

What are Florida's Growth Management Laws and Why are They Changing?

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Florida's Growth Management Laws are a series of statutes passed during times of a booming Florida economy, designed to control growth within Florida communities including protecting the environment and discouraging urban sprawl. [They include:](#)

1. *Environmental Land and Water Management Act of 1972* ([Florida Statutes 380.012 - 380.07](#))
2. *Florida Water Resources Act of 1972* ([Florida Statutes 373](#))
3. *Florida State Comprehensive Planning Act of 1972* ([Florida Statutes 186.001](#))
4. *Local Government Comprehensive Planning Act of 1975* (amended in [Florida Statutes 163.3161](#))
5. *State and Regional Planning Act of 1984* ([Florida Statutes 23.01-.015, 160.002-.076 - now appearing as 186.001 et seq.](#))
6. *Local Government Comprehensive Planning and Land Development Act of 1985* ([Florida Statutes 163.3161](#))

Changing Times, Changing Laws: The Florida Growth Management Laws Are Overhauled

The Florida Legislature ended its 2011 legislative session this month by passing big changes to these longstanding growth management laws in a dedicated effort to free land developers throughout the State of Florida from burdensome statutory requirements.

The real estate industry - developers, investors, lenders, and the like - welcomed these changes. Environmentalists did not. Many of the conservationists in Florida and across the country fear that the 2011 overhaul to the Florida Growth Management Laws will doom species and habitats, such as the vulnerable Florida wetlands.

What has the Overhaul of the Florida Growth Management Laws Really Done?

The changes are designed to spur economic development in a state sorely in need of it. Florida needs land development for all that it brings with it: an infusion of revenue, an increase of jobs.

Land development will bring short term and long term economic growth to Florida. This isn't something that anyone is disputing.

Problem was that there isn't that much land development happening in Florida these days. We're in a slump (and that may be an optimistic description). How to turn this around?

From the perspective in Tallahassee, this is done both by repealing regulations that placed monetary burdens on land developers as well as removing state involvement in community decisions, moving those resolutions to the local government. For example, the doors to the Florida Department of Community Affairs have been closed, and developers are no longer

mandated by the state to build parks, roadways, or schools whenever they plan and build a new development.

New laws were passed just as old laws were being amended or abolished during this overhaul. These included freeing land developers trying to get water permits. A new law (HB 993) removes the requirement that developers prove to the Powers That Be that their proposed project would not harm the environment, lessening their costs, and instead places the burden of proving there will be harm on anyone challenging the project.

Will the local communities just pass the same measures for their jurisdictions? No. Under the new laws, local Powers That Be will not be allowed to mimic previous regulations that were established at the state level. Counties and municipalities cannot, for example, set impact fees on commercial development until 2013.

This is not the end of efforts to encourage and promote Florida land development. However, what has happened this month with the Florida Growth Management Laws' overhaul is a great beginning. These efforts are not just important to land developers, they are critical to moving the Florida economy forward.