miami-Dade County seems to be most interested in providing affordable housing to its residents regardless of the location, while the San Diego RCP promotes putting housing in locations that are close to jobs and transit. San Diego's approach helps conserve open space and rural areas, reinvigorates existing neighborhoods, puts more job opportunities within reach, and can reduce time spent commuting. The RCP recommends the use of tools such as incentives, infill development, rezoning, sustainable or "green" building techniques, inclusionary housing measures, rental assistance, replacement housing, and expedited permit processing to aid in the development of future affordable housing. Additional incentives exist for development of housing in Smart Growth Opportunity Areas, as discussed above.

Sensitive Lands

Many jurisdictions in San Diego County, including the city of San Diego, have adopted regional habitat conservation plans and sub-area plans, which define locations where development is or is not appropriate. Additionally, the RCP calls for creating preserve systems by linking habitat corridors in San Diego County to surrounding counties and Mexico and preparing and implementing conservation plans for near-shore areas. This is similar to the Miami-Dade County CDMP's Coastal Management objectives for shoreline and Everglades conservation.

Conclusion

Because Miami-Dade County's approach to managing growth is focused on providing services, there is much to glean from the San Diego system of growth management. San Diego is a good model of how to create a comprehensive plan for guiding development while preserving a system of multiple independent agencies at various levels of government with different missions. Land use decisions have become the work of many collaborators instead of only one agency, which may prove to be beneficial as the RCP is refined and fully implemented. The process for major boundary changes is a citizen-led process that seems to work.

The San Diego strategy does seem to break down on some fronts, however. Due to the LAFCO system, growth appears unplanned because most requests for boundary changes are granted. The process for initiating a boundary change is fairly lengthy, and merely getting to the point of having a request heard by the LAFCO is a long, drawn-out process that may serve as a barrier for expansion. The parallel regulation of boundaries, as in the case of the LAFCO and the CWA, is another intricate and difficult issue. Does a member agency apply to both the LAFCO and the CWA to annex land? The CWA, SANDAG, and the city of San Diego work together to create a successful planning system to create a sustainable community for the region's growing population.

San Diego faces many challenges that are similar to the greater Miami region and its urban landscape. Limited growth potential and developable land area is far exceeded by the demand posed on the region by population growth. San Diego expects to grow by one million people from 2000 to 2030, two-thirds of which is expected to be organic growth from existing families. San Diego's emphasis on linking land use and transportation and guiding growth to its Smart Growth Opportunity Areas will reduce pressure on outlying areas as it continues to grow.

Limited natural resources are desired for both development and protection and improving the quality of life for residents is a high priority in both San Diego and Miami. The San Diego model may not be the best example for Miami of controlling the location and pace of development, but it does provide some fresh alternatives for development of urban centers, incentives for development in Smart Growth Opportunity Areas, affordable housing, and an organized pattern for future development that may benefit Miami-Dade County during future growth boundary revisions.

Additional Resources

Bui, T. and Ihrke, B. It's Time to Draw the Line: A Citizen's Guide to LAFCOs, California's Local Agency Formation Commissions (Second Edition). Senate Publications, Sacramento, CA, May 2003. p. 62-67.

City of San Diego. General Plan: City of Villages. Adopted by the Council of the City of San Diego, March 10, 2008. Resolution Number: R-303473.
http://www.sandiego.gov/planning/genplan/index.shtml. Accessed September 15, 2009.

SANDAG. Regional Comprehensive Plan for the San Diego Region. (Executive Summary)
http://www.sandag.org/index.asp?projectid=1&fuseaction=projects.detail. Accessed September 15, 2009.

SANDAG. Regional Comprehensive Plan: Establishing a Baseline for Monitoring Performance. Revised November 2006. http://www.sandag.org/index.asp?projectid=1&fuseaction=projects.detail. Accessed September 16, 2009.

San Diego County Water Authority http://www.sdcwa.org/. Accessed September 16, 2009.

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San Diego Regional Planning Agency, SANDAG http://www.sandag.org/. Accessed September 16, 2009.

4. Sarasota, Florida

Introduction

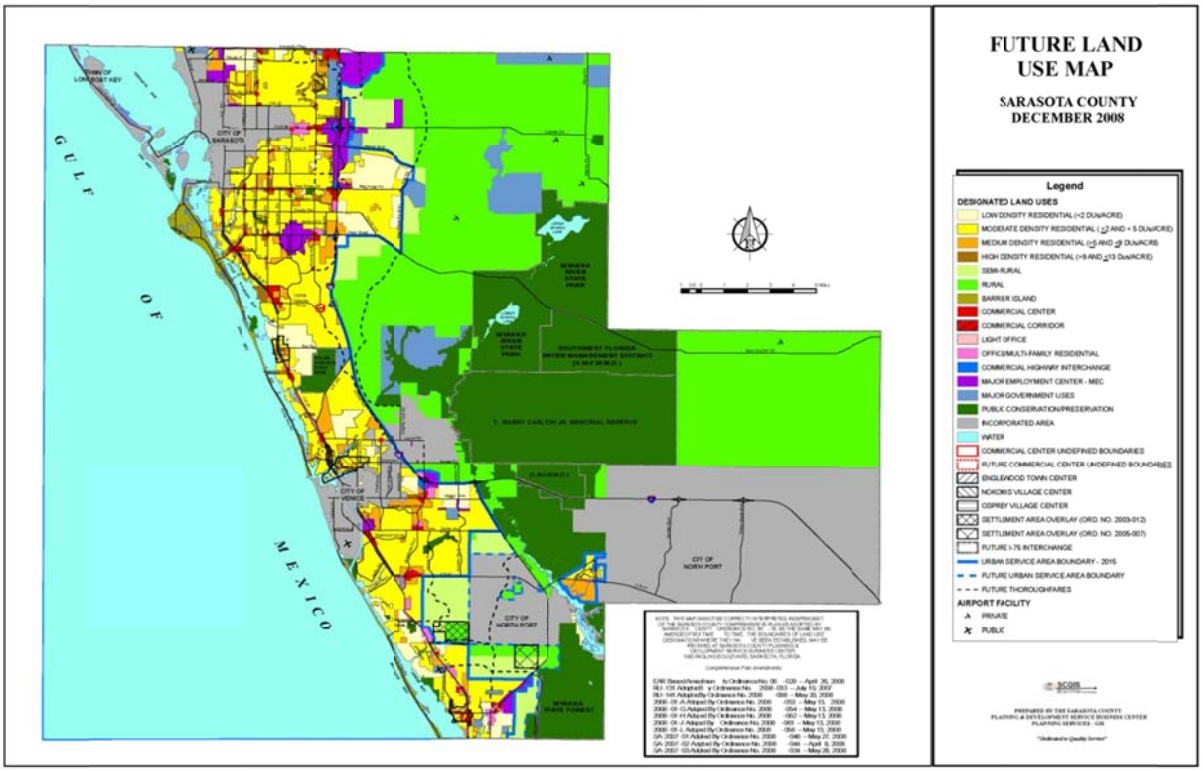
The state of Florida's 1985 Growth Management Act requires local governments to submit comprehensive plans to the Florida Department of Community Affairs for approval. While urban growth boundaries (UGB) are not explicitly necessary for each county's comprehensive plans to be approved, many counties in Florida adopted UGBs to better manage development on the fringe.[40] Sarasota County and Miami-Dade County have both adopted UGBs as part of their land use management plan. Yet while both counties are faced with a rapidly growing population and must meet the same state standards for planning, growth management manifests itself differently in each county. This case study analyzes the intent and impact of Sarasota 2050, the county's amendment to the future land use chapter of its comprehensive plan, and discusses what Miami-Dade County can learn from the policies implemented in Sarasota County.

Description of the Growth Boundary

In Sarasota County, the UGB is called the Urban Service Area Boundary and was put in place to contain spreading development, maintain agricultural and conservation lands to the east, and minimize the cost of public services by creating well designed walkable neighborhoods. Sarasota's Urban Service Area Boundary generally follows the north-south orientation of Interstate 75, with denser development to the west of I-75 and less dense, semi-rural and rural development to the east. In July 2002, Sarasota County adopted Sarasota 2050 that discourages uncoordinated growth outside of the Urban Service Area Boundary and modifies conventional development strategies that encouraged spread-out development. South of Sarasota, plans call for compact, urban development east of the boundary, with plans to extend services to this development. Additional development is allowed outside of the Service Area Boundary, but organized toward specific land use areas.

Sarasota 2050 is a land use policy tool with the core objective of steering the direction of future growth. The tool is built on Resource Management Areas (RMAs) that manage growth and address development in specific land use categories. Sarasota 2050 promotes well-managed growth through effective master-planning techniques and processes. Growth is encouraged through detailed development standards and regulations. However, the RMA concept is limited in that it is voluntary and proposes six resource areas that define what type of development is allowable outside of the urban service boundary for land east of the UGB. Furthermore, the RMAs do not affect the existing rights of property owners to develop their property as permitted by the county's current comprehensive plan, zoning ordinance, or land development regulations.

[40] Connerly, Charles E., Timothy S. Chapin, and Harrison T. Higgins. *Growth Management in Florida*. Ashgate Publishing Ltd., 2007.



If a property owner chooses to take advantage of the incentives (e.g., density bonuses) provided through Sarasota 2050 RMA transfer of development rights, then the RMA's policies take precedence in the event of a conflict with the comprehensive plan.[41]

The RMA framework promotes six unique resource areas:

- Urban/Suburban
- Economic Development
- Rural/Heritage Estate
- Agricultural Reserve
- Greenway
- Village/Open Space

Of these six resource areas, the Village/Open Space RMA is the only RMA with a future land use designation and is therefore central in growth management planning. The Village/Open Space RMA proposes a form of development new to Sarasota, a system of mixed-use villages and hamlets that does not require any extension of the UGB. A village is defined as a collection of neighborhoods supported by a mixed-use village center. The village is surrounded by open space that protects the rural landscape and separates villages. A hamlet is a collection of rural homes

[41] Sarasota County Planning and Development Services *Sarasota 2050: Resource Management Area Services*. November 2006.

situated around a crossroads that may include small-scale, commercial development. Both are designed to minimize infrastructure costs, traffic congestion, and environmental degradation.[42]

The system of villages and hamlets is designed to be fiscally neutral. The costs of infrastructure and additional government services built specifically for the villages or hamlets are funded by the properties that benefit from the services. The infrastructure that is put in place must meet or exceed level-of-service standards set by the county and be at least fiscally neutral, if not fiscally beneficial, to Sarasota County government, the school board, and residents outside of the development.[43]

The primary goals of Sarasota 2050 are to protect the county's natural, cultural, and physical resources while making sure all neighborhoods, old and new, offer a high quality of life. "Specific goals include:

- Preserve and strengthen existing communities.
- Provide for a variety of land uses and lifestyles to support residents of diverse ages, incomes, and family sizes, including housing that is affordable to residents at or below the median income for Sarasota County.
- Preserve environmental systems.
- Direct population growth away from floodplains.
- Avoid sprawling development.
- Offer transportation options to allow residents to reduce automobile trips.
- Create efficiency in planning and provision of infrastructure.
- Provide county central utilities.
- Conserve water and energy.
- Allocate development costs appropriately.
- Preserve rural character, including opportunities for agriculture.
- Balance jobs with housing.
- Redevelop within the existing urban area."[44]

While the county's previous land use policies were mostly concerned with the quantity and timing of development east of I-75, Sarasota 2050 adopts a development strategy based on encouraging appropriate building form rather than uses that consider the quality of development in addition to quantity and timing. In other words, Sarasota 2050 takes a more active approach to envisioning what development could look like, as opposed to solely assessing land needs as the population grows.

In order to encourage developers to adhere to the standards and regulations in Sarasota 2050, county planners devised a system of incentives. The incentives use a transfer of development rights (TDR) system that assigns development rights to parcels of land and lets the landowners use these rights to develop or sell the land. Sarasota 2050 allows significantly more commercial and residential development if developers meet the form of development envisioned in future land use scenarios. Density bonuses are issued to landowners who preserve open space, agriculture, and environmentally sensitive land, and build mixed-use, walkable developments in

[42] Sarasota County Planning and Development Services *Sarasota 2050: Resource Management Area Services*. November 2006.
[43] Sarasota County Planning and Development Services *Sarasota 2050: Resource Management Area Services*. November 2006.
[44] Sarasota County Planning and Development Services *Sarasota 2050: Resource Management Area Services*. November 2006.

appropriate areas.[45] Rights are based on the environmental value of the land. The TDR system complements the county's Environmentally Sensitive Land Purchase Program (ESLPP).[46] The ESLPP is a voter-approved and taxpayer-funded program that acquires and protects priority natural land that is ranked on environmental criteria such as water quality, habitat rarity, and land quality.

The county government has primary responsibility for managing Sarasota 2050, with different responsibilities delegated to smaller, more specialized governmental bodies. The County Commission is the ultimate overseer of Sarasota 2050. Planning and Development Services is responsible for administering the plan and provides the services necessary for growth as described in the comprehensive plan and the Sarasota 2050 amendment. Sarasota 2050 also calls for coordination between the county and its municipalities to preserve existing neighborhoods and provide for a variety of land uses that serve residents of diverse ages, incomes, and family sizes.

Discussion of Guiding Principles

Sarasota 2050 aims to create a development policy framework that improves quality of life in the county and preserves it's natural, cultural, and built environment resources.[47] This policy framework is built upon underlying desires to build a sense of community and to preserve the county's unique natural environment. Notably, Sarasota 2050 advises compact, form-based development through the RMA system. The idea of form-based development challenges practices that promote inefficient, dispersed development.

The county adopted Sarasota 2050 in response to the threat of the incremental, spread-out development that would have resulted if the UGB was pushed back. Focusing development toward the six resource areas is a way to acknowledge the need for further housing, retail, and services, but also accommodating the desire to limit where that growth can be accommodated.

The Village/Open Space RMA encourages a development pattern that will nourish strong and livable communities. "The new pattern will:

- Be formed around neighborhoods that include a broad range of family sizes and incomes in a variety of housing types, including a substantial number and proportion of affordable housing units, which are integrated with commercial, office, and civic uses;
- Support a fully connected system of streets and roads that encourage alternative means of transportation such as walking, bicycling, and transit; and
- Integrate permanently dedicated open space, which will be connected or added to the Greenway RMA where appropriate."[48]

Environmental protection is a key concern when considering future land use in Sarasota. Sarasota 2050 proposes a system of large areas of permanent open space connected or added to the Greenway RMA. Villages and hamlets under Sarasota 2050 are required to provide open spaces outside the developed areas of the villages and hamlets, which helps to preserve local

[45] Comprehensive Plan: Sarasota County, Fla. Sarasota County Government. 21 July 2009 http://www.scgov.net/PlanningandDevelopment/CompPlan/Sarasota2050.asp.
[46] Jackson, Tim. "Sarasota 2050- Tim Jackson Presentation." Presentation to Sarasota Plan Commission, July 2009.
[47] Comprehensive Plan: Sarasota County, Fla. Sarasota County Government. 21 July 2009 http://www.scgov.net/PlanningandDevelopment/CompPlan/Sarasota2050.asp.
[48] Comprehensive Plan: Sarasota County, Fla. Sarasota County Government. 21 July 2009 http://www.scgov.net/PlanningandDevelopment/CompPlan/Sarasota2050.asp.

environmental features. The TDR incentives support the creation of permanent open spaces as developers earn higher density rights if they preserve open space.

The Greenway RMA establishes an overarching conservation plan that protects significant environmental resources by designating certain areas, such as floodplains and native habitats, as priority resources so the county can implement programs that protect these areas over the long term. In addition, the Village/Open Space RMA calls for the establishment of a greenbelt that is a minimum of 500 feet around the perimeter of the developed area and that preserves native habitats, supplements natural vegetation, and protects wildlife. The greenbelt also adds to the sense of community as it helps to define compact communities.

Comparison to Miami-Dade County

Comparisons between Sarasota and Miami-Dade counties can be immediately made based on the similar geographies of the two locales. Given that the two counties are both in Florida, they both have to adhere to state policies, namely the Florida Growth Management Act and the Local Government Comprehensive Planning and Land Development Regulation Act.

Although both counties need to follow the same state policies, their approaches differ. Currently in Miami-Dade County, the Urban Development Boundary (UDB) separates the urban and suburban parts of the county from the rural and natural resource protection areas. Sarasota 2050 focuses on the idea of containing growth and strictly separating urban and rural in its proposal of form development.

Activity Centers

Activity centers are central to Sarasota 2050 as they define the structure of future development models and focus development around compact centers through the Village/Open Space RMA. The Village/Open Space RMA proposes a system of villages and hamlets that are partially defined by mixed-use centers that are integrated into the village design. Villages are required to have a majority of houses within walking distance (a ¼-mile radius) of a mixed-use village center designed to serve the daily shopping, civic, and service needs of village residents. In addition to the required village center, a larger town center is optional at the designated location of the I-75/Central Sarasota interchange. The town center would be a strong core of residential and commercial uses with high employment connected to the villages. Hamlets are also designated by their relationship to centers of activity. A hamlet is defined by Sarasota 2050 as a collection of rural homes and lots clustered together around a crossroads that may include small commercial and civic buildings.

In Miami-Dade County, activity centers are also a crucial part of future development. The Land Use Element Chapter of the Miami-Dade Comprehensive Development Master Plan (CDMP) states the plan's objective of concentrating development around centers of activity and emphasizing contiguous urban expansion. In other words, growth is encouraged to occur around a network of high-intensity urban centers with multimodal transportation facilities that connect to the larger metropolitan region. For example, the CDMP says that business developments should preferably be placed in clusters or nodes near major roadway intersections, not in continuous strips or as isolated spots.

Public Services

In Sarasota, public services do not have an overt influence on determining how and where growth occurs. Rather, Sarasota's primary concern seems to be for environmental protection, and Sarasota 2050 aims to direct population growth away from floodplains and the outer regions of the county to protect environmentally sensitive lands.

In Miami-Dade County, public services have a much greater influence on where development occurs. Like Sarasota, the UGB is an urban services boundary as well as a land use boundary. Miami-Dade County also has an Urban Expansion Area (UEA) boundary in addition to the UGB. The UEA is the area where further urban development beyond the 2015 UDB is most likely to occur in the near future. As a result, urban infrastructure and services are intended for this area. Consequently, the CDMP encourages development in locations that optimize efficiency in public service delivery, making certain sites or areas more eligible than others. The goals, objectives, and policies of the CDMP are aimed at encouraging the provision of public facilities of sufficient quality and quantity to meet existing needs and future expansion. Developers therefore have an incentive to build in locations where service delivery is easy to achieve.

Both Sarasota and Miami-Dade counties are under the jurisdiction of the Local Government Comprehensive Planning and Land Development Regulation Act, which requires that certain level-of-service standards be achieved for roadways, public transit, water, sewer, solid waste, local recreational open space, and drainage. The law states that development permits cannot be issued when adopted levels of service cannot be met. Both counties adopted concurrency programs in order to maintain the required level-of-service standards for public facilities in areas of development.

The Miami-Dade County Service Concurrency Management Program is outlined in Chapter 33G of the Miami-Dade County Code. The chapter describes who is involved in concurrency management and the types of development orders that are reviewed for concurrency. Seven agencies are involved in the review process for concurrency: Department of Planning and Zoning, Department of Environmental Resource Management, Fire Department, Miami-Dade Transit Agency, Parks and Recreation Department, Public Works Department, and Solid Waste Management. The agencies work to ensure that the CDMP is followed and that levels of service are met.

In Sarasota, concurrency is to be coordinated with the fiscally neutral character of development in the system of villages and hamlets. Certain structures and ordinances are applied to achieve fiscal neutrality. Concurrency management in Sarasota includes oversight on transportation facilities (such as roads, intersections, sidewalks, lighting, and medians), public transit, schools, water supply and delivery, sewage transmission and treatment, solid waste, storm- and surface water management, law enforcement, fire and emergency management, courts, jails, administrative facilities, libraries, parks and recreation, and public hospitals. Fiscal neutrality means that no new development in village or hamlet form can be approved outside the existing Urban Service Area unless the County Commission adopts ordinances that implement the principles of fiscal neutrality.

Environment

Sarasota 2050 outlines a system of permanently designated open spaces. These permanent open spaces can be created several different ways. TDRs give developers incentives to preserve open space in return for higher densities. To establish each village and hamlet as a distinct community

and to preserve the rural character of the land outside of the urban service boundary, each village and hamlet is required to have a greenbelt that preserves native habitats, supplements natural vegetation, and protects wildlife. Uses within this greenbelt are restricted to existing agricultural uses, new low-intensity agriculture, and wetland mitigation that do not involve conversion of habitat.

The Greenway RMA attempts to ensure a high concentration of environmentally sensitive lands within its conservation area with ecological buffer zones that protect the most fragile core. The Greenway RMA reduces problems of the fragmentation of fragile land and isolated protection efforts. The Environmentally Sensitive Lands Priority Protection (ESLPP) list focuses on sites that are critical to the RMA structure and at risk of environmental degradation. Additionally, Sarasota plans to obtain regional, state, and federal funding to purchase conservation lands for agriculture, wetlands, and wildlife habitat.

Conclusion

The recent national economic decline makes it hard to evaluate the true impact of Sarasota 2050 as growth and development have stalled. While Sarasota 2050 may have changed attitudes and perspectives about future land use policies, its intended impacts on land development have yet to be realized due primarily to economic factors. While development may not be occurring in the style outlined by Sarasota 2050, Sarasota 2050 still has had certain measurable, albeit unintended, consequences on land use in Sarasota. Several large annexations occurred in areas that were not subject to Sarasota 2050. These annexations were perhaps inspired by the passing of the plan. Also, an amendment has been accepted, requiring a unanimous vote of the County Commission to move the UGB line. This vote on the amendment will both heighten the focus on redevelopment and encourage more focus on the desired form east of I-75.[49]

Sarasota 2050 does encounter opposition. Some members of the public fear that Sarasota 2050 would bring urban development to rural lands, increase traffic, and cut controls on new growth. They believe the greenway standards are inadequate, with not enough land being added to the buffer areas between development and fragile ecosystems.

Despite a lack of measurable implementation and some public opposition, Sarasota 2050 offers a carefully conceived regional approach to land use and growth management with its overlay planning technique and developer incentives that encourage form-based development.

Additional Resources

Comprehensive Plan Amendment. RMA1. Future Land Use Chapter. Adopted by Ordinance no. 2001-076, July 10, 2002. p. 30-45.

Connerly, Charles E., Timothy S. Chapin, and Harrison T. Higgins. *Growth Management in Florida*. Ashgate Publishing Ltd., 2007. p. 227.

Land Use Planning and Development Tools: Urban Growth Boundaries." Florida Planning Toolbox. http://www.cuesfau.org/toolbox/subchapter.asp?SubchapterID=45&ChapterID=11. Accessed July 2, 2009.

[49] Personal communication with Jim Ley, Sarasota County Administrator, on July 22, 2009.

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