



OFFICE OF THE COMMISSION AUDITOR

COMMISSION AUDITOR'S INFORMATIONAL RESEARCH

BOARD OF COUNTY COMMISSIONERS MEETING

December 12, 2023

9:30 A.M.

Commission Chambers

Yinka Majekodunmi, CPA

Commission Auditor

Office of the Commission Auditor (OCA)

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Resolution Codesignating that Portion of SW 58th Street Between SW 79th Court and 79th Avenue “Rev. Alberto M. Delgado Way” by a Three-fifths Vote of Board Members Present

Prime Sponsor: Commissioner Kevin Marino Cabrera, District 6

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research on “Rev. Alberto M. Delgado” and noted no adverse findings. OCA determined that there are no prior Board of County Commissioners (BCC) codesignations for “Rev. Alberto M. Delgado.” Also, as required by rule 9.02(f)(1), OCA verified that “Rev. Alberto M. Delgado” is living. OCA is providing this report as a Supplement to BCC Agenda File Item No. 232402.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Section 2-1](#) Rule 9.02(f) of the Code requires the Office of the Commission Auditor (OCA) to conduct background research on any person, organization, place, or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Resolution reappointing Thomas (Tommy) Vick to the Agricultural Practices Advisory Board

Prime Sponsor: PortMiami, Resiliency, and Sustainability Committee

Requester: Regulatory and Economic Resources

Committee Action Date: 11/14/2023

RESEARCH FINDINGS

OCA completed the required background research regarding the reappointing of Thomas (Tommy) Vick to the Agricultural Practices Advisory Board. OCA background research yielded no additional findings for the appointee. This report is being provided as a supplement to BCC Agenda File Item Number 231501.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Resolution No. R-636-14](#), adopted on July 1, 2014, requires the Office of the Commission Auditor (OCA) to complete background research on applicants being considered to serve on County Boards and Trusts that require nominations or appointments by the Board of County Commissioners (BCC).

Resolution appointing, in accordance with Ordinance No. 02-216 and section 163.356, Florida Statutes, Don D. Darbeau, Jr., Danny Olgetree, Derek J. Sippio, and Derrick L. Lordeus to Serve as Members of the Board of Commissioners of the Naranja Lakes Community Redevelopment Agency; and Directing the County Mayor to File Certificates of Appointment with the Clerk of the Board

Prime Sponsor: Commissioner Kionne L. McGhee, District 9

Requester: None

Committee Action Date: 11/15/2023

RESEARCH FINDINGS

OCA completed the required background research regarding the appointing of Don D. Darbeau, Jr., Danny Olgetree, Derek J. Sippio, and Derrick L. Lordeus as members of the Board of Commissioners of the Naranja Lakes Community Redevelopment Agency and noted the following:

- *Don D. Darbeau, Jr.: U.S. Bankruptcy Court – Case Number: 1:13-BK-29878 dated August 22, 2013; Case Type: Chapter 13 Voluntary; date of discharge April 9, 2018.*

Other than the abovementioned information, OCA background research yielded no additional adverse information regarding the appointees. This report is being provided as a supplement to BCC Agenda File Item Number 232040.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Resolution No. R-636-14](#), adopted on July 1, 2014, requires the Office of the Commission Auditor (OCA) to complete background research on applicants being considered to serve on County Boards and Trusts that require nominations or appointments by the Board of County Commissioners (BCC).

Resolution urging the Florida Legislature to Codesignate that Portion of State Road 997/Krome Avenue/West 177th Avenue from Southwest 8th Street to the Entrance of the Miccosukee Casino & Result As “Micco Way”

Prime Sponsor: Commissioner Juan Carlos Bermudez, District 12

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research on “Micco Way” and noted no adverse findings. OCA determined that there are no prior Board of County Commissioners (BCC) codesignations for “Micco Way.” OCA is providing this report as a Supplement to BCC Agenda File Item No. 232400.

ADDITIONAL INFORMATION

2. Bulleted below is the relevant legislation relating to the background research process:

[Section 2-1](#) Rule 9.02(f) of the Code requires the Office of the Commission Auditor (OCA) to conduct background research on any person, organization, place, or thing that is the subject of a naming, renaming or codesignations item or an item approving the codesignations of state or municipal roads and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Appointment of M. Reza Savabi, Ph.D. and Daniel Flagler, Ph.D. to the Environmental Quality Control Board (EQCB)

Prime Sponsor: None

Requester: Clerk of the Board

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of M. Reza Savabi, Ph.D. and Daniel Flagler, Ph.D. OCA to the Environmental Quality Control Board (EQCB). OCA background research yielded no additional findings for the appointees. This report is being provided as a supplement to BCC Agenda File Item Number 232312.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Resolution No. R-636-14](#), adopted on July 1, 2014, requires the Office of the Commission Auditor (OCA) to complete background research on applicants being considered to serve on County Boards and Trusts that require nominations or appointments by the Board of County Commissioners (BCC).

Prime Sponsor: N/A

Requester: N/A

Committee Action Date: N/A

INTRODUCTION

Purpose:

The Office of the Commission Auditor (OCA), in response to a request made by the Miami-Dade County Commissioner, Danielle Cohen Higgins, District 8, was instructed to identify (1) legislation in jurisdictions across Florida that provide additional protections for agritourism beyond those ensured by State Statutes 507.85. to 570.89., and (2) research land use policy strategies in U.S. jurisdictions that must balance land development and the preservation of agriculture.

Scope:

The scope of this research consisted of the following: (1) a review of Miami-Dade County's (County) policies on land use and development, (2) an analysis of agritourism policies in other jurisdictions in the State of Florida that are top agricultural producers, (3) an analysis of policies on land development and agricultural land preservation in U.S. jurisdictions with similar population sizes as the County.

Methodology:

OCA's methodology for this research consisted of the following: (1) reviewed proposed County legislation on Agritourism and land use, (2) analyzed local and state legislation on land use for agricultural purposes, (3) reviewed the County's Comprehensive Development Master Plan (CDMP) for policies on land use and agriculture, (4) researched the County's agriculture industry sector, (5) solicited information from land use, agriculture, and agritourism experts (6) solicited information on agritourism policies from the top five Florida jurisdictions with the highest dollar value of agricultural products sold in the state (7) researched agritourism legislation in other jurisdictions in the State, (8) solicited information on land use planning strategies from U.S. jurisdictions with similar population sizes as Miami-Dade County, (9) researched policy strategies that balance land use, development, and agriculture in jurisdictions with similar population sizes as Miami-Dade County.

BACKGROUND INFORMATION

A. Miami-Dade County Land Use Policy

As Florida's most populous county and the second-largest producer of agricultural products, Miami-Dade County incorporates several land use planning strategies into its CDMP to help guide its urban development and agricultural land use priorities. As shown in **Table 1**, the CDMP has set forth policies for sustainable development and preservation of agricultural areas per [Chapter 163 of the Florida Statutes](#).

Table 1

SUMMARY OF COUNTY’S RELEVANT LAND USE PLANNING POLICIES	
Policy	Brief Description
Comprehensive Development Master Plan	Outlines the County’s objectives for development and conservation over the next 10 to 20 years, establishing growth policies to align with projected population and economic growth.
Land Use Element	As a component of the CDMP, it identifies locations in Miami-Dade where various land uses and intensities of use will be permitted to occur in the future. It also lists policies that promote and maintain an economically viable agricultural industry, such as preventing scattered development in Agricultural Areas outside the UDB, preserving land for agriculture, and authorizing alternative land uses that promote agritourism.
Urban Development Boundary	Established by the CDMP, this boundary guides where and to what extent development will occur in the County through 2030. Adequate development in the County is encouraged by increasing development densities within the UDB while limiting development beyond it.
Urban Expansion Area	Located outside the UDB, the Urban Expansion Areas (UEAs) represent where urban development may be warranted within the 2040 long-term planning horizon of the CDMP. Currently, there are four UEAs with approximately 6,718 acres

Source: Data compilation by the Office of the Commission Auditor

B. Agricultural Zoning

The most recent U.S. Census of Agriculture data estimates that Miami-Dade County has 78,543 acres of farmland.¹ Most of the land zoned as agriculture is located outside of the UDB. Per [Section 33-280](#) of the County Code of Ordinances, land for any use in the Agricultural District (AU District) must be subdivided into lots with a minimum of five acres. One single-family residential unit is permitted per five acres.

Chapter 33 of the County Code allows for the following uses of land in the AU District: agricultural, aquacultural, floricultural, or horticultural production; cattle or stock grazing; breweries and distilleries; and uses ancillary to and directly supportive of agriculture.² The latter category includes packaging and selling agricultural goods, farm tours, farmers’ markets, agricultural workshops, education, and agritourism.

While the County Code allows some agritourism activities to occur on property in the AU District, Florida Statutes allow properties eligible for agritourism to reside outside of the AU District. Agritourism operators only need to receive an agricultural classification for their properties from the Property Appraiser to be eligible for agritourism.

¹ U.S. Department of Agriculture, 2017 Census of Agriculture Report, Miami-Dade County Profile: https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Florida/cp12086.pdf

² Miami-Dade County Code of Ordinances, [Section 33-279](#)

C. Agricultural Classification and Florida’s Agritourism Laws

[Section 193.461](#), Florida Statutes, allows for the classification of land as agricultural for property assessment purposes. Commonly referred to as the “Greenbelt Law,” the Statute outlines criteria for evaluating whether the land is being used for “bona fide agricultural purposes,” which it defines as a “good faith commercial agricultural use of the land.”³ The County’s Property Appraiser is responsible for assessing whether the land meets these criteria, irrespective of its zoning status. This means that even if a property is not zoned as agriculture, it can still receive agricultural classification if used for bona fide agricultural purposes.

In the context of agritourism, State Statutes require that agritourism activities occur on property classified as agricultural land by the Property Appraiser. As such, agritourism is correlated to “greenbelt” properties, as defined by [Section 193.461](#). In other words, agritourism can only occur on properties with good faith commercial agricultural use of the land.⁴

Known as the “Agritourism Laws,” [Sections 570.85-570.89](#) preempt local governments from regulating agritourism activities. It defines these activities as “any agricultural related activity consistent with a bona fide farm, livestock operation, or ranch... which allows members of the general public... to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions.” Additionally, it provides liability protections for agritourism operators.

The State’s Agritourism Laws, however, do not restrict the power of local governments to address substantial offsite impacts of agritourism. Under this provision, local governments have been able to enforce regulations on agritourism events to mitigate offsite impacts and require Certificates of Use (CUs). On November 3, 2023, the Florida Legislature introduced [House Bill 339](#), amending section 570.85 to prohibit local governments from adopting regulation that requires CUs for venues on certain agricultural lands or limits activities associated with agritourism. The bill is currently in committee.

POLICY STRATEGIES ON DEVELOPMENT AND AGRICULTURAL LAND

A. Laws on Agritourism

OCA noted that agritourism is usually regulated and preempted at the state level. A study by the Center for Agriculture and Food Systems at Vermont Law School identified 39 states that have enacted some form of agritourism law as of 2020. These laws provide protections and regulations for agritourism operators. They can include limiting liability for farms providing agritourism, preempting local governments from regulating such activities, and limiting or expanding the activities considered as agritourism.⁵

³ [Fla. Stat. § 193.461\(3\)\(b\)](#) (2023)

⁴ [Fl. Stat. § 570.85](#) (2023)

⁵ Vermont Law School, “Defining and Regulating Agritourism: Trends in State Agritourism Legislation 2019-2020”, <https://www.vermontlaw.edu/sites/default/files/2021-04/Defining-and-Regulating-Agritourism.pdf>

B. Transfer of Development Rights

Transfer of Development Rights (TDRs) are mainly used to protect viable agricultural land, environmentally sensitive land, or historical resources. The program involves transferring or selling some or all development rights on a piece of land (“Sending Area”) in exchange for a development right on land that is more suited for high-density development (“Receiving Area”)⁶. This program provides a way to financially compensate willing landowners for not developing their land, while the owner of the receiving area can now build a higher building height than they would originally be allowed by zoning limitations. In addition, this policy limits residential development rights and creates the opportunity for continued agricultural use of land in accordance with their zoning status.

C. Purchase of Development Rights and Purchase of Conservation Easements

Under traditional Purchase of Development Rights (PDR) programs, the government purchases a landowner’s right to develop specific parcels of land for managerial purposes, while the owner maintains the rights of ownership of the property.⁷ While a TDR is a private-to-private transfer of development rights between landowners and developers, the PDR involves the transfer of rights to a government or conservation agency.

The Purchase of Agricultural Conservation Easement (PACE) is one common form of PDR. A conservation easement is a voluntary legal agreement between a landowner and a government agency or conservation organization. In return for the payment of development rights, the landowner agrees to use the land for agriculture or open space in perpetuity.⁸

D. Agricultural Zoning District

The Agricultural Districts strategy is a significant farmland preservation tool, providing farmers with protections and benefits through land use policies, taxing mechanisms, zoning, and conservation techniques.⁹ A 2014 study conducted in Wayne County, New York found that there were 224 State-certified agricultural districts in 53 counties at the time. These districts covered over 8.80 million acres, including over 6.1 million acres on 24,132 farms”.¹⁰

Agricultural district strategies vary across jurisdictions. They are local in nature, help protect large parcels of land, and allow voluntary enrollment, making them popular among farmers. The different implementations of agricultural districts allow local governments to evaluate which method could be best suited to their jurisdiction.

Since agricultural districts have minimal sanctions for property owners who withdraw from the program, pairing this strategy with a land conversion tax is most effective.

⁶ Paster, Elisa. “Preservation of Agricultural Lands Through Land Use Planning Tools and Techniques.” *Natural Resources Journal* 44, no. 1 (2004): 283–318. <http://www.jstor.org/stable/24888916>.

⁷ Id.

⁸ Id.

⁹ Id.

¹⁰ Wayne County, NY: [AGRICULTURAL DISTRICTS LAW: A CURRENT SUMMARY](#)

E. Land Conversion Tax

The purpose of this policy strategy is to deter the conversion of agricultural/rural land and encourage landowners to preserve their land for farming rather than selling it for development. A land conversion tax is imposed on landowners who change the use of their land from agricultural or rural to urban or commercial.¹¹ Conversion means an affirmative change in the use of the land and does not apply to the idling or nonuse of such land.

CASE STUDIES

OCA contacted subject-matter experts in the state and across the U.S. to identify implementations of policy strategies on agritourism, land use planning, and reconciling land development needs with agricultural preservation. These included academic institutions, interest groups, and County departments.

To identify land use planning strategies in comparable jurisdictions across the U.S., OCA reached out to the top five agricultural producers in the State of Florida, not including Miami-Dade: Palm Beach County, Hillsborough County, Manatee County, Hendry County, and Polk County.¹² Additionally, OCA contacted U.S. jurisdictions with similar population sizes as Miami-Dade County: Riverside County, California; San Diego County, California; City of Dallas, Texas; Harrison County, Texas; Maricopa County, Arizona.

See below for the summary and details of the information resulting from the aforementioned collaboration.

A. Local Policies in Florida Jurisdictions that Address Agritourism

OCA contacted the top five agricultural producers in the State to inquire about policies in their jurisdictions that address agritourism. These jurisdictions included Palm Beach County, Hillsborough County, Manatee County, Hendry County, and Polk County. OCA received responses from Palm Beach County, Hillsborough County, and Manatee County. OCA independently researched the county ordinances, legislation, and rules of the remaining two jurisdictions to identify any relevant policies on agritourism. **Table 2** summarizes policies for the following categories: Agritourism Protections Beyond Fl. Stat. [§ 570.85-570.89](#), Agritourism Activities and Definition, and Offsite Impact Mitigation.

¹² Florida Department of Agriculture and Consumer Services, Florida Agriculture Overview and Statistics: <https://www.fdacs.gov/Agriculture-Industry/Florida-Agriculture-Overview-and-Statistics>

Table 2

LOCAL POLICIES IN FLORIDA JURISDICTIONS ADDRESSING AGRITOURISM				
Jurisdiction	Total Market Value of Agricultural Products Sold*	Agritourism Protections Beyond Fl. Stat. § 570.85-570.89	Agritourism Activities and Definition	Offsite Impact Mitigation
Miami-Dade County	\$837,734,000	Proposed Legislation Item File No. 232050	When ancillary to an ongoing and lawfully established agricultural use, agritourism, including, U-Pick, pony rides, and horseback riding is permitted (Section 33-279(22))	To address offsite impacts, rural event venues on agriculturally classified land (including agritourism activities) must follow this guideline: outdoor events with 50 guests shall be limited to one event per day and not exceed 3 per week; only allowed between 9 AM-11 PM; must have portable toilets or sanitary sewer; no lighting interference with ROW or adjacent properties; annually renewable CU (Section 33-279, 5.1(i))
Palm Beach County	\$901,719,000	None	Refer to Section 570.85-570.87, Florida Statutes, for applicability (ULDC Article 4.B.6.C.1)	Impacts from these uses, including traffic, parking, restrooms, or nuisances, shall be addressed as part of the Class A Conditional Use approval. The BCC may impose Conditions of Approval to address these activities (ULDC Article 4.B.6.C.1)
Hillsborough County	\$447,625,000	None	None	None
Manatee County	\$360,119,000	None	Shall mean the same as the definition of agritourism activity, as defined in Section 570.86(1), Florida Statutes. Same as State Statutes (Section 200)	The agritourism activity shall not cause substantial off-site impacts on the surrounding properties (e.g., noise, large crowds, and traffic) (Section 511.19)
Hendry County	\$329,492,000	None	None	None

LOCAL POLICIES IN FLORIDA JURISDICTIONS ADDRESSING AGRITOURISM				
Jurisdiction	Total Market Value of Agricultural Products Sold*	Agritourism Protections Beyond Fl. Stat. § 570.85-570.89	Agritourism Activities and Definition	Offsite Impact Mitigation
Polk County	\$297,722,000	None	The code discusses agritourism within the context of recreational camping, and references permitted agritourism uses are defined in F.S. § 570.86 (Section 222)	Recreational camping on such land shall not exceed five recreational vehicles or tents. Visitors' stays shall not exceed three days or a cumulative of 180 days in a year.

Source: Data compilation of policies from Florida jurisdictions

* Total Market Value of Agricultural Products Sold according to the 2017 U.S. Department of Agriculture Census of Agriculture Report

B. Palm Beach County, Florida

Palm Beach County is the largest agricultural producer in Florida, with \$901,000,000 in total market value of agricultural products sold.¹³ The county has a population of 1,518,477, with most of the population concentrated in the eastern coastal areas. They have implemented the following strategies:

Transfer of Development Rights Program

To protect environmentally sensitive lands, preserve agricultural lands designated as Agricultural Reserve (AGR), and promote orderly growth in the County, Palm Beach implemented a TDR program during the 1980s.¹⁴ In this program, Palm Beach established a Transfer of Development Rights Bank (TDR Bank) to allow the county to facilitate the purchase and transfer of development rights. The TDR Bank provides and maintains an inventory of the rights purchased by the County. Buyers who wish to increase density in their receiving area can purchase development rights from the county’s TDR Bank or directly from property owners in a designated sending area.

After a TDR transaction happens, a conservation easement is attached to the sending area and recorded in the public records of the county, restricting future land development. The TDR program is also a special density program. Density increases range from 1 to 5 units per acre, depending on the location of the receiving area.

Agricultural Zoning District Strategy

In the Palm Beach County Unified Land Development Code (ULDC),¹⁵ there are three agricultural-related districts, as displayed in **Table 3** below. Each district serves a specific role in facilitating agricultural land preservation.

¹³ U.S. Department of Agriculture, 2017 Census of Agriculture Report

¹⁴ ULDC [Article 5.G.3.](#)

¹⁵ ULDC [Chapter 3](#)

Table 3

SUMMARY OF PALM BEACH COUNTY AGRICULTURAL-RELATED ZONING DISTRICTS		
Zoning Code	District Name	Purpose
AP	Agricultural Production District	Conserves and protects exclusive, Bona-Fide agriculture and farm-related operations, especially in areas where soil and water conditions are conducive to continued agricultural production.
AGR	Agricultural Reserve District	Preserved primarily for the use of agriculture, environment, water resources, and open space-related activities.
AR	Agricultural Residential District	Protects and enhances rural lifestyle and quality of life of residents living in rural residential and permits a variety of uses on non-urban sites without prejudice to the adjoining rural and residential land.

Source: Data compilation of the Palm Beach County Unified Land Development Code

C. San Diego County, California

San Diego County has a population of 3,276,208 in 2022. The unique geography and dry climates give San Diego County an almost year-round growing season. Its top five crops are bedding plants, color, perennials, cacti, and succulents; ornamental trees and shrubs; indoor flooring foliage plants; avocado; and vegetables. The output from direct agriculture production contributed \$1.78 billion to its local economy in 2022.¹⁶ They have implemented the following strategies:

Purchase of Agricultural Conservation Easement (PACE) Program

The County of San Diego adopted the Purchase of Agricultural Conservation Easement (PACE) Program in 2011 to promote the long-term preservation of agriculture in the county. Under this program, willing property owners will receive one-time compensation for placing an easement on their property to ensure it will remain for agricultural use.

On March 3rd, 2021, the County’s Board of Supervisors adopted an update of the PACE program to increase the availability of qualified agricultural properties and expand the acquisition of PACE easements, which provides more local farmers the opportunities to participate.¹⁷

California’s Williamson Act Contract

Established in 1965, the Williamson Act, also known as the California Land Conservation Act, enables local governments to enter contracts of a minimum of 10 years with landowners for the purpose of restricting specific lands to agricultural use. In return, landowners will receive a lower tax assessment since they are considered as farming and open space use.¹⁸ When a landowner opts to exit the program, they will face an increase in annual tax assessments. Once the agreement is terminated, the landowner must pay a fee equal to 12.5 percent of the cancellation value, as determined by the County assessor.¹⁹

¹⁶ Lyles, Shauni. “Agriculture Flourishes in New Crop Report, Nears \$1.8 Billion”. *County News Center*. (Oct. 23, 2023): <https://www.countynewscenter.com/agriculture-flourishes-in-new-crop-report-nears-1-8-billion/>

¹⁷ Purchase of Agricultural Conservation Easement (PACE) Program: <https://www.sandiegocounty.gov/content/dam/sdc/pds/advance/PACE/PACE-Guidelines-2021.pdf>

¹⁸ California Department of Conservation Williamson Act Status Report, 2022: https://www.conservation.ca.gov/dlrp/wa/Documents/stats_reports/2022%20WA%20Status%20Report.pdf

¹⁹ California Government [Code § 51280 et seq.](#)

While both the PACE program and the Williamson Act share a goal of maintaining lands for agricultural use, there are a couple of differences. The Williamson Act applies to agricultural reserves of at least 10 acres; The PACE program does not have a lot size minimum requirement. The PACE programs preserve agricultural land in perpetuity, while Williamson Act Contracts have a term of at least ten years and can be canceled.

D. King County, Washington

King County, Washington has a population of 2,266,789. According to the Census of Agriculture, the total market value of products sold by the County in 2017 was \$135,464,000.²⁰ They have implemented the following strategies:

TDR and Conservation Easement Strategy

In King County, Washington, the TDR program is a voluntary, incentive-based, market-driven approach to preserve land and steer away development in rural, resource lands to the King County urban area. The program allows the landowners to separate some or all of the land development rights from the land to benefit from the conservation easement while the market value of the remaining land restricted from development will decrease accordingly. Therefore the property taxes on the land will be reduced.

King County adopted the TDR program in 1988, but from 1988 to 1995, only one transaction occurred. In response, the county adjusted its policy to encourage more transactions. In 1999, the County established a TDR Bank through an appropriation of \$1.5 million to purchase TDRs, which still plays a vital role in the King County TDR program. The bank serves three essential functions: (1) it facilitates the TDR market by bridging the time gap between sellers and buyers; (2) acts as a revolving fund through buying, holding, and selling TDRs; and (3) catalyzes city-county TDR agreements by strategically acquiring development rights from high priority rural lands.

According to the [King County website](#), the TDR program has protected over 145,600 acres of rural/resource land from 1998 to 2022 by relocating over 3,000 potential dwelling units from rural landscapes into urban areas.

E. Dallas City, Texas

As of 2022, the City of Dallas, which sits in the northeast corner of Texas, has a population of 1,299,544. Despite a harsh climate and long periods of intense dry heat, the 2017 Census of Agriculture report pointed out that Dallas County, as a productive agricultural area, has approximately 1,796 farms, nearly 41,973 acres of land, and a total agricultural product market value of \$135,464,000. Much of the sold value is dedicated to raising livestock and growing row crops and hay rather than produce.²¹ As the largest city in the county, City of Dallas implements the following land use planning strategies:

Conservation Easement and the Comprehensive Urban Agriculture Plan

The Texas Legislature generally assigns zoning authority to municipalities, not counties, except for a few counties identified by the Legislature. Thus, zoning in Texas is generally determined by municipalities.

²⁰ King County Profile, 2017 Census of Agriculture: [cp53033.pdf \(usda.gov\)](#)

²¹ Total and Per Farm Overview, 2017 and change since 2012:

https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Texas/cp48113.pdf

In Dallas, a conservation easement is a legal agreement between landowners or government agencies that permanently limits land uses to protect its conservation values. The landowners who enter into the agreement still keep many of their rights, including the right to own and use their land and sell and pass it on to heirs.²² The program provides public benefits, including farm and ranch land preservation, wildlife habitat, and historic preservation.

To deal with rapid urbanization, climate change, and vulnerable food supply to disruptions from extreme weather, the City of Dallas approved a Comprehensive Urban Agriculture Plan (CUAP) on March 8, 2023. Urban Agriculture is the cultivation, processing, and distribution of agricultural products in urban and suburban settings.²³ The plan is a long-term strategy for urban agriculture in the city and serves as a framework for setting the city's infrastructure and development goals. Most importantly, it helps mitigate the loss of farmland to recent urban sprawl. Hence, the CUAP is an important step in ensuring communities have local health food and supporting expanding agriculture projects in Dallas.

²² Conservation Easement and Stewardship:

https://dallascityhall.com/departments/sustainabledevelopment/buildinginspection/DCH%20documents/pdf/Landscape%20and%20Tree%20Manual/BI_9.0%20Conservation%20Easements.pdf

²³ COMPREHENSIVE URBAN AGRICULTURE PLAN:

https://www.dallasclimateaction.com/files/ugd/349b65_f635d04a85974466bc9b7f5e281cf896.pdf

CONTRIBUTORS

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The Office of the Commission Auditor, Miami-Dade Board of County Commissioners

The Office of the Commission Auditor (OCA) was established in September 2002 by Ordinance 03-2 to provide support and professional analysis of the policy, service, budgetary and operational issues before the Miami-Dade Board of County Commissioners. The Commission Auditor's duties include reporting to the Board of County Commissioners on the fiscal operations of County departments, as well as whether the fiscal and legislative policy directions of the Commission are being efficiently and effectively implemented.

These research notes, prepared in collaboration with the Miami-Dade County departments as subject matter experts, are substantially less detailed in scope than an audit in accordance with the Generally Accepted Auditing Standards (GAAS). The OCA plans and performs the review to obtain sufficient, appropriate evidence to provide a reasonable basis for its findings and conclusions based on its objectives; accordingly, the OCA does not express an opinion on the data gathered by the subject matter expert(s).