

COMMUNITY GROWTH MANAGEMENT

Six Case Examples

In recent years many metropolitan suburbs and small or medium sized cities have experienced rapid and unprecedented population growth. Along with this rapid growth have come problems, problems that existing government programs and policies have been unable to solve. Urban sprawl, the loss of community open space, changes in community character and amenities, damage to the natural environment, rising tax rates, and the strain on public services and schools to keep pace with development all are examples of growth problems.

Many communities across the nation are experimenting with new techniques or new combinations of old techniques to control the problems associated with growth. These efforts to alleviate the problems of growth have come to be called growth management strategies. *Growth management strategies seek to control the rate, timing, amount, geographic pattern, or public cost of growth.*

This circular examines the approach to growth management in six communities across the United States—the setting that made each community con-

sider growth management, the growth management strategies adopted, and the current status of the program. Communities discussed are Ramapo, New York; Fairfax County, Virginia; Petaluma, California; Boulder, Colorado; Woodburn, Oregon; and Boca Raton, Florida. These communities were chosen to reflect a wide variety of approaches in a broad geographic sample, each operating under a different state legal system. The accompanying table summarizes the combination of techniques used in each of the six communities.

The following sections, for the most part, simply describe the details of the tools used by each community and the way they are integrated to form a growth management system. Little attention is given to the effects of each system, the benefits and costs. This does not imply that the systems have been uniformly successful in achieving all of their goals—in some cases available evidence indicates that they have not. Nor does it mean that the costs or side effects—such as increased housing costs, unemployment in the development and building industries, windfall gains or losses, and shifts of growth to neighboring communities—have been minimal; there is every reason to believe there have been costs. It does imply that there has been little follow-up study to determine the effects of such systems, whether benefits or costs.

Tools Integrated Into a Growth Management System in Six Communities

| Community | Comprehensive plan | Zoning | Special permit | Open Space acquisition | Urban growth boundary | Extension of services | Exactions | Interim development controls | Annual permit limitations | Population ceilings |
|-----------------------|--------------------|--------|----------------|------------------------|-----------------------|-----------------------|-----------|------------------------------|---------------------------|---------------------|
| Petaluma, California | X | X | X | X | X | X | X | | X | |
| Boulder, Colorado | X | X | | X | X | X | X | X | X | |
| Boca Raton, Florida | X | X | | X | | | | X | | X |
| Ramapo, New York | X | X | X | X | | X | X | X | | |
| Fairfax Co., Virginia | X | X | | | | X | | X | | |
| Woodburn, Oregon | X | X | X | | X | X | | X | X | |

Sources: Lawrence B. Burrows, *Growth Management: Issues, Techniques, and Policy Implications*, (New Brunswick, N. J.: Center for Urban Policy Research, 1978), pp. 6-7, and Michael Gleeson et al., *Urban Growth Management Systems: An Evaluation of Policy Related Research*, (American Society of Planners Officials, 1977), pp. 8-9.



Ramapo, New York

Situation

Ramapo, New York, is a township of 60 square miles, 35 miles north of New York City in Rockland County. In the 1960's major land uses included urban uses in several incorporated villages and a mixture of rural and scattered suburban uses in unincorporated areas of the town. Most development in the town consists of expensive single family homes on large lots of one-half acre or more. In the 1960's new bridge and highway construction increased the accessibility of the town to New York City. Population grew from 35,000 in 1960 to 77,000 in 1970, straining the town's ability to provide public services and threatening to change the character of the township. Projections indicated the town would be completely developed by 1979. Public sentiment grew in favor of some means of controlling growth.

Growth management system

In 1965, several community leaders proposed a system to control the location and timing of growth by tying it to staged capital improvements.

The goals of the system were:

- To economize on the costs of municipal facilities and prevent them from being overburdened;
- To keep population increase at a moderate level so that existing rural, semi-rural, and suburban character could be maintained.

In 1966 the town adopted a new comprehensive plan and zoning ordinance that provided for low densities in unincorporated areas. An official map indicating the location of all proposed public

improvements was adopted in 1967. In 1968 the town passed a capital improvement budget for the next 6 years and a capital improvement plan for the following 12 years. The total plan indicated the town intended to provide the public services required for complete development of the town by the end of the 18 years. Finally, in 1969 the town passed amendments to its zoning ordinance establishing the special permit system that implemented the growth management system.

Growth is controlled by requiring certain public services to be available before development. All residential developments involving two or more lots must apply for and receive a special permit from the town board before a subdivision or building permit can be granted. A developer applies to an administrative assistant who reviews the application and makes a recommendation to the Town Board. The Town Board schedules a hearing and then gives its decision.

To obtain the special permit, the development must accumulate 15 points on the following scale:

- *Sewers*
 - a. Public sewers available for lot sizes smaller than two acres 5 points
 - b. Package sewer plant 3 points
 - c. County approved septic system for the largest lot sizes only 3 points
 - d. All others 0 points

- *Drainage* (Percentage of required capacity available)
 - a. 100% or more 5 points
 - b. 90% to 99.9% 4 points
 - c. 80% to 89.9% 3 points
 - d. 65% to 79.9% 2 points
 - e. 50% to 64.9% 1 point
 - f. Less than 50% 0 points
- *Improved public park or recreation facility, including public school site*
 - a. Within $\frac{1}{4}$ mile 5 points
 - b. Within $\frac{1}{2}$ mile 3 points
 - c. Within 1 mile 1 point
 - d. Further than 1 mile 0 points
- *State, county, or town major, secondary, or collector road(s), improved with curbs and sidewalks*
 - a. Direct access 5 points
 - b. Within $\frac{1}{2}$ mile 3 points
 - c. Within 1 mile 1 point
 - d. Further than 1 mile 0 points
- *Fire House*
 - a. Within 1 mile 3 points
 - b. Within 2 miles 1 point
 - c. Further than 2 miles 0 points

If the development does not qualify the developer has three options: apply for a variance; apply for a reduction in property tax assessment to reflect the reduced value of the property; or install the needed improvements. If the town fails to keep its schedule of improvements, and a developer applies for a permit, the developer is awarded the points as if the schedule had been kept.

A landowner whose property did not yet qualify for a special permit brought suit in the state courts. Although a lower court invalidated the plan,¹ the state of New York's highest court, the Court of Appeals, reversed the lower court decision and upheld the system in May 1972.² The court found that the zoning ordinance was within the powers of the township, that the restriction on property rights was temporary, and that the community was making a bona fide effort to maximize population density consistent with orderly growth. The case was appealed to the U.S. Supreme Court, which refused to hear the appeal.

Current status

The growth management system has significantly reduced the construction of new housing in Ramapo. The average number of building permits issued per year declined from 684 over the period 1962 through 1968, to 259 from 1969 through 1976. Development has been shifted from Ramapo to surrounding areas; Ramapo's share of Rockland County growth declined from 24 percent for 1962 through 1968 to 13 percent for 1969 through 1976. The town has had great difficulty meeting the schedule of capital improvements projects in its capital improvement budget; only 59 percent of the 120 projects were constructed. There are several reasons for this failure. Unanticipated emergencies connected with two hurricanes in 1971 and 1972 required diversion of funds from capital improvement projects. Inflation and unanticipated construction costs increased the required budgets. Expected county, state, and federal appropriation of funds for sewers, roads, and parks failed to materialize. Because developers are credited with points according to the schedule rather than according to actual provision, the goal to ensure adequate facilities for all new development has not, therefore, been completely successful. The property tax rate for Ramapo has increased at the same rate as surrounding areas.

Some observers have criticized Ramapo's growth management system as exclusionary. No zoning exists for multi-family housing and 65 percent of all residential land is zoned for lot sizes greater than one-half acre. A subsidized low income housing project created around 200 units for the elderly in the early 1970's, but no further efforts to provide low and moderate income housing have been undertaken.



Fairfax County, Virginia

Situation

Fairfax County, Virginia, directly west of Washington, D.C., was predominantly rural at the close of World War II. Since then, the northern and eastern portions of the county have become highly urbanized suburbs of Washington, D.C. Population grew from 261,417 in 1960, to 455,021 in 1970, and to an estimated 561,000 in 1973. Provision of services failed to keep up with development. Traffic congestion became severe. Most of the sewage treatment plants in the county had reached, or were about to reach, capacity. Land and housing prices increased dramatically. Speculation became intense.

Growth management system

After an election in which growth was a major issue, a new Board of Supervisors with a majority committed to slowing growth took office in January 1972. Initially, the new board tried a number of techniques for slowing growth. First, as a matter of policy, the board slowed the rate at which it heard and decided requests for rezoning and subdivision approval. This policy resulted in a large backlog of cases. Next, the board put much of the county under sewer moratoria. Both techniques were held invalid by the Virginia state courts.³ The county board also downzoned many areas from higher to lower densities. The courts held such action was illegal unless it accorded with a comprehensive plan.⁴

Stymied in its initial efforts and encouraged by the judicial sanction given to the Ramapo approach to growth control, the county board turned to public services policy. In early 1973 the board instituted a \$1.5 million Planning and Land Use System (PLUS) program to prepare a plan to manage growth. The program included a development timing mechanism based on timed provision of public services. Among the objectives of PLUS were:

- improvement of the quality of life;
- prevention of environmental damage;
- increase in quality of public services by timing growth to coincide with the provision of facilities;
- preservation of open spaces; and
- creation of housing opportunities for people of low and moderate incomes.

From these objectives a five-pronged program emerged:

1. In January 1974 the Board of Supervisors used their emergency powers to pass an Interim Development Control Ordinance which instituted an 18-month moratorium on rezonings and approval of site plans.

2. An intensive planning process for new comprehensive subcounty area and countywide plans began in the spring of 1974. Plans were developed with extensive citizen participation. Planning was to be a process, with a plan update prepared at the beginning of every year. Plans were to be based upon acceptance of a fair share of projected regional growth and were to indicate the intended

timing of development as well as permitted use. The plan would then serve as the basis for a revised zoning ordinance which permitted only very low densities on land that was not yet scheduled for development.

3. The Board of Supervisors committed itself to a program of buying land (land banking) in order to provide low cost land for low and moderate income housing. It committed \$2 million to fund the program in its first year of operation.

4. The county launched an open space acquisition program to help create environmental corridors envisioned in the plan. Lands were to be acquired through public purchase in the open market (Virginia law prohibits public acquisition of open space through eminent domain) and private dedication of lands to the public.

5. The centerpiece of the new program was to be a development timing mechanism. The approach finally adopted was to use capital improvement plans and capital budgets to provide services at locations and in a sequence to support the development timing envisioned by the plan. Development would then be prohibited on the basis of lack of available services in those areas not yet programmed for development.

The program ran into many difficulties. In the summer of 1974 the Interim Development Ordinance was declared unconstitutional by the state courts.⁵ As the comprehensive planning process proceeded it became apparent that citizens desired a continuation of the status quo of low density scattered development. Low and moderate income developments were planned, but ran into great citizen opposition over the density and environmental impact of the proposed developments. In addition, the need to reduce government expenditures reduced the land banking budget in succeeding years. Although some low and moderate income units ultimately may be built, the program is unlikely to be a significant provider of low and moderate income housing.

Because land prices in Fairfax County were prohibitive, outright purchase of land for the open space program was impossible. Although some land has been acquired through voluntary dedication, the prospects for acquiring substantial land in this fashion are nil.

Finally, the use of a timing mechanism also met with difficulties. A 5-year capital improvement plan and a 1-year capital budget were prepared, but attempts to use capital facilities planning for timing control were invalidated by the Virginia courts.⁶ The court ruled that zoning must follow the higher densities ultimately permitted by the comprehensive plan rather than the lower densities designated until higher density development was scheduled by the plan. Since the county cannot deny service hookups in those areas not yet scheduled for development, the timing mechanism also became unworkable.

Current status

What, then, is left of Fairfax County's ambitious PLUS program? The county has a new comprehensive plan, revised yearly and based on extensive background study, which provides for the accommodation of the county's share of projected regional growth through 1990. Requests for rezoning are granted only if the request is in accord with the comprehensive plan. A capital improvement planning process has been implemented and is working well; county departments appreciate the opportunity to have board commitments to a spending schedule for sewer, water, and other services. Finally, a public land acquisition program is in place, although it is hampered by lack of funds.



Petaluma, California

Situation

Petaluma, California, is 40 miles north of San Francisco in Sonoma County. Originally the center of an important agricultural region, the city had a 1960 population of 14,035. With the construction of a freeway connecting Petaluma and San Francisco and the accompanying influx of commuters, Petaluma began to grow rapidly, reaching in 1970 a population of 24,870. Projected 1985 population was 77,000. This rapid growth gave rise to a number of concerns. Many local citizens, including new residents, wished to retain the small town character of Petaluma and the surrounding agricultural open space. Urban services failed to keep pace with development. Schools were in double sessions. Sewers were inadequate. The city was reaching the limit of its water supply. Of the growth, 95 percent was single family home construction on the east side of the freeway; most of the homes belonged to commuter households. This led to divisive "us versus them" attitudes between new and old residents in the city. Further, the lack of multi-family construction limited the housing opportunities for low and moderate income households.

Sentiment in Petaluma grew towards some sort of additional control on growth. In early 1971 the city council adopted moratoria on annexations and on rezonings within the city limits to permit time for study and development of new growth policies. In the following months the planning commission adopted an Official Development Policy, an Environmental Design Plan, and a Housing

Element for the General Plan. Finally, in August 1972 the City Council adopted a Residential Development Control Ordinance instituting an annual limit of 500 building permits, with developments selected on the basis of quality competition.

Growth management system

The long-range General Plan adopted in 1962 guides growth management policy in Petaluma. A more specific intermediate-range Environmental Design Plan is updated yearly and details specific growth management goals and policies for 5 to 7 years into the future. Among the goals included in the 1978-85 Environmental Design Plan are:

- to establish Petaluma as a distinct community surrounded by agricultural open space with an ultimate population of 70,000 to 90,000 persons;
- to maintain an annual population growth rate of about 5 percent per year;
- to allow residential development only where adequate services are available;
- to provide housing for all types of residents; and
- to balance the locations of growth among various sectors of the city.

A number of policies and actions seek to accomplish these goals. The environmental design plan and zoning ordinance recognize three distinct types of land uses: an urbanized area representing existing and currently developing areas, an urban reserve between the urbanized area and the permanent open space, and permanent open space

which serves as a greenbelt or urban separator. The urban reserve includes enough land to accommodate planned growth until the year 2000, with a surplus to avoid increases in land prices. It is to remain in open space or very low density uses until transferred to the urbanized area by subsequent modifications to the Environmental Design Plan. The city utilizes its legal powers of utility extensions and annexation to support the permanent open space policies and an orderly transition from rural uses in the urban reserve.

The city uses a Residential Development Control Ordinance to limit annual population growth to approximately 5 percent and to balance types and location of housing. The system operates by requiring that developers receive "allotments" before applying for building permits. Each year the city council sets a limit on the number of allotments so that the number represents a growth rate of five percent or less. The city council also allocates the total number of allotments between single family and multi-family housing types and between the east and west portions of the town.

Some projects are exempt from having to obtain an allotment. These exemptions include small projects of 10 or fewer units or developments on 5 or fewer acres and projects approved by the city that provide housing for the elderly, the handicapped, and low income households.

Allotments are granted to successful developers on the basis of a quality competition. First, the application is examined by the Planning Director and the various city departments for conformance to the General Plan and for adequate availability of city services and schools. Then, if the application is judged adequate in the above areas, it is rated in the following categories by a citizen's committee, the Residential Development Evaluation Board:

| | |
|--|-----------|
| 1. Architectural design | 10 points |
| 2. Innovative design | 20 points |
| 3. Amount & character of landscaping and screening | 10 points |
| 4. Arrangement of site for efficiency of circulation | |
| 5. Amount of private safety and security provided by design | 5 points |
| 6. Provision of open space | 15 points |
| 7. Provision of foot, bicycle, and horse trails and pathways | 5 points |

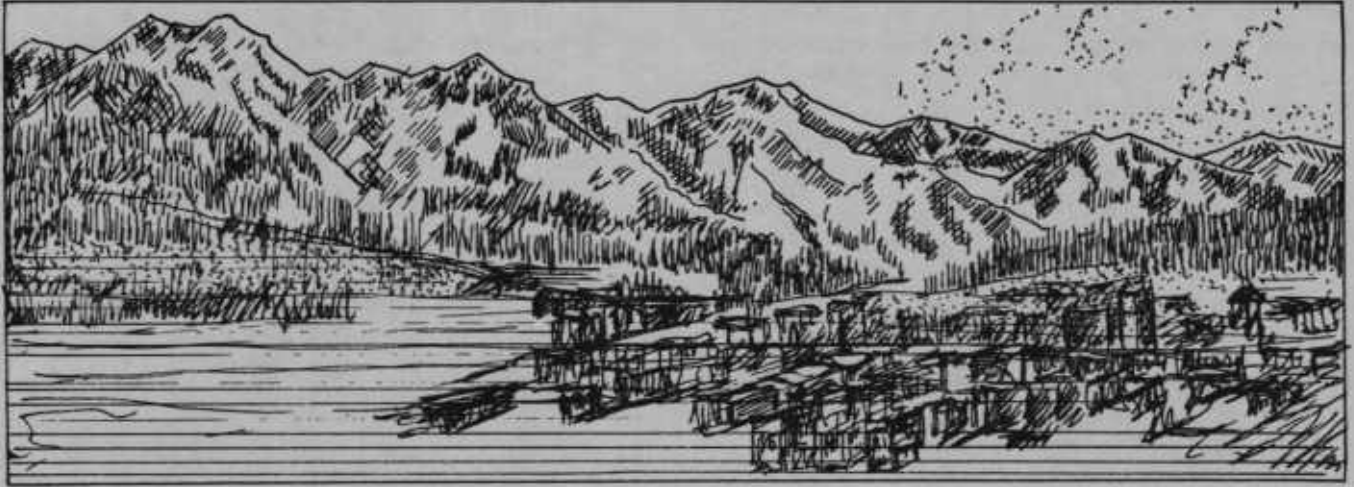
| | |
|--|-----------|
| 8. Provision of orderly and contiguous extension of city | 15 points |
| 9. Provision of needed public facilities | 15 points |
| 10. Provision of low and moderate income housing | 15 points |

After the committee rates the applications, applicant developers are notified. A public hearing is provided for appeals. The City Council then awards available allotments to those projects that rank highest on the rating scale.

A suit was brought in federal district court against the Petaluma City Council by the construction industry on the basis that the Petaluma Plan was an infringement on the right-to-travel and violative of federal due process principles.⁷ The federal district court invalidated the limit on building permits, but their ruling was later reversed by the Ninth Circuit Court on the basis that the construction industry did not have standing to assert the right-to-travel argument and that the allotment program did not violate federal due process requirements.⁸

Current status

The system to limit the number of building permits awarded has been in operation for 6 years. The number of allotments has been gradually increased as the city grows; 590 allotments are to be granted for the fiscal year 1980-1981. The system has successfully limited the growth rate of Petaluma; completed housing units dropped from 543 a year in 1970-72 to 250 a year in the period 1972-78. The population growth rate dropped from around 8 percent per year to 2 percent a year; during the same period of time the county growth rate remained relatively stable. The number of units completed is much lower than the 500 units allowed for two reasons. First, some developers have shifted their operation to nearby communities; the city has not received applications for all the available allotments. Second, a substantial proportion of the projects that received allotments have not been built because they were not economically feasible; the city now requires evidence of economic feasibility before an allotment is awarded. On the basis of informal surveys the city claims house prices have not increased; developers claim prices have increased and that development has shifted to nearby communities.



Boulder, Colorado

Situation

The city of Boulder, Colorado, is 30 miles northwest of Denver in the Boulder Valley at the eastern edge of the Rocky Mountain foothills. During the past two decades it has experienced rapid population growth with an influx of research and government enterprises. Population grew from 37,718 in 1960 to 66,870 in 1970; population in 1990 was projected to be 140,000.

In the late 1950's Boulder citizens expressed concern over this rapid growth. They were particularly concerned with preserving the surrounding open space that separates the city from its neighbors, the scenic mountain backdrop, the small city character of Boulder, and a reasonable tax rate for homeowners.

Growth management system

As early as 1958, in order to preserve the view of its mountain backdrop, Boulder adopted a "blue line," or elevation above which it would not extend water service. In 1961 it established a policy of using utility extensions outside the city limits to determine the location and quality of major new developments. In 1967 voters approved a municipal sales tax increase to be used with bond issues for a greenbelt program; rights to 9,000 acres have been acquired at a cost of \$13,000,000. The city also implemented a policy that growth should pay its own way by requiring that developers:

- build streets at their own expense or put money in escrow for improving streets at a later date;

- pay the costs of extending water and sewer lines;

- pay a sewer and water "plant investment fee" of \$1,300 in the city and \$1,950 outside of the city; and

- pay a parks fee of \$150 per single family unit or \$125 per multi-family unit.

The city also required that a developer construct low and moderate income housing equal to 15 percent of the units in a development in order to obtain annexation. After 2 years of preparation, the city and county jointly adopted in 1970 the Boulder Valley Comprehensive Plan, which assumed that growth would reach the projected 140,000 by 1990; the plan established policies to guide the location and timing of that development.

Many citizens, however, were unhappy with the projected rate of growth in the plan. A citizens group obtained enough signatures to put a charter amendment on the November 1971 ballot requiring the city to adopt policies to stabilize ultimate city population near 100,000. In reaction, the city council offered a more moderate option without a population cap, but requiring the city to take steps to hold the rate of growth to a level substantially below that experienced in the 1960's. The more moderate city council plan passed. As a result, the city established a new comprehensive planning project and created a growth study commission to prepare policies to implement the mandated change. While these policies were under study, the city adopted an Interim Growth Policy, which specified that new sources of primary em-

ployment should be discouraged from locating in Boulder and that service extensions and annexations should be used to contain growth. The new comprehensive plan was adopted in 1976.

Pressure for even greater growth control continued. Encouraged by the success of the Petaluma (California) Plan, a group of Boulder citizens placed a new growth limitation measure on the November 1976 ballot. The measure passed, setting a limit of 450 on the number of units that could receive building permits within the city in a single year. These units are chosen on the basis of a merit system. Development projects of fewer than four units and low income housing projects of the Boulder Housing Authority are exempt from this requirement. The measure also directed the city to seek amendments to the Boulder Valley Comprehensive Plan to hold the annual growth rate of the valley to 2 percent.

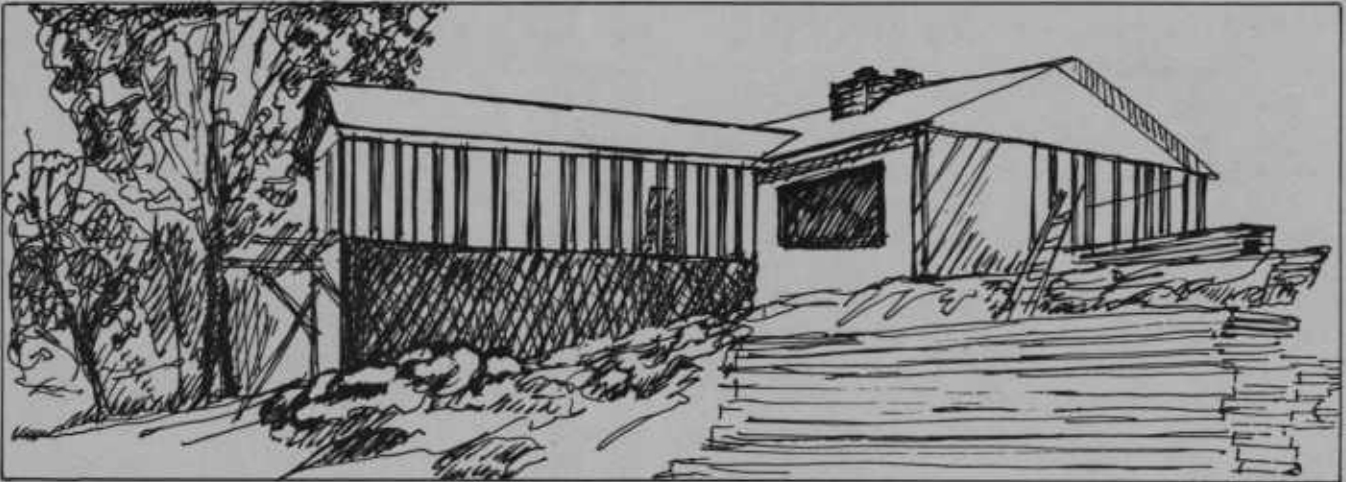
Under the merit system, "allocations," or permissions to seek a building permit, are granted to those development projects that score the highest on a rating scale similar in concept to that developed in Petaluma. Points are given in the categories of public facilities (-30 to 30 points possible), low and moderate incoming housing provision (20 points possible), environmental elements (20 points possible), site design and relationship with surrounding areas (30 points possible), and ap-

proved planned unit developments (5 points possible). The criteria for the rating system are clearly defined in the ordinance adopted by the city council to implement the referendum measure. For example, sewer services are awarded points as follows:

- 2 points Existing sewer lines meet city standards and have sufficient capacity to serve the project and no city contribution for oversizing is required.
- 0 points Existing sewer lines with sufficient capacity are not adjacent to the project, however, there will be no cost to the city for such extension (under $\frac{1}{4}$ mile) or oversizing.
- 2 points Where sewer lines must be extended more than $\frac{1}{4}$ mile or there is a cost to the city for additional lines or for enlarging existing lines.

Current status

The allocation system for restricting the number of building permits granted is in operation; no legal challenge has arisen. In 1977, the city and county adopted a new comprehensive plan implementing the 2 percent per year growth rate. Most observers agree that housing prices have increased and growth has been diverted to surrounding communities because of the growth management system, but estimates of the magnitude of these effects are not yet available.



Woodburn, Oregon

Situation

Woodburn, Oregon, is 30 miles south of Portland, in Marion County. In 1960 it was a small

agricultural community of about 3,000. Construction of retirement homes and an influx of people over 65 years of age helped to double the city's

population by 1970. By 1977 the estimated population was 11,000 and the estimated growth rate was 6 percent per year, more than three times the growth rate of the county in which it is located. In addition, Woodburn had the lowest median income of any city of its size in the state in 1970, partly because one-third of the city's population was older than 65 years of age.

City officials felt a need to manage this rapid growth in accordance with the following objectives:

- to plan for a fair share of projected regional growth by controlling timing and location of development of service facilities;
- to change the character of the city from a retirement community to a well-rounded small city; and
- to attract new industry to the city in order to increase economic opportunities for current residents and to provide jobs for new residents.

In addition to these long term growth management goals, Woodburn faced an immediate need to reduce, drastically, its rate of growth during the late 1970's. In December 1976 the Oregon Department of Environmental Quality advised the city that if growth continued at the current rate the city would run out of sewer capacity before the new sewer facility under construction could be completed. DEQ ordered the city to undertake severe measures to reduce its growth rate in order to prevent a serious health hazard from occurring.

Growth management system

The actions taken by Woodburn to manage growth fall into two categories—those to meet long term goals and those to meet the sewer emergency. Long term actions are currently guided by a comprehensive plan adopted in 1974; a new comprehensive plan should be ready by late 1979. These plans project that Woodburn will grow to 23,000 by the year 2000, based on regional growth models. The plan includes a public facilities plan to accommodate projected sewer, water, school, and transportation needs. The plan also includes an urban growth boundary containing sufficient serviceable land for residential, commercial, and industrial needs until the year 2000. The city has a zoning ordinance to implement the comprehensive plan. An annexation policy requires, among other requirements, that the annexation applicant prove that less than 30 percent of the land inside the city limits zoned for the proposed use is vacant. Finally, an active industrial promotion policy seeks to provide the economic base for proposed growth.

To solve the sewer emergency the city council declared a 2-month moratorium on sewer hookups in January 1977. At the close of the period, the city adopted a Limited Growth Ordinance, modeled on that of Petaluma, California. The ordinance established a Program Coordinating Committee to evaluate requests for permits and make recommendations to the Planning Commission, which makes the final decision subject to review and amendment by the City Council. In 1978 the 450 population equivalency units allowed by DEQ were allocated as follows:

- 25% to single-family units,
- 25% to multi-family units,
- 25% to commercial or industrial, and
- 25% at the discretion of the Planning Commission.

Single-family permits were allocated on a first come-first served basis. A developer could apply for building permits for all houses that already had buyers. In addition, the developer could apply for permits for speculatively built houses equal to one-tenth of the units in a subdivision. Multi-family and commercial-industrial developments were rated according to a point system by the Program Evaluating Committee and the available permits went to the highest rated projects. Each project was rated in the following categories according to standards developed by the Program Coordinating Committee and adopted by the Planning Commission:

| <i>Category</i> | <i>Maximum no. of points</i> |
|---|------------------------------|
| Extraordinary benefit of the project to the public peace, health, safety, and welfare | 20 |
| Beneficial effect on local transportation system | 10 |
| Beneficial effect on water system | 10 |
| Beneficial effect on storm sewer system | 10 |
| Beneficial effect on sanitary sewer system.... | 10 |
| Value of recreational land and equipment provided | variable |
| Landscaped area above requirements in city ordinances | variable |

Current status

The Limited Growth Ordinance has successfully limited the growth rate, and the competition for permits has encouraged higher quality developments. Although the new sewer plant will be operational in 1980 and therefore remove the urgent need for growth limitation, the city will hold the system in reserve in case future growth exceeds the rate projected in the comprehensive plan. If growth falls below the projected growth rate the city will attempt to stimulate growth.



Boca Raton, Florida

Situation

Boca Raton, Florida, is one of a number of cities in a 110-mile-long urbanized strip between the Atlantic Ocean and the Everglades. The city developed initially as a town of single-family homes clustered around the exclusive Boca Raton country club. In the 1960's, however, the town began to grow rapidly with an influx of young people under 20 years of age and retired people over age 65. Apartment construction boomed, with seven multi-family units constructed for every single family home. Population grew from 6,961 in 1960 to 41,000 in 1973.

Citizens concerned with this rapid growth and with the changing character of the city formed a group called Citizens for Reasonable Growth, which was committed to controlling population as a means to prevent "the destruction of our way of life in this lovely city." They proposed a city charter amendment to limit the ultimate number of dwelling units in the city to 40,000. The amendment was voted upon by the citizens and passed on November 7, 1972.

Growth management strategy

To implement the mandated population cap the City Council first adopted a 45-day emergency moratorium to halt building permits or subdivision plats except for single-family homes and duplexes. The council also directed the city planning staff to

study city zoning and recommend ways to lower densities to keep the ultimate number of dwelling units to 40,000.

At the end of the emergency moratorium the City Council passed an Interim Moratorium Ordinance to provide time for the new zoning densities to be adopted. A partial moratorium on multi-family construction was extended until April 1975, and a review procedure was established to permit only those multi-family projects that conformed to the projected revised zoning densities. A Moratorium Advisory Board was created in January 1973 to review all applications for permits, plats, and rezonings and to make recommendations to the City Council, which had final power of approval.

During 1973 and early 1974, the planning staff studied city zoning districts and recommended reduced interim zoning densities. Allowable densities for multi-family districts were first reduced by 30 percent, then by 50 percent. A new zoning district called the Recreational District, allowing .5 units per acre, was created for land currently in golf courses, which had been zoned for higher densities. Areas in the city were rezoned from residential to commercial and industrial. All recommendations were made to the Planning and Zoning Board, which scheduled public hearings and made recommendations to the City Council. The City Council adopted final zoning revisions in 1974.

Current status

The population cap was challenged both in the federal courts and in the state courts. A state court ruled that the charter amendment violates Florida and federal constitutional guarantees of due process and that the ordinances implementing the cap were invalid.⁹ The court found that the small town character the cap sought to preserve had already disappeared by 1972, that the cap was passed without benefit of professional or scientific study, and therefore that the cap did not bear a rational relationship to a legitimate state or municipal objective. The court further found that the 50 percent density reductions were exclusionary, imposing an unnecessary low and moderate income housing burden on neighboring communities unable to meet this increased demand. The revised zoning densities have remained in force while the city appeals the decision; no final decision by a higher court has been announced.

Conclusion

Growing communities across the United States are devising growth management strategies to help them cope with the problems of growth. Their experiences may provide ideas and cautions to other communities facing similar growth problems. The first step in the adoption of a growth management strategy is not selection of a technique, however, but a determination of community objectives and goals. A community considering growth management techniques should be wary of transferring another community's approach. Since situations and community objectives differ, a growth management strategy must be designed with the unique objectives of the community in mind. The benefits of various techniques should be weighed against possible side effects, such as increased housing costs.

More information is available through local planning departments, state and university organizations, and the educational programs of the Oregon State University Extension Service.

Footnotes

1. *Golden v. Planning Board of Ramapo* 37 A.D. 2d 236, 324 N.Y.S. 2d 178.
2. *Golden v. Planning Board of Ramapo* 285 N.E. 2d 291 (1972)
3. *Williams et al. v. Board of Supervisors* (Circuit Court of Fairfax County, Chancery No. 35930, 1972) and *Camelot Builders, Inc. v. Board of Supervisors* (Circuit Court of Fairfax County, Chancery No. 38968, 1973).
4. *Board of Supervisors v. Snell*, 214 Va 665, 202 S.E. 2d 889 (1974).
5. *Board of Supervisors v. Horne*, 216 Va 113, 215 S.E. 2d 453 (1975).
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A companion OSU Extension publication, EC 973, "Introduction to Community Growth Management," describes the growth management techniques discussed here, the legal considerations for growth management, and possible side effects. It is available from the Bulletin Clerk, OSU, Corvallis 97331, or from county Extension offices in Oregon.

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