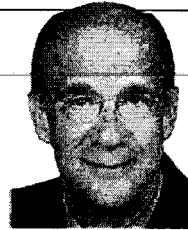


# Business JACKSONVILLE Journal

**VIEWPOINT:** *Bob Rhodes previews the year of Hometown Democracy.*

Page 21



## Only constant in growth control is change

There's an elephant in the growth management policy room. It's Amendment 4, artfully packaged as "Hometown Democracy."

The proposed legislation would require that all local government comprehensive plans and plan amendments be approved by voter referendum before becoming effective. It's on the statewide ballot in November. Every significant state legislative growth management proposal will undergo a "Hometown Impact Assessment" during the 2010 legislative session.

Although a constitutionally mandated referendum for all plan amendments is a flawed, much too broad approach to enhance meaningful public participation in land use decision making, there is growing sentiment that the public concern driving the direct democracy movement merits state legislative consideration.

The State Department of Community Affairs previously proposed a citizens' planning "Bill of Rights" which, among other aims, would expand citizens' opportunities to participate in local land use decisions and restrict the frequency of plan amendments. The Legislature did not accept DCA's proposal.

The Legislature is now reviewing DCA's mission, organization and program management. This "sunset review" is slated to be completed in 2010. There are periodic calls to terminate or merge DCA with other state agencies, and such action may be considered next legislative session. Although DCA is unlikely to be terminated or merged, legislative review may prompt proposals to amend or reorient DCA programs.

Integral to the state growth management program is DCA's role in overseeing review of local plan amendments and developments of regional impact. The Northeast Florida Regional Council may request legislation to establish a state-funded pilot project that would delegate to the regional council responsibility in Northeast Florida to review and approve plan amendments and to review and appeal DRIs. The pilot project would last for five years and then be assessed for extension, modification or termination.

The Florida Department of Transportation and DCA



### Viewpoint

Bob Rhodes

recently produced a report to the Legislature analyzing mobility fees, which might replace the state's traffic concurrency policy. The report offers three implementation options: require mobility fees statewide by a certain date, require fees in dense urban land area counties and authorize the fees in all other counties, and authorize mobility fee pilot projects.

Pilot projects are preferred by many interest groups, and if they are authorized, Duval County would be a prime candidate.

Senate Bill 360, enacted in 2009, eliminated the state mandate for transportation concurrency in dense urban areas including Duval County.

Questions have been raised about the Legislature's intent regarding this provision, and legislation clarifying legislative intent is expected. This "glitch" legislation may address issues raised by a group of cities that have judicially challenged enactment of S.B. 360.

Expect 2010 to be another interesting year for Florida's growth management policy. If the past is any prologue, the one constant will be change.

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### REMINISCENCE

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