

# **Evaluation of the Hillsborough County City-County Planning Commission**

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## **Executive Summary**

This paper assesses the performance of the Hillsborough County City-County Planning Commission. Established by a special act of the Florida Legislature in 1959, the Planning Commission serves as the local planning agency for the County and each of its municipalities under Florida's growth management laws. It is one of only a handful of organizations in Florida that have been established locally to foster intergovernmental coordination and countywide land use planning beyond what is required by the state's growth management framework.

The Hillsborough County Planning Commission differs from comparable bodies in other parts of the state in being better structured to take a truly independent, objective, countywide perspective on growth and development. The Planning Commission prepares the comprehensive plans for all four jurisdictions (the county's unincorporated area plus the three cities), and it also reviews and makes recommendations on each jurisdiction's annual capital improvements program. Adding to the Planning Commission's capacity to manage urbanization countywide is its role in providing administrative support to the Hillsborough County Metropolitan Planning Organization (MPO). Vesting comprehensive planning in a single agency and linking it administratively to the MPO fosters a comprehensive, countywide perspective and helps ensure that transportation policies and land use policies are mutually reinforcing.

In terms of growth management, the main challenge facing the Planning Commission is constraining urban sprawl. Urban sprawl is fueled by the economics of land development, municipal annexation, and other factors.

The Planning Commission's most important contributions to growth management in Hillsborough County are (1) the county's urban service boundary, which has been successful in constraining urban sprawl; (2) innovative planning for community development and redevelopment; and (3) coordination of land use planning and planning for transportation, water supply management, public school facilities, and other policy areas. More generally, the Planning Commission provides independent, professional, and objective support for ongoing planning throughout the county.

The Planning Commission's responsibilities for managing growth countywide, constraining urban sprawl, coordinating capital facilities budgets, and generally looking out for the interests of the county as a whole at times bring it into conflict with the general purpose local governments it advises. Moreover, the Planning Commission's administrative position within the county government leaves it vulnerable to political pressure and retribution when its advice runs counter to the inclinations of County Commissioners. This may be why the Planning Commission's staffing levels have declined in recent years while staffing levels for the county government as a whole have grown.

Based on the analysis, the following recommendations are offered: (1) Maintain the existing balance of city-county representation on the Planning Commission. (2) Increase the Planning Commission's financial independence. (3) Ensure that the Planning Commission is allowed to review and make recommendation on impact fees. And (4) establish a charter-based process for regulating voluntary annexation.

## **Purpose of the Study**

This paper reviews and evaluates the performance of the Hillsborough County City-County Planning Commission (PC). The Planning Commission was created in 1959 to help increase foresight, intergovernmental coordination, and efficiency in local-government decision making related to the county's growth and development. For purposes of the present paper, the Commission's performance is assessed in terms of its implementation of its duties under state law, its contribution to growth management broadly conceived, and its impacts on particular growth management challenges. The analysis includes recommendations regarding the Commission's funding, membership, powers, and role.

The analysis draws on information and data from a variety of sources, including:

- Selective interviews with staff from the Planning Commission, city and county staff, County Commissioners, city officials, staff at the Florida Department of Community Affairs, and other public officials;
- Documents and reports from the Planning Commission and other agencies; books and articles in academic journals, professional magazines, and newspapers; local government comprehensive plans; and
- Trend data and Geographic Information System (GIS) data on population, population distribution, annexation, and urbanization.

## **The Planning Commission**

The Hillsborough County City-County Planning Commission was established by a special act of the Florida Legislature in 1959. Since then, the special act has been amended or superseded several times to mesh the Planning Commission's responsibilities with Florida's evolving statutory framework for growth management. The most recent legislation defining the Planning Commission's powers and duties is Chapter 97-351, Laws of Florida and Chapter 163, Part II, Florida Statutes.

The Planning Commission serves as the Local Planning Agency for the County and each of its municipalities under Florida's growth management laws. Among its many duties under its establishing legislation (Chapter 97-351, Laws of Florida), the Commission is supposed to:

- Conduct continuous planning for the orderly growth and development of Hillsborough County;

- Prepare, monitor, evaluate, and update local government comprehensive plans for consideration by the County Commission, the City Councils of Tampa and Temple Terrace, and the City Commission of Plant City;
- Recommend methods for implementing these plans;
- Review and make recommendations on proposed comprehensive plan amendments;
- Review and make recommendations regarding all long-range plans, master plans, and plan amendments proposed by local authorities exercising planning or land development authority, to include the Tampa Sports Authority, the Hillsborough County Aviation Authority, the Tampa Port Authority, and others.
- Assist the County Administrator and City finance officers in developing their proposed annual capital improvements budgets and 5-year Capital Improvements Programs; and
- Hold public hearings, sponsor public forums, and in other ways facilitate citizen participation in the development and implementation of comprehensive plans.

The Planning Commission has ten members: Four appointed by the County Commission, four appointed by the Tampa City Council, and one each appointed by the Temple Terrace City Council and the City Commission of Plant City. All Planning Commission members are voting members, and the vote of each member carries the same weight.

The Planning Commission has a staff of 52. The Planning Commission's Executive Director is one of the nation's most highly regarded professional planners. In 2006, he was elected President of the American Planning Association, the 44,000-member national organization of professional planners. Other staff members are professional planners and technical experts in land use planning, community and neighborhood planning, urban design, transportation, capital improvements, utilities, environmental management, and other relevant specialties. The PC staff also serves as staff for the Hillsborough County Metropolitan Planning Organization (MPO), which handles countywide long-term transportation planning for the county and coordinates with other MPOs in the region.

Although the Planning Commission is responsible for developing the local government comprehensive plans required by Chapter 163, Florida Statutes, its plans and recommendations are advisory to the elected officials of Hillsborough County, Tampa, Plant City, and Temple Terrace. Proposed plans and land development regulations must be adopted by the general purpose local governments.

### **Prior Evaluations of the Planning Commission**

In the past decade, the Planning Commission has been evaluated several times and in several ways. Prior to 2000, the special act governing the PC (Chapter 97-351, Laws of Florida) required a performance audit every 4 years. The first performance audit per this requirement was completed in 1996 and was referenced in Chapter 97-351. The audit was conducted by David M. Griffith & Associates. Although it did identify a number of deficiencies, the audit's overall conclusion was very positive. The audit report stated (page 13),

Based on the information collected and the subsequent analysis conducted, it is the opinion of the project team the Hillsborough County City-County Planning Commission is performing its mission in a responsive, effective and generally efficient manner. We conclude that the Commission adheres to general and special laws as well as the various rules promulgated thereunder. The staff of the Commission is recognized as highly competent and dedicated. Relations with the four governmental jurisdictions as well as productivity of the Commission appears to have improved over prior audits.

In 1997, David M. Griffith & Associates conducted a "cross-organization study" of the Planning Commission, the County Commission planning staff, and the Hillsborough County Environmental Protection Commission. The study concluded that unwarranted duplication between the agencies under analysis was minimal, and, in the few areas where duplication existed, the associated costs were minimal (see the Executive Summary, which is not paginated).

In 2000, the requirement for a performance audit every 4 years was eliminated by Chapter 2000-440, Laws of Florida. This legislation repealed section 7 of Chapter 97-351, Laws of Florida, which called for the audit and specified its content.

The most recent audit was conducted in 2004 by the Hillsborough County Clerk's Office. The report concluded, "Based on the performance of our audit testing, the Planning Commission is maintaining an adequate system of internal controls and monitoring related to the overall operation of the agency" (Pohto, 2004, p. 2).

Section 8 of Chapter 97-351, Laws of Florida, calls for the Hillsborough County Legislative Delegation to review the special act every 10 years, beginning no later than July 1, 2006. The Delegation is to determine "whether there is need to for consolidating, compiling, revising, and recodifying the special act. The Delegation did not recodify the special act in 2006.

In 2007, legislation was introduced in the Florida Legislature to alter the membership of the Planning Commission. The legislation called for members of the Planning Commission to be increased by 1, and for the County Commission to appoint 5 members rather than 4. The legislation's proponents argued that the change was needed because about two-thirds of the population in Hillsborough County resides in the unincorporated area. This legislation did not pass, but its introduction suggests that the city-county balance on the Planning Commission may be a matter of concern to legislators and local officials.

### **The Growth-Management Context**

The performance of the Planning Commission cannot be evaluated without considering its circumstances, especially the issues, challenges, and politics surrounding land use planning and regulation in Florida generally and in Hillsborough County specifically. For over three decades, Florida has been the fastest growing large state in the nation, and Hillsborough County has been one of the state's fastest growing counties. Florida's population more than doubled between 1970 and 2000, and it is projected to almost double again by 2030. Similarly, the population of Hillsborough County increased from less the 500,000 in 1970 to 1.1 million in

2005, and is expected to reach 2 million by 2030 (Florida Statistical Abstract, 2007, Tables 1.31 and 1.40).

Florida introduced requirements for state and local planning and land-use regulation in the early 1970s. Regional planning was added in the late 1970s. The state's growth management framework was significantly reformed, first, in the mid-1980s, again in the early 1990s, and most recently in 2005. The main objectives of the growth management system have been to constrain urban sprawl, protect natural resources, promote intergovernmental coordination, and ensure that public services and facilities are kept current with growth and urbanization (Ben-Zadoc, 2005; Ben-Zadoc and Gale, 2001).

At the local level, one of the most difficult challenges in managing growth is coordinating the efforts of numerous units of local government under conditions of flux, uncertainty, and competition for high-value development. Efforts at the state level to assemble a growth management system that fosters intergovernmental coordination locally have been only partially successful. The most effective program has been the Development of Regional Impact (DRI) review process, which brings together various agencies and local governments to shape large developments that have multi-jurisdictional impacts. The state's growth management system has been much less effective in achieving coordination when it comes to water-supply planning, municipal annexation, containing urban sprawl, and infrastructure finance.

Another difficult challenge facing the Planning Commission is to prevent urban sprawl and encourage compact, centralized, contiguous urbanization around the county's existing cities. Unbridled, sprawling urbanization would undermine the economic vitality of Tampa, raise infrastructure costs, pave over water recharge areas, exacerbate traffic problems and air pollution, intrude into wildlife habitats and fragile ecosystems, and make it more difficult to achieve racial balance in public schools (see Colburn and deHaven-Smith, 1999; Colburn and deHaven-Smith, 2002; deHaven-Smith, 2008).

Containing urban sprawl is more a political than a technical challenge. It is difficult politically because of the economics of land development. Generally, the greatest profits in land development do not come from buying and building on expensive land already zoned for urban uses. Rather, profits are typically greatest when agricultural land can be purchased and local governments can be persuaded to rezone the land for more intense uses. When zoning is changed from agriculture to suburban or urban zoning categories, the land will immediately increase in value many times over. In Florida, these economic dynamics are typically translated into a political pattern that has been described as a "growth machine" (Humphrey, 2001; Molotch, 1976). Developers and others involved in real estate and construction contribute financially to the political campaigns of local candidates for public office who are inclined to support the conversion of agricultural lands to urban uses. Agricultural land is subsequently rezoned, and part of the profits from the resulting development is funneled back into the political system in the form of campaign contributions.

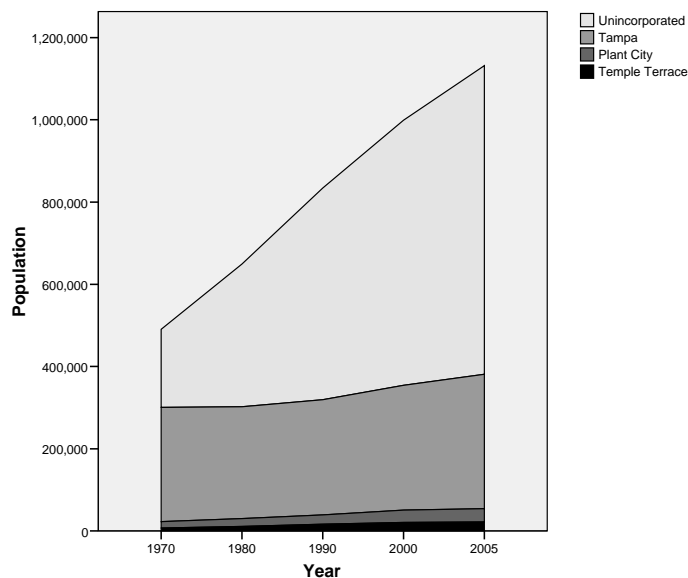
Urban sprawl can also be fueled by municipal annexation. Florida's statutory framework governing annexation focuses on municipal boundary geography while ignoring the potential implications of annexation for the location and overall form of urbanization. Florida seeks to promote sensible municipal boundaries by prohibiting annexations that would leave cities with unincorporated enclaves, serpentine borders, or land parcels unintended for urban uses. This is a

laudable objective, but the policy's preoccupation with geographic shape and urban function overlooks a number of equally important considerations and therefore allows annexations that may be geographically acceptable but socially, politically, and economically harmful. Under Florida law, neither the Planning Commission nor the Board of County Commissioners can prevent annexations if they meet the state's geographic requirements.

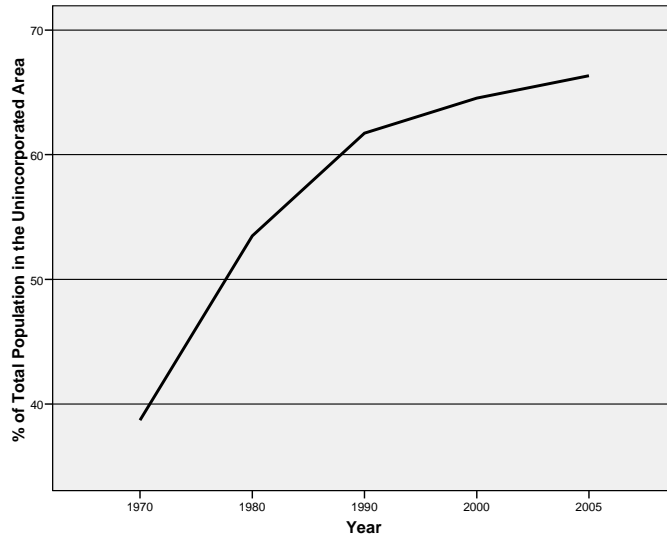
The urban-sprawl pressures in Hillsborough County are evident in city and county population trends. As shown in Figure 1, the bulk of the county's population growth since 1970 has occurred in the unincorporated area. In 1970, less than 40 percent of the county's total population lived in the unincorporated area (see Figure 2). By 2005, the figure was 66 percent.

Despite the unincorporated-area growth around them, Tampa and Temple Terrace have rarely extended their borders by annexation, at least not in recent years. Figure 3 is a map showing the municipal boundaries and the population distribution from the 2000 Census at the block group level. Annexations since 2000 are marked in red. They were identified by comparing the municipal boundaries in 2000 to those in 2007. Tampa has annexed lands at its northern border near Interstate 75, and Temple Terrace has annexed a small area adjacent to Interstate 75 on its eastern edge. All of the lands annexed by Tampa and Temple Terrace were within the county's Urban Service Area.

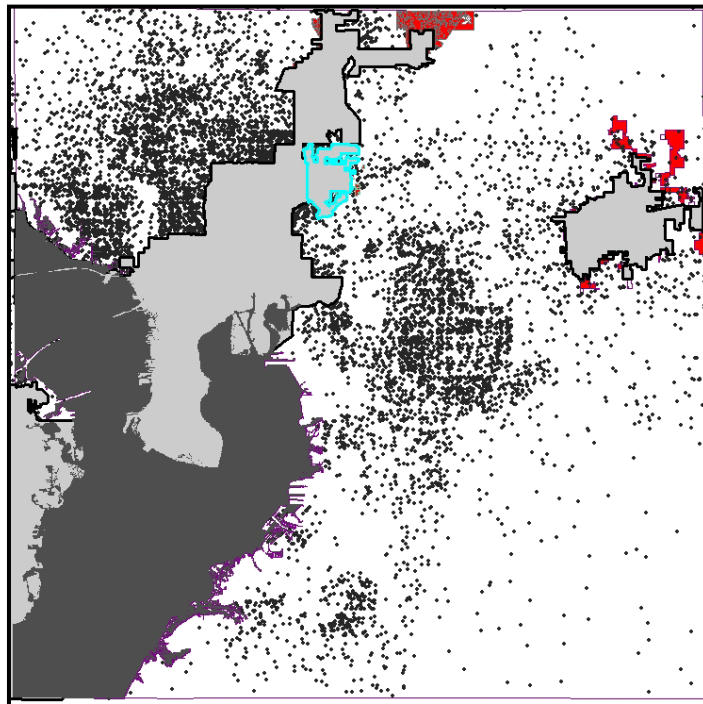
Plant City, which is located near the center of the county, appears to have been more aggressive with annexations. It has extended its borders at its northeastern, southeastern, and southwestern edges. In at least two cases, the annexed areas have been serpentine in shape. Plant City's annexations are potentially problematic because they are expanding the geographic scope of urban development in lands outside the Urban Service Area. Serpentine annexations increase development pressures on rural lands because they bring urbanization deeper into the rural countryside than would more compact annexations of the same amount of acreage.



**Figure 1: Population by City and Unincorporated Area, 1970-2005.** Source: Florida Statistical Abstract, Table 1.25, various years.



**Figure 2: Percent of Hillsborough County Population Residing in the Unincorporated Area, 1970-2005.** Source: Florida Statistical Abstract, Table 1.25, various years.



**Figure 3: Urban Service Area and 2000-2007 Municipal Annexations .** Source: Municipal boundaries for 2000 are from the cities shapefile in the Florida Redistricting Data System (FREDS). Municipal boundaries for 2007 are from the most current city shapefile available from the Florida Geographic Data Library (FGDL) at the University of Florida. Population data are from the FREDS shapefile for the 2000 Census at the block group level. In this map, each dot represents 79 residents.

## Comparison to Other City-County Planning Agencies

The Hillsborough County City-County Planning Commission is one of only a handful of organizations in Florida that have been established locally to foster intergovernmental coordination and countywide land use planning beyond what is required by the state's growth management laws. In addition to providing feedback to the Planning Commission and its member governments, an assessment of the Commission's performance could provide lessons for other jurisdictions as well as for state policymakers.

Four counties in Florida have city-county planning commissions or councils: Broward, Hillsborough, Pinellas, and Volusia. All four counties have home rule charters, and their planning commissions or councils are vested in some way in their charters. However, the Planning Commission in Hillsborough County was created by a special act of the Florida Legislature, and the Hillsborough County Charter says specifically that the special act, which is referenced in the charter, does not require voter approval.

The state's four countywide planning councils can be arrayed on a continuum that has as its criterion the extent to which planning is truly countywide from the start or, instead, an aggregation of plans developed independently by each local jurisdiction. The Hillsborough Planning Commission is at the "truly countywide" end of this continuum, while the Volusia Growth Management Commission is at the "aggregation" end. Toward the middle of the continuum are the planning councils in Broward and Pinellas Counties.

Only the Hillsborough Planning Commission serves as the single Local Planning Agency for all of the County's general-purpose local governments. The Broward County Planning Council is the Local Planning Agency for the Broward County Land Use Plan, but not for the County's municipalities. Neither the Pinellas Planning Council nor the Volusia Growth Management Commission serves as a Local Planning Agency per Chapter 163, Florida Statutes.

The Volusia Growth Management Commission functions mainly to ensure that the plans adopted by the County and the municipalities are consistent with one another. Recent events suggest that this approach has not been effective at developing a framework for managing growth countywide. The Volusia County Charter Review Commission has recommended that the Volusia Growth Management Commission be changed to a conflict resolution agency without authority for certifying compatibility between local plans. At the same time, the County Commission (which in Volusia is called the "County Council") has placed a charter amendment on the November 2008 ballot that would centralize authority for countywide comprehensive planning in the County Council. This proposal was motivated by concerns that an environmentally sensitive area in the center of the county is threatened by urban sprawl.

In Broward and Pinellas, the planning bodies adopt a land use plan that assigns general categories of future use, and the county and cities develop more specific land use categories that must be consistent with the countywide framework. This approach—framing local planning with a more general countywide plan—does not provide much authority for constraining urban sprawl, but in both Broward and Pinellas, urbanization already extends in all developable directions, so holding the line against sprawl is a moot point. Instead, the greatest challenge facing Broward and Pinellas is intergovernmental coordination, especially in developing infrastructure and delivering public services. Broward has 31 municipalities, and Pinellas has

24. In this context, where most of the county is urbanized and there are a large number of cities, the "framing" approach to countywide planning is adequate.

Hillsborough County differs from Pinellas, Broward, and Volusia Counties in that it has only three cities, one large city (Tampa) adjacent to Tampa Bay at the county's western border, and two small cities (Temple Terrace and Plant City) inland about midway between the county's western and eastern borders. Also, as previously stated, over two-thirds of Hillsborough County's population resides within the unincorporated area. This means that, in addition to intergovernmental coordination, the Planning Commission in Hillsborough County needs to focus on preventing urbanization from sprawling outward from its municipalities.

The primary factor driving Hillsborough County's overall quality of life, economic development, and community character is the City of Tampa. It is the economic engine, transportation hub, cultural beacon, and public face for the county as a whole and for much of the region. In similar coastal counties where urbanization has been allowed to sprawl outward from large, well established coastal cities, the latter have experienced downward spirals of urban blight that have taken decades to reverse. Well known examples include Fort Lauderdale, West Palm Beach, Fort Pierce, and Daytona Beach. The continued economic prosperity and cultural vitality of Hillsborough County depends on holding the line against diffuse urbanization in the unincorporated area.

The Hillsborough Planning Commission has several characteristics that help it meet this challenge. First is the statement in the Hillsborough County Charter that the special act establishing the Planning Commission does not require voter approval. This exemption helps insulate the Planning Commission from local electoral politics and the growth-machine dynamics that would otherwise undercut efforts to contain urban sprawl.

Second, the Planning Commission is assigned responsibility to prepare the comprehensive plans for all four jurisdictions (the county's unincorporated area plus the three cities), and it also reviews and makes recommendations on each jurisdiction's annual capital improvements program. Adding to the Planning Commission's capacity to manage urbanization countywide is its role in providing administrative support to the Hillsborough County MPO. Vesting comprehensive planning in a single agency and linking it administratively to the MPO fosters a comprehensive, countywide perspective essential for restricting urban sprawl with land use regulations and ensuring that transportation policies and land use policies are mutually reinforcing.

Third, representation on the Planning Commission is balanced slightly in favor of the municipalities relative to the County Commission. Altogether, the cities have 6 representatives while the County Commission has 4. The County Commission is more vulnerable to growth-machine politics than are the cities, because the cities can sprawl only to the extent to which they can annex. Although annexation has the potential to become problematic, as a practical matter opportunities for large scale annexations are rare. In contrast, much if not most of the unincorporated area is subject to development pressures because there are large tracts of undeveloped land and land prices are comparatively low.

**Table 1: Comparison of Florida's Countywide Planning Commissions/Councils**

<b>County</b>	<b>Hillsborough</b>	<b>Broward</b>	<b>Pinellas</b>	<b>Volusia</b>
<b>Name</b>	Hillsborough County City-County Planning Commission	Broward County Planning Council	Pinellas Planning Council	Volusia Growth Management Commission
<b>Enabling Legislation</b>	Special Act, which is referenced in the Charter	County Charter	Special Act incorporated into County Charter	County Charter
<b>Composition</b>	12 members	20 members	13 members	25 members
<b>Representation</b>	4 appointed by County Commission; 4 by Tampa; 1 by each of the other cities 1 member, ex officio, appointed by the School Board (per Chapter 163.3174, F.S) 1 member, ex officio, appointed by MacDill Air Force Base	1 County Commissioner; 1 School Board member; 2 members appointed by each of 9 county commissioners from their respective districts (1 is a municipal elected official and the other is not a public official)	1 County Commissioner; 1 School Board member; 8 elected officials from large municipalities; 3 elected officials from small municipalities; City appointees are nominated by groups of cities and selected and appointed by the County Commission; Chair is elected by the Planning Council and can serve no more than 2 years consecutively	1 member appointed by each of 17 municipalities; 5 members from the unincorporated area appointed by the County Commission; 1 member appointed by the School Board; 1 member appointed by the Water Management District; 1 member by the Volusia County Business Development Corporation
<b>Terms</b>	4 years	The term of the County Commissioner is set by the Commission when selected; term of the School Board is set by the Board but cannot exceed 4 years; the terms of other members	2 years	Set by the Growth Management Commission but no longer than 4 years

<b>County</b>	<b>Hillsborough</b>	<b>Broward</b>	<b>Pinellas</b>	<b>Volusia</b>
		end when their appointing Commissioner's term ends.		
<b>Voting</b>	All members vote except ex officio members, and all votes count equally.	All members vote, and all votes count equally.	All members vote, and votes count equally; 8 members is a quorum; Majority plus one of the entire membership required for plan adoptions and amendments.	Only the city and county appointees have voting rights; Votes are weighted so that each city's vote reflects the city's percentage of the county's population, and the combined votes of the county appoints reflects the percentage of county population comprised by the unincorporated area population.
<b>Responsibilities</b>	Serve as the single planning agency for the county and its municipalities; Prepare, monitor, evaluate, and update the comprehensive plan and make recommendations to the city and county governing bodies about adoption of the plan and plan amendments; Involve the public in development and implementation of	Adopt a uniform zoning glossary; Adopt a County Land Use Plan; Review county and city land use plans for consistency with the County Plan; If the latter are consistent, they are incorporated into the County Plan; if rejected, the County Plan applies in the jurisdiction; Amend the adopted County Land Use Plan; In the consistency	Adopts a Countywide Comprehensive Plan that includes land use rules and a map designating where certain land uses can be located; Local government future land use elements and maps must be consistent with the Countywide Plan; The Countywide Plan is adopted by the County Commission and overrides conflicting	Evaluates all city and county plans for consistency with one another; All plans or plan amendments must be ruled "consistent" by the Growth Management Commission to take effect. (Note: The Growth Management Commission does not serve as the Local Planning Agency for any of the county's

<b>County</b>	<b>Hillsborough</b>	<b>Broward</b>	<b>Pinellas</b>	<b>Volusia</b>
	comprehensive plans; Review plans of authorities in the county for consistency with local government comprehensive plans; Assist the city and county governing bodies in preparing annual capital improvements budgets and make recommendations on these budgets	review, the Planning Council considers utilities and adjoining areas with regard to impact on roads and general environmental quality, sufficient notice to surrounding areas and proper opportunity for the public to review and comment on the proposed Plan. (Note: The Broward Planning Council serves as the Local Planning Agency for the County Land Use Plan, but it is not the LPA for the municipalities.)	municipal plans unless the latter call for less intensive land use; Countywide Comprehensive Plan also includes countywide elements for capital improvements, traffic circulation, water and drainage, housing, conservation, recreation, coastal management, and intergovernmental coordination. (Note that the Pinellas Planning Council is not the Local Planning Agency for the county or any of the cities.)	jurisdictions.)
<b>Funding</b>	General revenues from the county commission, plus grants and fees; The amount is set by the County Commission	General revenues from the county commission, plus grants and fees	Up to one-sixth of a mill paid directly by the tax collector; County Commission can review and raise or lower the Council's annual budget	The Growth Management Commission adopts an annual budget by two-thirds vote; The annual budget must be funded by the County Commission
<b>Staff Size</b>	52	12	9	1 "coordinator"; contracts for legal and planning work
<b>Plan Adoption</b>	Each local government	The County Land Use Plan is	The Countywide Comprehensive	Each local government

<b>County</b>	<b>Hillsborough</b>	<b>Broward</b>	<b>Pinellas</b>	<b>Volusia</b>
	controls its plan after considering Planning Commission recommendations	amended by a majority of the membership of the County Commission	Plan is adopted by a majority vote of the membership of the County Commission; Amendments to the adopted plan require a majority plus one.	adopts its plan, but the plans cannot take effect unless ruled consistent by the Growth Management Commission; Rules for the consistency review must be adopted by the County Commission (Council) by a two-thirds majority vote.
<b>Oversight</b>	Audits by county auditor; annual work program submitted to the county commission and city councils	Annual financial audits	Annual financial audits and annual progress reports	None specific to the Growth Management Commission
<b>Number of Cities in the County</b>	3	31	24	17
<b>Percent of Population Unincorporated</b>	66%	3%	30%	23%

## **Managing Growth and Development**

The Planning Commission's most important contributions to growth management in Hillsborough County are (1) the county's urban service boundary; (2) innovative planning for community development and redevelopment; and (3) coordination of land use planning and planning for transportation, water supply management, public school facilities, and other policy areas. More generally, the Planning Commission provides independent, professional, and objective support for ongoing planning throughout the county.

The Planning Commission's work program for Fiscal Year 2008 reflects the Commission's commitment to issues spanning jurisdictions. As shown in Table 2, over half (62%) of staff time is allocated to area-wide planning activities. Some of the more significant projects (in terms of staff time allocated) include developing a countywide vision, reviewing jurisdictional plans for mutual consistency, compiling countywide data, developing the 5-year

transportation improvement program, updating transportation data, providing staff support to the MPO and the West Central Florida MPOs' Chairs Coordinating Committee, and serving as the local planning agency for the county's four jurisdictions.

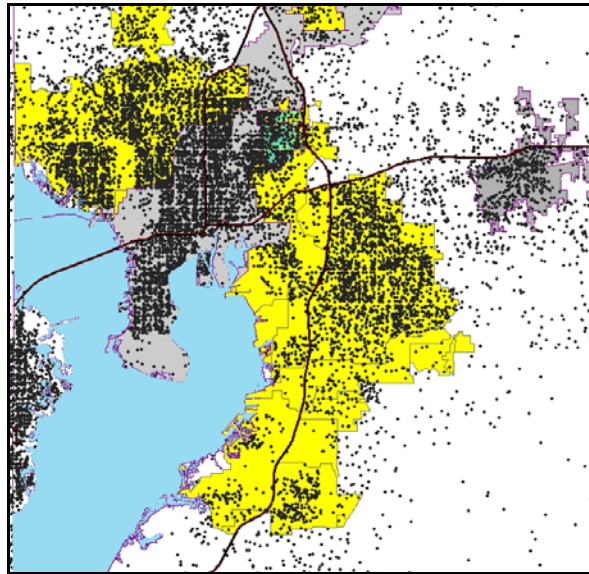
**Table 2: Planned Allocation of Staff Time by Jurisdiction.** Source: FY08 Work Program, The Hillsborough County City-County Planning Commission, November 2007.

Jurisdiction	Staff Equiv	Work %
Unincorporated Hillsborough	11.8	21%
Plant City	2.7	5%
Tampa	6.9	12%
Temple Terrace	1.8	3%
Areawide	32.8	59%

Urban Service Area. In 1992, the Planning Commission recommended that the Board of County Commissioners adopt an urban service area (USA). The County Commission agreed, and a USA was incorporated into the County's local government comprehensive plan in 1993. In 2004, the Urban Service Area was reduced in size by 77,817 acres. This amounted to a 26 percent reduction in the acreage of the USA.

The USA was evaluated in the Evaluation and Appraisal Report (EAR) for 2005. The EAR found that 87 percent of Hillsborough County's population growth in the previous ten years had been within the USA. The Planning Commission estimates that the existing USA can accommodate projected population growth to 2025. Consequently, when the County's Comprehensive Plan was updated in 2008, no significant changes or expansions were made to the USA. Given the importance of constraining urban sprawl, Hillsborough County's success in holding the line on the county's urban service boundary is a major accomplishment.

The unincorporated area of Hillsborough County covers about 590,000 acres. Of this, about 210,000 acres, or 34 percent, are within the Urban Service Area. The USA is shown in Figure 4 along with dot densities reflecting the 2000 census at the block group level (each dot=80 persons). The USA extends outward from Tampa and along most of the Interstate-75 corridor. This is an appropriate configuration and, as shown by the population's concentration within the USA, is fostering urban infill and compact urban development.



**Figure 4: Hillsborough County Cities and Urban Service Area with Population Distribution** (dots=80 persons at the census block level from the 2000 census). Source: Florida Redistricting Data System. The Urban Service Area is yellow. Cities are shaded.

The Urban Service Area was further strengthened in 2008 when the County's Comprehensive Plan was updated. A minimum density of at least 4 units per acre was established for all land use categories in the USA. This density requirement is intended to channel public and private infrastructure investments into the USA and promote compact form of development.

The mix of future land uses within and outside the Urban Service Area is consistent with the Planning Commission's goal of preventing urban sprawl. Table 3 is a breakdown of future land uses within the unincorporated area. Over 40 percent of the unincorporated area outside the USA is planned for agriculture, and another 20 percent is for natural preservation. Land inside the USA is planned primarily for residential, industrial, office commercial, and mixed uses.

**Table 3: Unincorporated Area Future Land Uses Inside and Outside the Urban Service Area (USA)**

Future Land Use	Acres not in USA	Acres in USA
AGRICULTURAL	156,785	317
CITRUS PARK VILLAGE	.	823
COMMUNITY MIXED USE-12 (.50 FAR)	.	9,916
HEAVY INDUSTRIAL (.50 FAR)	1,220	3,485
LIGHT INDUSTRIAL	919	8,274
LIGHT INDUSTRIAL PLANNED	725	1,152
NATURAL PRESERVATION	78,206	7,088
NEIGHBORHOOD MIXED USE	479	2,503
OFFICE COMMERCIAL	167	5,189
PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)	1,951	.
PUBLIC/QUASI-PUBLIC	5,501	6,422
REGIONAL MIXED USE-35	.	1,205
RESEARCH CORPORATE PARK	.	837
RESIDENTIAL	115,125	123,218
SUBURBAN MIXED USE	770	16,829
URBAN MIXED USE	.	6,763
WATER	17,388	9,706
WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)	8,273	.
Total	387,509	203,726

The Comprehensive Plan for the Urban Service Area includes a number of policies and growth-management tools to promote a balanced mix of land uses. One tool is the designation of "activity centers" with incentives to encourage mixed use development. Clustering residential and commercial development creates places where people can live, work, shop, and play without having to commute. This reduces traffic and also fosters a sense of place and an identifiable community character. Incentives for mixed use development include density bonuses, floor area ratio bonuses, and flexibility for meeting transportation concurrency requirements.

Another tool focuses on redevelopment with the Urban Service Area. When the Comprehensive Plan was updated in 2008, a policy framework was added for identifying Redevelopment and Revitalization Areas. The Plan allows for increased development activities in areas in need of neighborhood and commercial revitalization.

A third tool is Transfers of Development Rights (TDRs). The TDR program allows owners of environmentally sensitive or rural land to sell their development rights to owners of land in areas, such as transportation corridors and activity centers, where development is desired. The TDR program shifts development pressures away from rural areas and uses the real estate market to pay for natural resource protection.

Innovative planning. The Planning Commission is at the forefront of the planning profession in coordinating land use, transportation, recreation, and employment opportunities for sustainable and livable communities. In 1998 the Planning Commission recommended that the

Hillsborough County Commission establish a community-based planning program to supplement the Comprehensive Plan with detailed, quality-of-life oriented plans for individual communities. Under the program, 15 community plans have been developed and adopted into the Comprehensive Plan. Currently, five more community plans are under development.

The community-based planning process involves active participation by local stakeholders in deciding what community characteristics need to be protected or enhanced. Typically, community plans include a vision, goals, objectives, policies, and strategies for guiding development and delivering public services and facilities consistent with residents' priorities.

An example is the Planning Commission's work with local governments and community groups on the update of the Tampa Comprehensive Plan. The Planning Commission is collaborating with the "Urban Charrette," a local group of professionals involved in architecture, design and arts-related fields. The Urban Charrette received a Sustain Design Assessment Team grant from American Institute of Architects. The grant will be used to assemble a multi-disciplinary team from across the country to travel to Tampa and conduct a community input process. The team will assess the overall "sustainability" of the City of Tampa. The project will produce recommendations on how to make Tampa more sustainable, and the Planning Commission will consider these when revising Tampa's Comprehensive Plan.

Community partnerships like the one with the Urban Charrette help both the Planning Commission and its partners leverage resources and build community-planning capacity. The Planning Commission has developed community partner relationships with the University of South Florida, the Children's Board, the Transportation Disadvantaged Coordinating Board, the Hillsborough River Interlocal Planning Board, and other groups.

Intergovernmental coordination. All too often in Florida, land use planning is not well coordinated with planning for transportation, water-supply management, and other policy areas. The untoward consequences of this inadequate coordination extend beyond lags and bottlenecks in the delivery of public facilities for urban development. When infrastructure planning and finance are disconnected from land use planning and regulation, governments can end up working at cross purposes as they try to manage growth.

Consider transportation. Urban sprawl makes mass transportation expensive or infeasible because mass transit requires concentrations of people and businesses. When urban development is diffuse and polycentric, policymakers are left chasing growth with roads. On the other hand, roads and highways can undermine land use policies aimed at compact, centralized development. If capacity is expanded in the suburbs while traffic mounts in the urban centers, homebuyers and businesses will be tempted to head to the edge of urbanization.

The Planning Commission has successfully coordinated planning across many complex areas of policy and units of government. The Planning Commission's staffing of the MPO has facilitated coordination between land use and transportation planning. The Urban Service Area in Hillsborough County will gradually make mass transit more affordable and practical. At the same time, the designation of Activity Centers, Redevelopment and Revitalization Areas, and receiving zones for TDRs promotes compact, contiguous development essential for affordable mass transit.

Another example of coordination between land use and transportation planning is the Planning Commission's collaboration with the Department of Defense on land development around MacDill Air Force Base. In 2007-2008, the Planning Commission participated in a Joint Land Use Study (JLUS). The JLUS made recommendations on land development regulations to protect MacDill from incompatible land uses in the surrounding area.

A second policy area in which the Planning Commission has been actively involved is water supply planning. In Hillsborough County, planning for new water supplies is primarily the responsibility of Tampa Bay Water, a multi-county water supply authority. The Planning Commission participates in the water supply planning of Tampa Bay Water and ensures that adequate supplies will be available for projected population growth. The Planning Commission also assists local governments in their water distribution planning.

By the same token, the County's water supplies are an important consideration in the Planning Commission's land use policies. The Urban Service Area protects regional water resources, preserves ground and surface water recharge areas, and enhances the ability of local water distribution planners to accurately project growth and water-supply demand.

Yet another area where the Planning Commission facilitates intergovernmental coordination is in planning for school concurrency. In 2005, the Florida Legislature passed legislation requiring adequate school facilities to be in place within three years of the construction of new homes. Hillsborough County was selected to serve as a pilot community to develop draft components of a school concurrency program. The project was led by the School Board but required extensive participation by the Planning Commission. A Public Schools Facilities Element (PSFE) had to be developed for each jurisdiction to adopt into its Comprehensive Plan. The PSFE was dovetailed with interlocal agreements between the School Districts and each general purpose local government to implement school concurrency.

Also contributing to intergovernmental coordination is the Planning Commission's research and data collection. Examples include:

- The annual "Quality of Life Survey," which has been conducted for the past six years. A written questionnaire is mailed to thousands of randomly selected registered voters in Hillsborough County. Respondents are asked to indicate whether various quality of life factors have improved or deteriorated compared to the previous year.
- The annual "Blue Book," which is a comprehensive report on social, demographic, and economic data for Hillsborough County. Topics include vital statistics, finance, employment trends, labor force characteristics, building permits, population trends, public safety, and more.
- An annual report on building permits. The Planning Commission coordinates with each of the four local governments to produce an analysis of countywide residential and building permits. The report tracks permit activity by jurisdiction, type, and value.
- The Fiscal Impact Estimate of Land Development (FIELD) model. The FIELD model estimates the public revenues and costs associated with different types of development. The model can be used to determine if a jurisdiction can afford to pay for the services and

facilities required by new development if development applications are approved. It can also be used to explore other issues such as annexations and the fiscal benefits of smart growth.

- GIS resources. The Planning Commission provides "shape files" covering the municipalities and the unincorporated area. The shape files address future land uses, the Urban Service Area, transportation facilities, capital facility improvements, public schools, and more.
- Redistricting data and analysis for redrawing the districts from which local government officials are elected. In 2007, for example, the Planning Commission prepared a redistricting study for the City of Tampa. .

### **Political Pressures on the Planning Commission**

A recurring issue in previous studies of the Planning Commission has been friction between the Planning Commission and the general purpose local governments. Established in the 1960s, the Local Government Study Commission of Hillsborough County reported friction between the Planning Commission and the Board of County Commissioners. The Study Commission called for the Planning Commission to be given greater independence (Griffith, 1996, p. 117). Tensions with the three cities as well as with the County Commission were reported in studies in 1991, 1994, and 1996 (Griffith, pp. 48-49). Such friction is to be expected, but it has the potential to undermine the Planning Commission's effectiveness.

The Planning Commission's responsibilities for managing growth countywide, constraining urban sprawl, coordinating capital facilities budgets, and generally looking out for the interests of the county as a whole at times bring it into conflict with the general purpose local governments it advises. The Planning Commission advocates for compact, contiguous development in and around Tampa, Plant City, and Temple Terrace, but the cities are inclined to annex and expand even if this fosters sprawling urbanization. Developers with land adjacent to cities sometimes offer to be annexed voluntarily in return for preferred zoning and other benefits, and cities sometimes agree to these offers because they see new development as beneficial to their tax base. For example, annexation by inland cities has contributed significantly to urban sprawl in Sarasota County (where Northport has annexed aggressively), in St. Lucie County (where Port St. Lucie has expanded), and Flagler County (where Palm Coast has grown).

The Planning Commission is also likely to come into conflict with the County Commission for similar reasons. In Hillsborough County, the County Commission has a tendency to think of its jurisdiction as the unincorporated area rather than the county as whole. In this respect, the Hillsborough County Commission differs from County Commissions in other, comparably situated urban counties in Florida. In Palm Beach County, for example, the County Commission has been a staunch defender of its urban service boundary against the efforts by the county's municipalities to annex and expand. This is also true of the County Commission's in St. Lucie and Sarasota Counties. In all of these examples, the County Commission's view urban sprawl as a threat to the quality of life in their communities.

The Hillsborough County Commission appears to take a more parochial view because of, rather than despite, the Hillsborough County Planning Commission. To some extent, the latter

relieves the County Commission of responsibility for countywide growth patterns. With the Planning Commission defending the urban service boundary, the County Commission is free to consider applications for development approval in more narrow terms, such as their implications for the tax base.

Although the special act establishing the Planning Commission envisions an independent agency with a countywide perspective, the Planning Commission's administrative position within the county government leaves it vulnerable to political pressure and retribution when its advice runs counter to the inclinations of County Commissioners. In practice, the Planning Commission is treated like an ordinary department of county government. Its budget is routed through the county budget office, which reviews and amends it before forwarding it to the County Commission for approval. This gives the Planning Commission less financial independence than either the Pinellas County Planning Council or the Volusia County Growth Management Commission.

Over the last 13 years, staffing levels for the Hillsborough County Planning Commission have fallen from 60 positions to 52, a decline of 13 percent. At the same time, the total number of positions for the county has risen from 8,208 to 10,444, an increase of 27 percent.

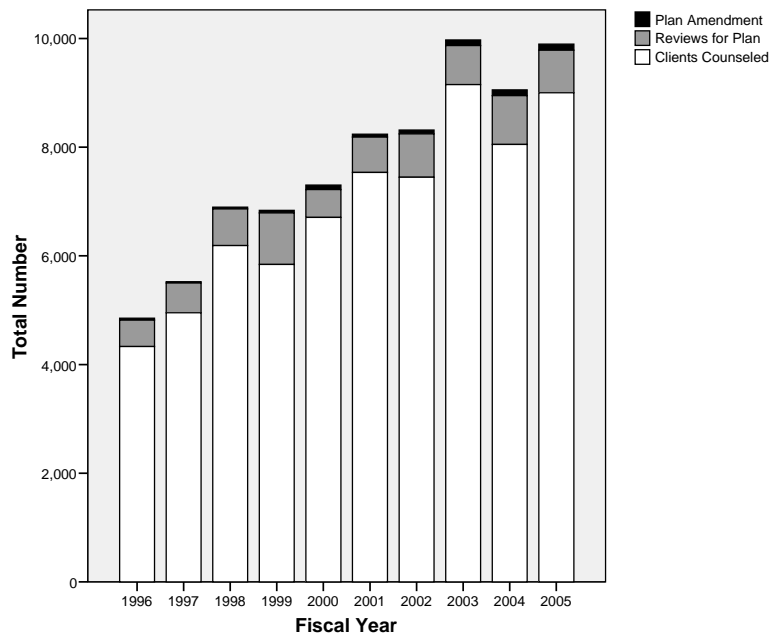
A similar picture emerges when the county's population growth is factored in. Staffing levels for the Planning Commission relative to the county population have declined much more steeply than for the county government as a whole. In Fiscal Year 1995, the Planning Commission had .07 positions per 1,000 county residents. The comparable figure for Fiscal Year 2009 was .04, a reduction of almost 43 percent. During this same period, the total number of funded positions for the county government declined from 9.21 positions per 1,000 population to 8.34 positions, a decline of less than 10 percent.

Despite this reduction in staff in absolute terms and relative to the population, the output of the Planning Commission in every category has risen dramatically. The numbers of clients counseled, plans reviewed, and plan amendments process have all grown.

**Table 4: County and Planning Commission Personnel Trends**

Fiscal Year	PC Funded Positions	Total County Funded Positions	Hillsborough Population	PC positions per 1000 population	County positions per 1000 population
1995	60	8,208	891,680	.07	9.21
1996	59	8,229	906,530	.07	9.08
1997	58	8,343	922,100	.06	9.05
1998	58	8,619	939,070	.06	9.18
1999	60	8,922	958,050	.06	9.31
2000	62	9,116	998,948	.06	9.13
2001	61	9,222	1,027,430	.06	8.98
2002	58	9,366	1,055,800	.05	8.87
2003	59	9,641	1,083,521	.05	8.90
2004	60	9,817	1,115,960	.05	8.80
2005	60	9,719	1,147,140	.05	8.47
2006	60	10,249	1,177,060	.05	8.71
2007	60	10,517	1,202,890	.05	8.74
2008	56	10,370	1,228,150	.05	8.44
2009	52	10,444	1,252,850	.04	8.34

**Figure 5: Plan Review, Amendments, and Clients Counseled, FY96-FY2005**



**Recommendations**

The Planning Commission is well structured statutorily to fulfill its responsibilities, but its functioning could be improved by certain administrative reforms. At the same time, some reforms proposed recently could undermine the Planning Commission's commitment to the general interests of the county. The following recommendations are offered for consideration by state and local officials.

- Maintain the existing balance of city-county representation on the Planning Commission. Currently, the cities have 6 representatives while the County Commission has 4. In the 2008 legislative session, a proposal was introduced but not enacted to increase the number of County Commission appointees to 5. The rationale for the proposal suggested that representation on the Planning Commission should more closely reflect the distribution of population between the unincorporated area, Tampa, Plant City, and Temple Terrace. If this reasoning were to be taken to its logical endpoint, the County Commission would be assigned two-thirds of the appointments, and the three cities combined would have one-third.

The existing, 6-4 balance in favor of the cities is preferable because the cities have an interest in discouraging urban sprawl. On the other hand, County Commissioners face the pressures of growth-machine politics in the unincorporated area. To the extent that the County Commission's representation on the Planning Commission is increased relative to the cities' representation, the Planning Commission's support for the Urban Service Area boundary is likely to be weakened.

- Increase the Planning Commission's financial independence. The Planning Commission is designed to serve the general interests of the county rather than the parochial interests of any particular jurisdiction. However, the Planning Commission's budget is in the hands of the County Commission, which, for a variety of reasons, tends to identify primarily with the unincorporated area. When the Planning Commission holds the line on the Urban Service Area boundary or recommends against increasing the amount or intensity of development outside the Urban Service Area, it risks provoking the ire of County Commissioners. Whether the Planning Commission has actually experienced budgetary retaliation is unclear, but its staffing levels, as a matter of fact, have declined in recent years while staffing levels for the county government as a whole have grown. In any event, the Planning Commission is treated like an ordinary county department, but its establishing legislation, as well as its role and responsibilities, make it more like an independent authority.

There are several ways that the financial independence of the Planning Commission could be enhanced. One option is the system used in Pinellas County, where up to one-sixth of a mill is paid directly to the Planning Council by the tax collector. Another option would be for the Planning Commission to be funded by a combination of general revenues and fees for services rendered. A third approach, and one that is more expedient than the others, would be for the County Administrator to include the Planning Commission's requested budget in the recommended budget the Administrator submits to the County Commission. This change could be accomplished by the County Commission. Whatever approach is taken, it should be structured to ensure the Planning Commission's independence so that it can continue to take unpopular stances when necessary for the greater good.

- Ensure that the Planning Commission is allowed to review and make recommendation on impact fees. The special act establishing the Planning Commission states that no land development regulations or amendments to land development regulations are to be adopted by Hillsborough County or one of its municipalities until it has been referred to the Planning Commission for its review and recommendations (Chapter 97-351, Section 5(1)(c), Laws of Florida). Furthermore, Florida Statutes Sec. 163.3202 (1) and (3) maintain that impact fees are innovative land development regulations that must be consistent with adopted comprehensive plans. However, since the early 1990s, the Hillsborough County Commission has opposed Planning Commission review of the County's impact fee ordinances or

amendments to such ordinances, arguing that impact fees are not land development regulations. As a result, county residents and policymakers are being deprived of a professional assessment of the County's impact fees from a countywide perspective. This is a significant limitation. Impact fees bear on the County's ability to construct and finance capital improvements. Furthermore, the range of facilities for which impact fees are charged, and the level of the fees for different types of facilities and different types of development, can influence the amount and nature of development across jurisdictions. Recent conflict between the County and the School Board over impact fees shows that an overarching review of impact fees countywide is needed.

The easiest way to ensure that impact fees are reviewed by the Planning Commission would be for the County Commission to change its position on the matter. Sec. 163.3201 explains “that land development regulations shall be based on, be related to, and be a means of implementation for an adopted comprehensive plan.”

- Establish a charter-based process for regulating voluntary annexations. The Planning Commission has been working with the county's municipalities to establish future annexation areas. However, the Planning Commission has little authority to prevent annexations so long as the land being annexed is contiguous to the city and reasonably compact. For voluntary annexations, the land need not be suitable for urban uses. (Voluntary annexations are annexations that have been requested by petition of the owner or owners of all land in the area to be annexed (F.S. 171.044(1)). All other annexations are classified as involuntary.) Florida law authorizes charter counties to regulate voluntary annexation locally (F.S. 171.044(4)). Four of the state's charter counties (Orange, Palm Beach, Pinellas, and Seminole Counties) have amended their charters to regulate voluntary annexations. The methods are described in Table 5. All four counties link their method of voluntary annexation to their comprehensive plan. By delineating circumstances in which special requirements may be imposed for voluntary annexations, the charter provisions allow for different requirements to be applied in different circumstances, e.g., rural areas, antiquated subdivisions, areas outside urban service area boundaries, etc..

Consideration should be given to amending the Hillsborough County Charter to establish a special process for voluntary annexation. The amendment could grant authority to the Planning Commission to review voluntary annexations outside the Urban Services Area, and to make recommendations to the County Commission. A majority or extraordinary majority of the County Commission could be required for the annexation to go forward.

**Table 5: Charter-Based Approaches to Voluntary Annexation**

County	Charter Language	Implementing Ordinances	Auxiliary Elements
Orange	Authorizes the County Commission to designate “preservation districts” and requires voluntary annexations in such districts to be approved by a majority vote of the County Commission and a majority of electors voting in an election open to all electors residing in the area to be annexed.	Required for designating preservation districts and for adopting regulations and procedures for elections in the preservation districts	<ul style="list-style-type: none"> <li>● The county’s comprehensive plan. (Preservation districts must be “existing historical and cohesive residential communities located within rural settlements” as identified by the plan.)</li> <li>● Joint Planning Area agreements. (These are agreements between the county and one or more municipalities for planning and service provision in the unincorporated area. JPAs can restrict annexation to designated areas.)</li> </ul>
Palm Beach	Authorizes the County Commission to designate an “unincorporated protection area” and “unincorporated rural neighborhoods,” and requires voluntary annexations in the former to be approved by an extraordinary majority of the County Commission and in the latter by both an extraordinary majority of the county commission and a majority of electors voting in an election open to all electors residing in the neighborhood.	Required for designating the “unincorporated protection area” and “unincorporated rural neighborhoods,” for establishing notification requirements for voluntary annexations, and for regulating annexations outside the unincorporated protection area.	The county’s comprehensive plan. (The “unincorporated protection area” is defined as all lands located outside the urban service area established in the plan. Criteria for unincorporated rural neighborhoods also reference the county comprehensive plan.)
Pinellas	Grants the county “all	A special act	Voluntary annexation is

	<p>powers necessary to establish by ordinance the exclusive method and criteria for voluntary municipal annexation, including the delineation of areas eligible for annexation, to the extent provided by general law.”</p> <p>Requires all municipal annexations to be in accordance with ordinances subsequently enacted under the authority of other charter provisions mandating a countywide land use plan.</p>	<p>authorizes the county commission to sit as the countywide planning council. The latter is required to prepare a countywide land use plan which overrides municipal plans unless the latter imposes lower densities than the countywide plan.</p>	<p>linked to the countywide land use plan, which designates annexation planning areas for cities with adjacent, unincorporated lands. Cities can execute voluntary annexations only within their annexation planning areas.</p>
Seminole	<p>Establishes a rural boundary and creates a “rural area” in which annexations must be approved by the county and in which the county future land use designations supersedes city plans.</p>	<p>Authorizes implementing ordinances for changing the rural boundary and for applying the county future land use plan to municipal lands within the rural area.</p>	<p>The county’s comprehensive plan. The Future Land Use Designations in the county plan apply throughout the rural area.</p>

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