



Dr. John M. DeGrove: Shaping a Better Future for Florida

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About 1000 Friends of Florida

- Founded in 1986, 1000 Friends of Florida is a 501(c)(3) nonprofit membership organization.
- We work to save special places, fight sprawl and build better communities.
- We educate, advocate and negotiate to protect Florida's high quality of life.
- Our bipartisan board of directors includes advocates and experts from across the state.
- Visit www.1000friendsofflorida.org/join-us/?alerts to sign up for email alerts!
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UPCOMING WEBINARS

- **May 14** — 2014 Florida Legislative Wrap Up
- **June 11** — Florida Planning and Ethics for the 21st Century

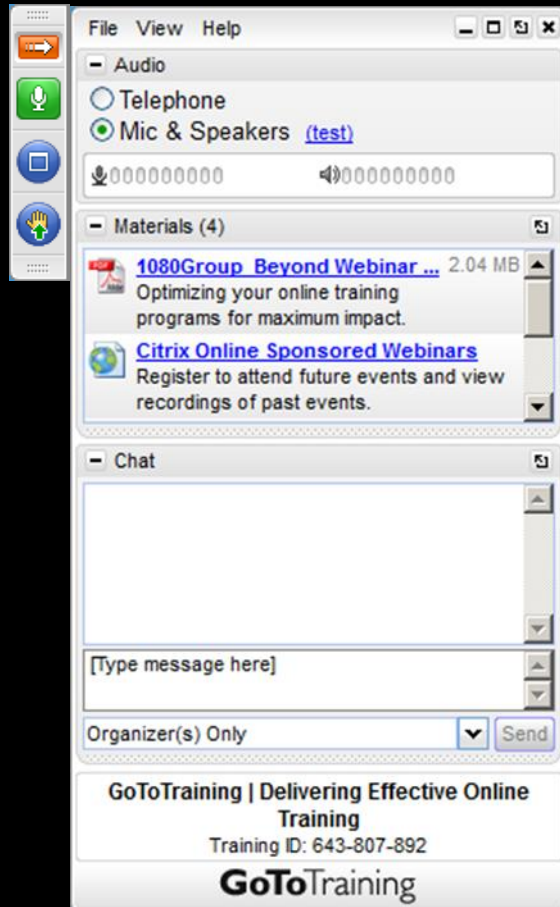
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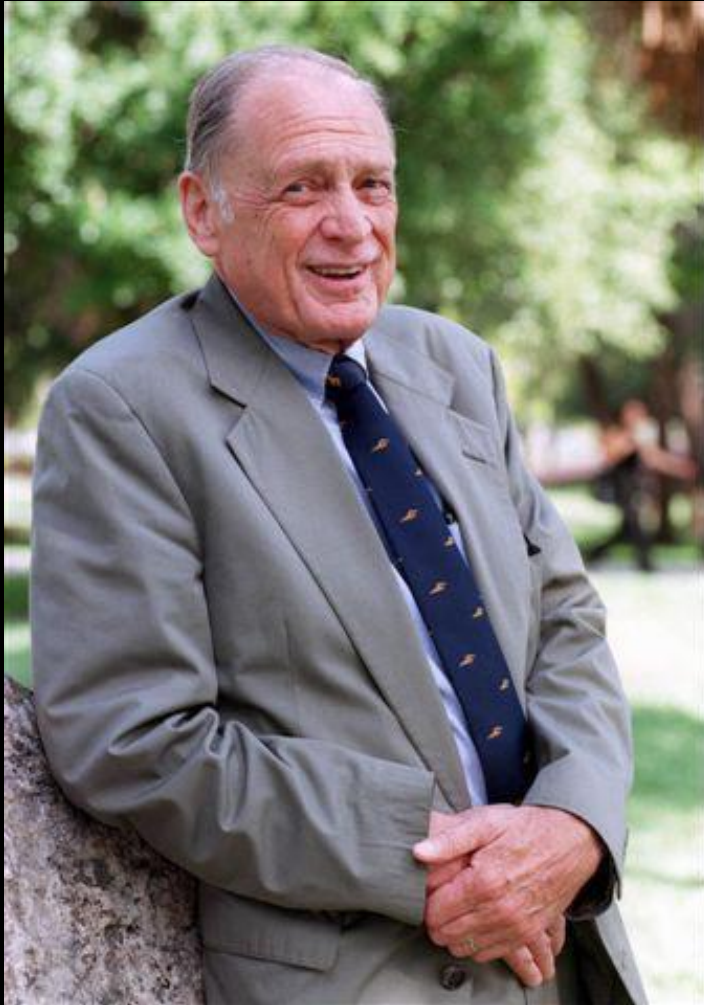
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- Approved for CLE credits for Florida attorneys ([1401900N](#))
- Approved for 1 CEC credit for Certified Floodplain Managers
- Approved for 1.25 CEHP credits for Certified Environmental Health Professionals
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- Please keep your questions succinct!
- Staff will ask the presenters questions, as time permits.

Dr. John M. DeGrove



1924-2012

www.1000friendsofflorida.org/dr-degrove/

Presenters

About Charles Pattison, FAICP



- President of 1000 Friends of Florida since 1998
- Director for the Division of Resource Planning and Management at the Department of Community Affairs from 1992 to 1998
- Field Representative for The Nature Conservancy's Virginia Coast Reserve from 1989 to 1992
- Opened and ran the DCA Keys Field Office in Key West between 1983 and 1989, serving as Monroe County Planning, Building and Zoning Director and first Executive Director of the Monroe County Land Authority



About Susan Coughanour, AICP



- Worked as graduate assistant for Dr. John DeGrove and Research Associate at FAU-FIU Joint Center
- Board Member of the Treasure Coast Section of the Florida Chapter of the American Planning Association
- Board Member, Founding Member and Past President of the Palm Beach County Planning Congress
- In 2011 retired after 36 years with the South Florida Water Management District
- Received the APA Chapter Presidents Council National Leadership Award for her many years of service to APA

About Frank Schnidman



- Senior Fellow, School of Urban and Regional Planning, Florida Atlantic University
- Former Director, FAU Center for Urban Redevelopment Education (CURE)
- J.D. and LL.M. degree in Environmental Law. Admitted to practice in Florida, California, New York and the District of Columbia
- Taught at the University of Virginia, George Washington University, the University of Miami, and served 2 years as a Visiting Scholar at Harvard Law School
- More than 40 years of experience in sophisticated land policy and land use regulatory issues
- Met John DeGrove in 1976, since 1978 teaching and coordinating more than 50 panels, conferences and seminars in Florida, across the US, in London, Amsterdam, The Hague, Paris, Lisbon, etc., with DeGrove
- DeGrove recruited him to FAU in 1987
- In 1984 named a Urban Land Institute (ULI) Fellow "By virtue of recognized service and contribution of knowledge and experience in the fields of sound land use and urban development"



About Nancy E. Stroud



- First came to Florida to work with John DeGrove as a senior research associate at the Florida Atlantic University Joint Center for Urban and Regional Problems in 1979
- Partner in the law firm of Lewis, Stroud & Deutsch, focusing on local government law, especially land use planning and development
- Prior to opening her own firm in 2005, was the local government land use chair in a mid-size law firm representing multiple cities in the south Florida region
- Has served on the American Planning Association Amicus Curiae Committee for more than 15 years

About Lance deHaven-Smith



- Served with John DeGrove as Associate Director of the Joint Center from 1983 to 1990.
- Professor in the Reubin O'D. Askew School of Public Administration and Policy at FSU
- Former President of Florida Political Science Association
- Author, coauthor or editor of 15 books, including *Florida's Megatrends*, *Government in the Sunshine State*, *The Battle for Florida*, and *Environmental Concern in Florida and the Nation*
- At FSU has served as Associate Director of the Florida Institute of Government, Director of the Askew School, Executive Director of Citizens Commission on Cabinet Reform, Executive Director of Local Government Commission II, and other positions

The Legacy of Dr. John M. DeGrove

By Susan Coughanour

Dr. John M. DeGrove

**Born in St. Augustine, Florida
May 4, 1924 – April 13, 2012**



**Married Gail, 1953
Children Andy, Jim and Kim**



Academic

- Teaching and Leadership
- Mentoring and Managing Students, Staff and Colleagues
- Think Tanks and Research
- National and International Outreach



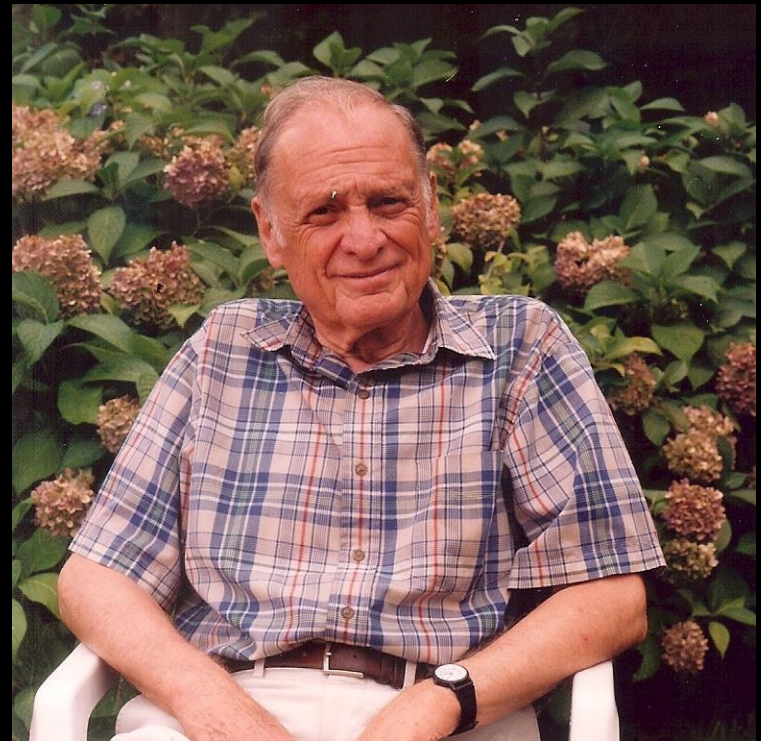
Public Service

- Service
- Applied Research
- Leadership



Legacy

- Linkages Between Land and Water
- Father of Growth Management



The Legacy of John M. DeGrove

- **One Person Can Always Make a Difference**
- **Theory Can Be Successfully Translated into Practice**
- **You Can Catch a Lot More Flies with Honey than with Vinegar**
- **Never Give Up – When You Run Into an Obstacle, Try a Different Approach**
- **Keep Your Eye on the Big Picture and Don't Get Lost in the Weeds**

Highlights of Florida's Growth Management History

By Frank Schnidman

The “New Mood” in the United States 1965

Rachel Carson, *Silent Spring*

- Documented the effects of DDT on the environment and forever changed the perception of business by the public

The “New Mood” in the United States

1970, January 1

National Environmental Policy Act of 1969 (NEPA)

- United States Congressional recognition of the importance of the environment

The “New Mood” in the United States

1970, January 29

The National Land Use Planning Act of 1970, S. 3354, introduced by Senator Henry M. Jackson

"...[i]ntelligent land use planning and management provides the single most important institutional device for preserving and enhancing the environment, for ecologically sound development and for maintaining conditions capable of supporting a quality life and providing the material means necessary to improve the national standard of living." 116 Cong. Rec. 1757-789 (1970).

The National Land Use Planning Act of 1970

"If we are going to avoid the continued waste and exploitation of our resources and the high economic and social costs resulting from existing land use patterns in this country, we are going to have to develop a more rational and comprehensive approach to land use planning."

Morris K. Udall, *Land Use: Why We Need Federal Legislation*, in *No Land Is An Island* at 74 (Institute for Contemporary Studies, 1975).

The National Land Use Planning Act of 1970

"I believe that the problems of urbanization, ... of resource management and of land and water use generally can only be met by comprehensive approaches which take into account the widest range of social, economic and ecological concerns. I believe we must work toward a National Land Use Policy to be carried out by an effective partnership of Federal, State and local governments together."

President Nixon, in his August, 1970 message forwarding a Council on Environmental Quality report to the Congress, agreed with Senator Jackson's focus on land use planning. S. Rep. No.1435, 91st Cong., 2d Sess. 31, 32 (1970).

The “New Mood” in the United States

1970, April 22

Earth Day

- Recognized as the birth of the modern environmental movement

The “New Mood” in the United States

1970, December 2

U.S. Environmental Protection Agency

- Established to consolidate Federal environmental concerns

The “New Mood” in the United States 1971

Fred P. Bosselman and David L. Callies, *The
Quiet Revolution in Land Use Control*

- An examination of the efforts of states to exert greater control over land use decision-making.

The “New Mood” in the United States 1972

The Coastal Zone Management Act

The Clean Water Act

The Clear Air Act

The Endangered Species Act

The “New Mood” in the United States 1973

William K. Reilly, ed., *The Use of Land: A Citizens' Policy Guide to Urban Growth*

Conclusion:

“A new mood in America has emerged that questions traditional assumptions about the desirability of urban development. The motivation is not exclusively economic. It appears to be part of a rising emphasis on human values, on the preservation of natural and cultural characteristic that make for a humanly satisfying living environment (p. 17).

The “New Mood” in the United States 1973

Fred P. Bosselman and David L. Callies, *The Taking Issue: An Analysis of the Constitutional Limits of Land Use Control*

- A detailed analysis of the police power regulatory authority over land use

The “New Mood” in Florida

Described in:

John M. DeGrove, *Land, Growth and Politics* (1984)

John M. DeGrove, *Planning Policy and Politics:
Smart Growth and the States* (2005)

Richard G. RuBino and Earl M. Starnes, *Lessons
Learned? The History of Planning in Florida* (2008)

The “New Mood” in Florida 1967

Florida Air and Water Pollution Control Act

- Created a Board and a permitting process to oversee air and water pollution discharge

The “New Mood” in Florida 1969

The County and Municipal Planning for Future Development Act

- Florida’s version of the U.S. Department of Commerce’s 1926 Standard Zoning Enabling Act.

The “New Mood” in Florida 1971

Florida Beach and Shore Preservation Act

- Gave the State, through the Department of Environmental Protection (DEP), responsibility for regulating coastal construction.

Governor’s Conference on Water Management in South Florida, September 22-24

- This session is recognized as the event that brought together key decision makers and resulted in commitment to act to protect the quality of life Florida had to offer. This session also led to the appointment of a Task Force on Land Use that would recommend four major legislative acts that were adopted in 1972.

The “New Mood” in Florida 1972

Environmental Land and Water Management Act

- Established a system to regulate Areas of Critical State Concern (ACSC)
- Established a system to regulate Developments of Regional Impact (DRI)

Water Resources Act

- Established five (5) Water Management Districts

State Comprehensive Planning Act

- Created the Division of State Planning and mandated the creation of a State Plan to provide the framework for growth management efforts

Land Conservation Act

- Established a \$250 million land acquisition bond

The “New Mood” in Florida 1975

Local Government Comprehensive Planning Act

- This was the State’s first planning legislation that required that each local government has a comprehensive land use plan.

State and Regional Planning Act

- Outlined a State role in planning and established eleven (11) Regional Planning Councils (RPCs).

New Communities Act

- Dealt with infrastructure funding, but was replaced by ch. 190, the Community Development District Act in 1980.

The NEWER “New Mood” in Florida 1985

Omnibus Growth Management Act

“Local Government Comprehensive Planning and Land Development Act”

- Revised and strengthened the 1975 Act, providing State oversight over plans and planning

State Comprehensive Plan Act

- Established State planning priorities and required local plan consistency with the State Plan

The NEWER “New Mood” in Florida 1993

Amendments to various sections of ch. 163

- This legislation included multiple exceptions to required transportation concurrency, refocused Regional Planning Councils, and required each to produce a “Strategic Regional Policy Plan.” It modified how Regional Planning Councils dealt with DRIs and made changes in the State Comprehensive Planning Act.

The “New Mood” in Florida Begins to Change 2009

The Community Renewal Act

- Significant amendments were made to the growth management laws. The severe economic recession resulted in the Legislature seeking to lessen the restrictions on development in urban areas in an effort to assist economic development efforts.

The NEWEST “New Mood” in Florida 2011

Community Planning Act

- The Legislature substantially rewrote the growth management legislation
- The Department of Community Affairs responsibilities were transferred to other agencies
- The authority of Regional Planning Councils was reduced, and State funding for them ended
- In effect, State and regional review authority of local government activity was significantly reduced

The NEWEST “New Mood” in Florida 2014

The Legislature is still in session, and efforts are underway to override local government planning and regulatory authority.

Recall that under the 2011 Community Planning Act, changes were made to the State role on the grounds that more authority should be left to local governments.

State Planning for the 21st Century

By Nancy Stroud

The Needs:

- Addressing continued growth
- Protecting environmentally valuable land and water
- Integrating land and water management
- Managing coastal communities

How do we manage continued growth and the challenges it brings?

- Leadership
- Education/citizen participation
- Extra-local planning and management
 - State role
 - Regional role
 - Special area planning

How do we manage continued growth and the challenges it brings?

- Land acquisition
- Fiscal reform
- Regulation
- Persistence

The Assembly Process

By Lance deHaven-Smith

Overview

- Origins of the American Assembly
- Examples in Florida
- The American Assembly Process
- Suggestions for the Future

Origins and Development

- Started in 1951
- Author was Dwight Eisenhower while President of Columbia University
- Formed into a non-profit corporation
- Now runs national and regional assemblies
- Assembly process adapted in Florida and other states

Assembly Examples

Florida Issues

- **Aviation**
- **Growth Management**
- **Energy**
- **Health Care**
- **Beach Restoration**
- **City-County Conflict**
- **Everglades Restoration**
- **Water Supply**
- **Criminal Justice**

Florida Regions

- **Treasure Coast**
- **Southeast Florida**
- **All CFASPP Regions**

Cities

- **West Palm Beach**
- **Delray Beach**
- **Hollywood**
- **Boynton Beach**
- **Davie**
- **Pahokee**

Counties

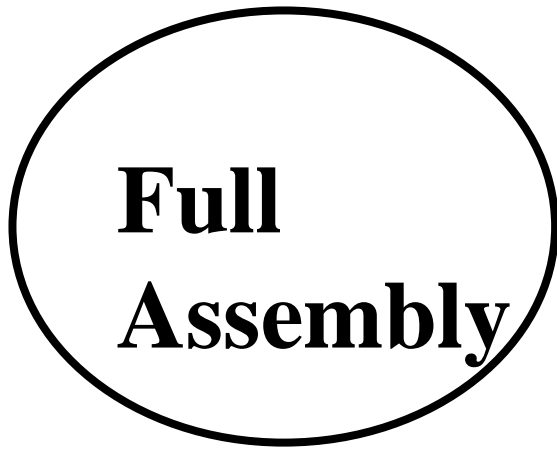
- **Charlotte**
- **Pinellas**
- **Hillsborough**
- **Martin**
- **Broward**
- **Alachua**
- **Palm Beach**

Two Days

Day 1  Day 1  Day 2

Open with the Full Assembly

40-150 stakeholders



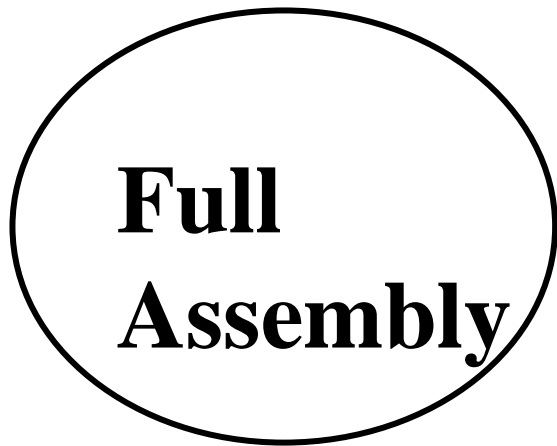
Day 1 →

Day 1 →

Day 2

Open with the Full Assembly

40-150 stakeholders



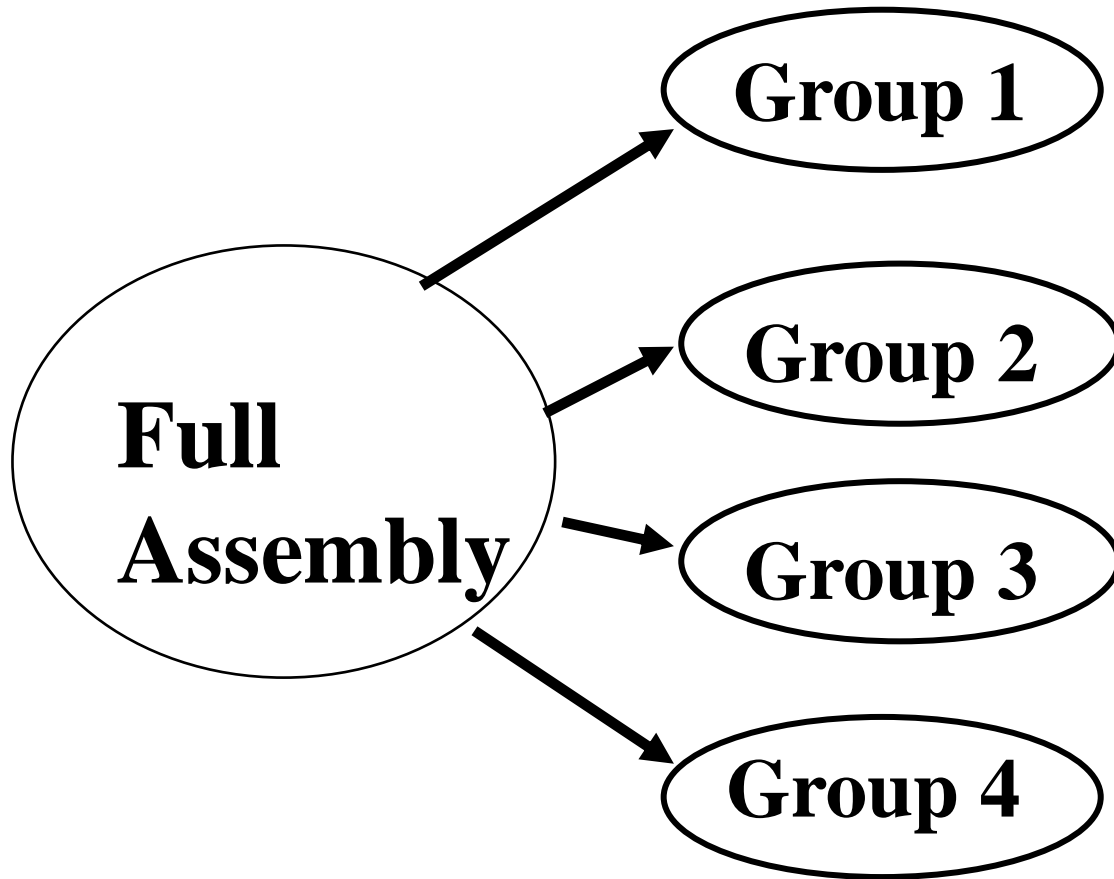
- **Participants are inclusive and loosely representative**
- **Perhaps a keynote speaker**
- **Brief overview of the process**

Day 1 

Day 1 

Day 2

Break into Discussion Groups

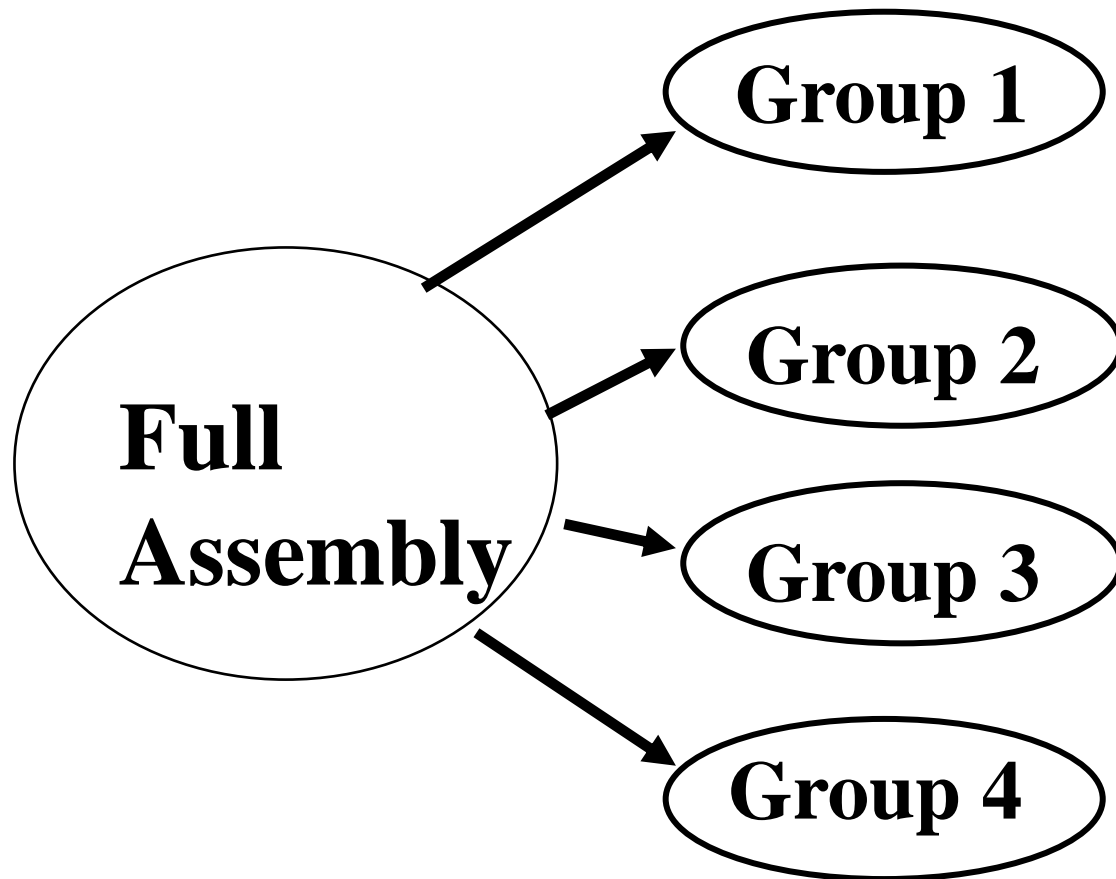


Day 1 →

Day 1 →

Day 2

Break into Discussion Groups



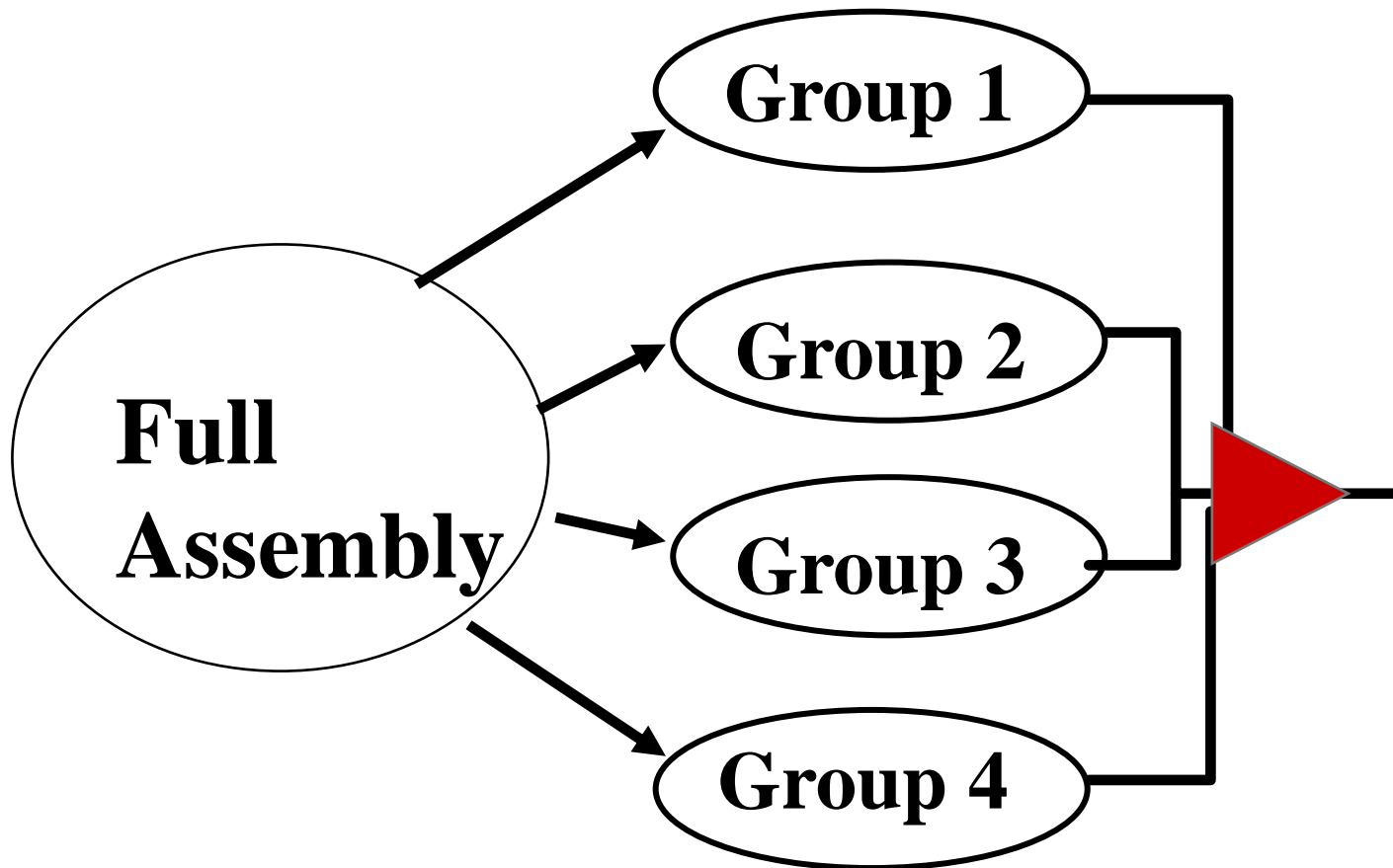
- * **Facilitator**
- * **Recorder**
- * **Stay together until day 2**
- * **1.5 hours per topic**
- * **Same questions for each group**

Day 1 →

Day 1 →

Day 2

Assembly Team Synthesizes



Day 1 →

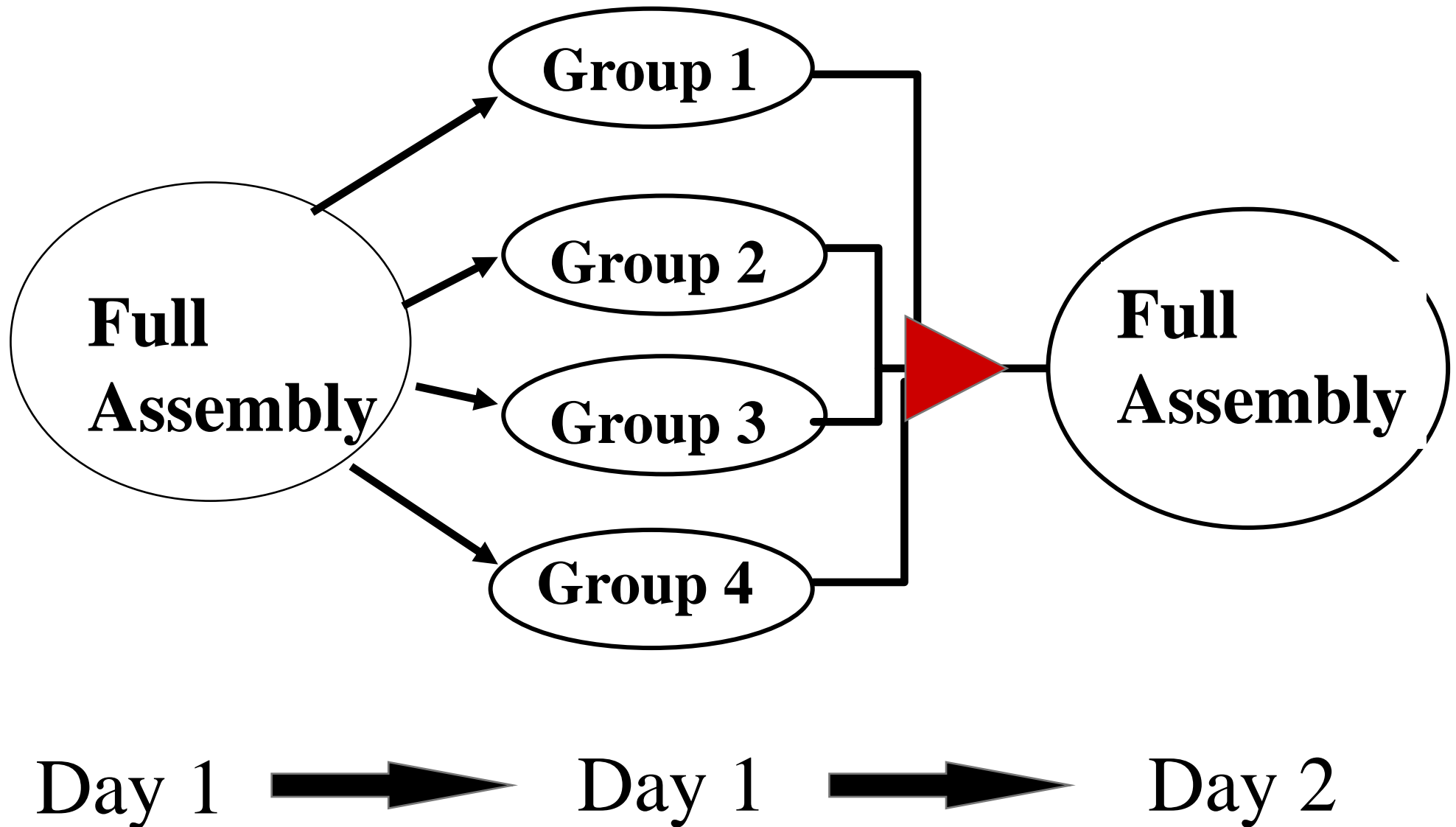
Day 1 →

Day 2

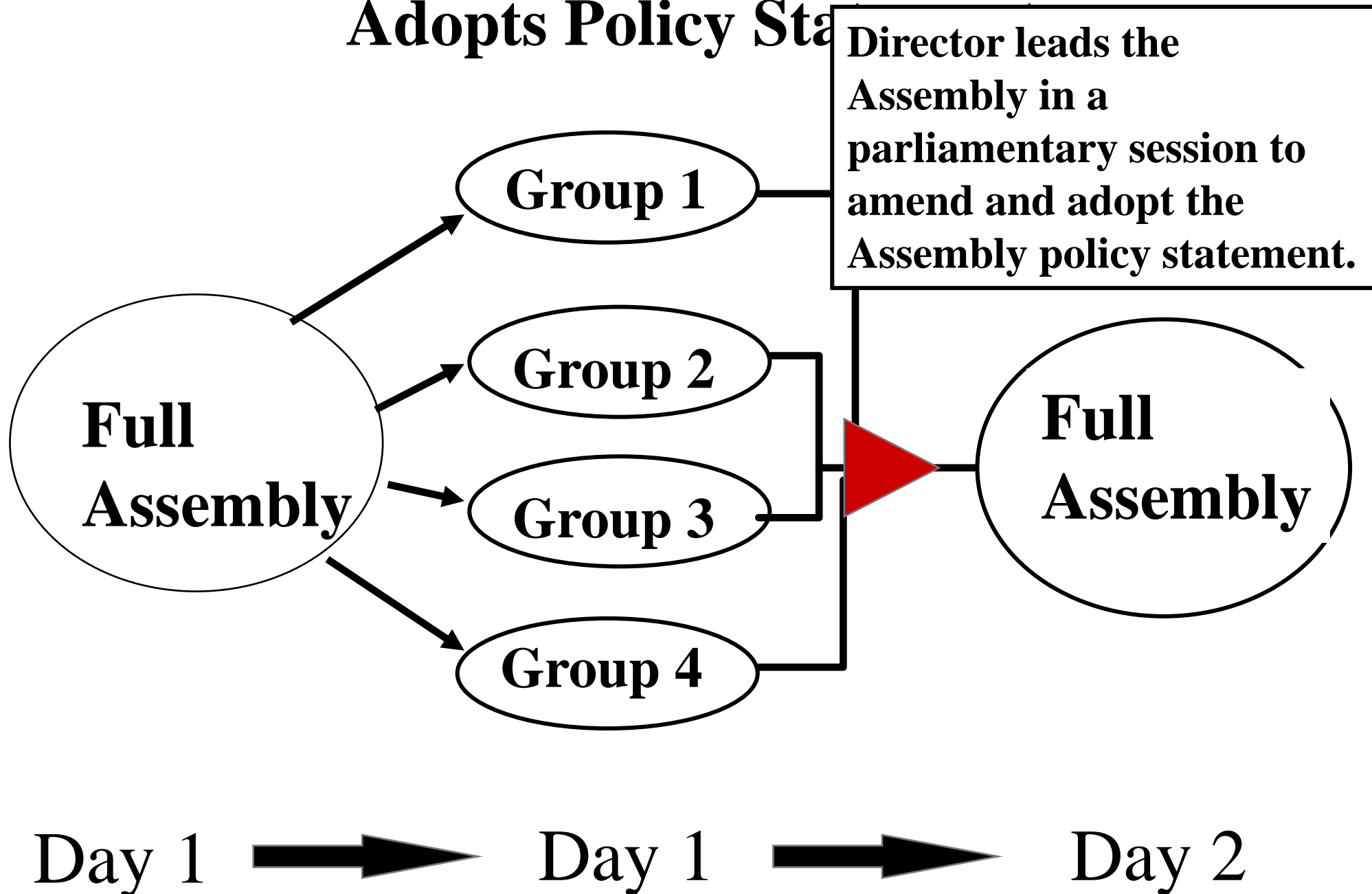
Synthesis Process

- **Notes from the groups go to the Assembly Director after each session**
- **Assembly Director writes draft policy statement as notes arrive**
- **Facilitators, Recorders and Assembly Director review Draft Policy Statement during evening of day 1**

Full Assembly Amends and Adopts Policy Statement



Full Assembly Amends and Adopts Policy Statement



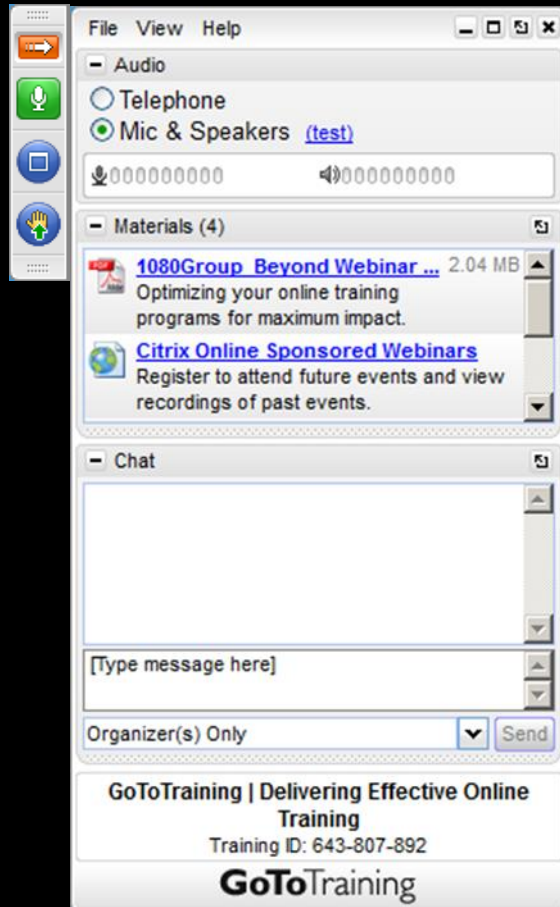
Preparation for the 2018 Constitution Revision Process

- Constitution Revision Commission will be appointed in 2017
- Steering Committee may be appointed in Summer 2016
- Appointed by Governor, Senate President, House Speaker, Florida Supreme Court
- Can present amendments or a whole new constitution to the electorate in November 2018

Potential Issues

- Status of Local Government Comprehensive Plans
- Requirements for designating Areas of Critical State Concern
- Local government issues, such as dual taxation and annexation.

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