

Fight against Growth Management Act building

BY HOWARD COHEN

hcohen@MiamiHerald.com

More Miami-Dade cities are joining Weston's lead in opposing the state's recently signed Growth Management Act.

On Monday, the Village of Palmetto Bay Council agreed to spend \$2,500 to join Weston in its litigation to challenge the constitutionality of Senate Bill 360, the Growth Management Act, that Gov. Charlie Crist recently signed.

The next day, Homestead also voted to become part of the lawsuit.

Cutler Bay, which is nestled between the two, had already joined in the legal battle when the suit was first filed earlier this month.

Key Biscayne, Lee County, Deerfield Beach, Miami Gardens, Fruitland Park and Parkland also were part of the initial lawsuit.

"The whole thing seems to be a usurpation of home rule, which is in the constitution," said Danny Crew, city manager of Miami Gardens.

Opposition to Senate Bill 360, Palmetto Bay Attorney Eve Boutsis said, is ``beginning to build."

To date, at least 15 municipalities have joined with Weston, Homestead City Attorney Richard Weiss told his council on Tuesday before members voted unanimously to also be part of the lawsuit.

The cities are fighting the bill that passed May 1 by the Legislature.

It eliminates state review of regional development and limits developers' responsibility to improve roads when their new projects boost traffic in an area.

Crist signed the bill into law June 1 to the delight of builders and business groups. They said the rewrite of Florida's 25-year-old growth laws was needed to spur the state's development-based economy.

But some cities and counties have argued that the new law will lead to sprawl and clogged roads.

At Monday's council meeting, Palmetto Bay agreed with that assessment.

"We were urging the state Legislature to not accept 360 -- it's a concern to this community," said Boutsis.

She recommended that the village pay the \$2,500 fee to join the litigation with Weston.

Palmetto Bay Mayor Eugene Flinn agreed.

"This was not good legislation, we were disappointed," he said, adding that he supports planned growth at the discretion of local communities "and not pass the cost to the taxpayer." The measure passed unanimously.

The next day, Homestead council members also voted to pay \$2,500 to join the lawsuit because council members had opposed eliminating state review of regional development and limiting developers' responsibility to improve roads when their projects increase traffic.

Homestead Councilwoman Wendy Lobos said the \$2,500 would be well spent.

"When you think of what could actually happen, the money would go a long way," she said.

Miami Herald staff writers Tania Valdemoro and Nadege Charles also contributed.