

**GRAND VALLEY METROPOLITAN COUNCIL
LEGISLATIVE COMMITTEE MEETING**

**December 10, 2003
9:30 a.m.**

40 Pearl St. NW Ste. 410
Grand Rapids, MI 49503

MINUTES

1. Call To Order

The meeting was called to order at 9:30 by GVMC Legislative Chairman Ted Vonk.

ROLL CALL

Present:

Jim Buck	City of Grandville
Cindy Heinbeck	Alpine Township
Barb Holt	City of Walker
Paulien Luben	City of Hudsonville
Gayle McCrath	Grand Valley Metro Council
Rick Root	City of Kentwood
Don Stypula	Grand Valley Metro Council
Ted Vonk	Kent County

• **Approval of Minutes**

The minutes of the November meeting were reviewed.

MOTION – To approve the minutes of the November 2003 GVMC Legislative Committee meeting. MOVE - Heinbeck. SUPPORT – Luben. MOTION CARRIED.

2. Legislative Update

Don Stypula reviewed various items with the committee.

There is a tentative deal on the state budget which includes a 6 month freeze on the .1% income tax rollback. It is expected to pass the Senate and then will go onto the House. It

would generate over \$77 million and will result in a 5% cut to revenue sharing instead of a 6% cut.

It is very likely the Governor will make another Executive Order sometime next year.

The next budget estimating conference is scheduled for February.

There is new legislation being proposed on term limits which would state that an individual could hold any office for 14 years, rather than splitting the 14 years between the different offices. The issue would require a 2/3 vote of the legislature and would have to be put to a vote of the people.

Rick Root commented that the way term limits currently stand is very problematic because there is a huge loss of institutional knowledge. Legislators with very little experience are being trust into positions of leadership.

3. Land Use Survey

Gayle McCrath handed out copies of the results of the Land Use Survey (attached). Twenty-seven responses were received.

The group discussed using some of the items which scored highly as talking points for the upcoming Legislative Breakfast.

Cindy Heinbeck stated that questions #5 & #16 were extremely important as many times citizens don't understand the issues and where money comes from. Public education needs to be encouraged on land use issues. Ms. Heinbeck stated that it she was unsure how to promote land use education legislatively, but that maybe at the breakfast it could be addressed by stating that it scored very highly in the survey and then discuss how it relates to the issue of recall.

Don Stypula asked if question #15 should be included which regarded technical planning information.

Cindy Heinbeck added that if citizens don't understand local planning, they won't understand regional.

Gayle McCrath asked whether the Citizen Planner program through the MSU extension was helping.

Cindy Heinbeck stated that it is a terrific program, but is overwhelmed at the moment and can't keep up with the demand. Additionally, its funding is being cut by the state.

Don Stypula asked if the group wanted to bring up item #3 for the purpose of the breakfast, specifically the package of legislation that has been brought up on the tool & dye industry? He asked if it would take more money from the locals' budgets. The theory of helping industry sounds great, but they need to do it without hurting the locals.

Rick Root stated that if legislation includes tax relief at the local level, they need to address some kind of tax transfer to offset the locals' losses.

Cindy Heinbeck commented that on new development, something is better than nothing, but the proposed tax abatements could mean nothing for the locals.

Jim Buck stated that if this issue is framed right, it would be a good addition to the discussion at the Legislative Breakfast.

Rick Root asked if local involvement in school siting should be brought up again.

Jim Buck stated that there recently was a terrible Michigan Supreme Court ruling on that issue, giving all the authority to the superintendent of schools.

The group agreed that this issue affects local governments and quality of life of its citizens for a number of reasons including: availability of utilities, urban sprawl, construction and fire safety, and traffic congestion.

It was determined this issue would also be used as a topic of discussion at the Legislative Breakfast.

Mobile Homes

Don Stypula discussed the current package of mobile home legislation being considered in Lansing. The package increases the per year fee from \$36 to \$60 per year. Higher rates would be levied for double section homes (\$72) and multi-section homes (\$120). The fees would increase over a number of years to caps of \$120, \$180, and \$240.

Don stated that the package does not address everything we want, but it is getting close.

Drain Code

Don Stypula reported that the latest version of the revised drain code is looking good. He said the legislators are listening, but there is still a lot of time to screw things up.

Recycling – Tipping Fee

Don Stypula reported that the proposed legislation would put a \$3 per ton surcharge on all solid waste. Haulers shall pass on the fee to the customers. It would raise \$50 – 60 million per year. Of that, the state would take 10% to administer the program and the rest would go to counties to work with individual haulers to encourage recycling. Overall, it is extremely bad timing for this issue. The townships, cities, counties, chambers and haulers are all against it.

Legislative Schedule

The legislature will probably run all night on the 18th and will be back the 2nd week in January. They will have a lot of work to do on the budget for 2005 which appears to be about \$500 million in the hole.

Recall

Don Stypula reported that legislation came out of committee yesterday that applies only to these public officials that have four year terms. It states they cannot be recalled before the conclusion of their first year or during their last year of office.

Adjourn – 10:45 a.m.

GRAND VALLEY METRO COUNCIL MEMBER SURVEY ON LAND USE COUNCIL RECOMMENDATIONS

As a way to gauge member opinions on the Governor's Land Use Council's recommendations, and stimulate further discussion and action, we are asking all members to take the following survey. Listed below are questions which scored 50% or higher as a top priority on the survey taken at the November 3rd, Acting As One conference on Land Use Issues at the Meijer Gardens.

The results of this survey will be followed up on by the Legislative Committee and will also be available on the GVMC web site at www.gvmc.org.

Please return your surveys by Wednesday, November 12th, to Gayle McCrath at mccrathg@gvmc.org, or fax at 616.774.9292. Thanks for your help.

1. Siting of Public Facilities

The state should locate their public offices and facilities in urbanized areas consistent with local development plans and compatible with existing land uses to stimulate economic activity, encourage private reinvestment, optimize existing infrastructure, decrease sprawl, and increase accessibility of government services.

Top Priority= 25.9% Worth Pursuing= 62.9% Reservations= 7.4% Don't know = 3.7% No=0

2. State and Local Assistance in Attracting Private Investment

The state and local government should coordinate and review proposals to ensure that they effectively promote new private investment and reinvestment in existing urban areas that (1) optimize existing infrastructure, (2) encourage new retail businesses (3) create new employment and (4) enhance the quality of life in urban communities.

Top Priority= 37% Worth Pursuing= 48.1% Reservations=3.7% Don't know=7.4% No= 3.7%

3. Public/Private Support for Livable Communities

The state should support public/private efforts to create and maintain "livable" urban areas by creating "green infrastructure", ensuring a range of equitable housing, encouraging efforts to control urban blight, encouraging transportation access for downtown businesses, supporting services as integral components of urban neighborhoods and providing adequate resources to public schools.

Top Priority= 22.2% Worth Pursuing= 44.4% Reservations= 25.9% Don't know= 3.7% No= 3.7%

4. Retaining and Attracting Residents to Michigan Cities

The state should develop policies that retain and attract a diverse population-including recent college graduates, skilled workers, artists, entrepreneurs, highly educated individuals-by supporting the governor's "cool" cities initiative, marketing cities as a place to live, and creating financial incentives for cities and developers that will target housing and/or employment opportunities.

Top Priority= 18.5% Worth Pursuing= 40.7% Reservations= 29.6% Don't know= 7.4% No= 3.7%

5. Transportation

In partnership with the federal and local governments, the state should support modern, cost-efficient, multimodal transportation systems to assure that our urban areas are accessible, attractive and efficient for people of all ages, incomes, and physical abilities and provide a diverse set of mobility options.

Top Priority= 11.1% Worth Pursuing= 62.9% Reservations= 22.2% Don't know= 3.7% No= 0

6. Information and Education

Improved data collection, analysis, and access. The State should complete its natural features inventory and update MRIS, develop a statewide historic resource GIS database, develop and deploy new technologies for monitoring and analyzing Michigan's environment, and prepare a "State of Michigan Land Use and Environment" report every 5 years.

Top Priority=7.4% Worth Pursuing= 70.3% Reservations= 18.5% Don't know= 0 No= 3.7%

7. Coastal conservation and waterfront development and redevelopment.

The state should establish statewide policies that prioritize shoreline protection in concert with compatible commercial and residential waterfront development and redevelopment, implement coastal conservation policies, and simplify and expedite current environmental permit procedures and processes where appropriate.

Top Priority= 22.2% Worth Pursuing=44.4% Reservations= 25.9% Don't know= 3.7% No = 3.7%

8. Protection of headwater areas.

The governor and the legislature should provide financial assistance for the acquisition of land or rights that preserve critical headwaters, provide incentives to private landowners to establish natural stream buffers, implement best management practices, and protect water quality, and require that drains constructed in headwater areas include conservation practices.

Top Priority= 22.2% Worth Pursuing= 40.7% Reservations= 22.2% Don't know= 14.8% No= 0

9. Protection of Michigan's scenic resources.

Michigan relies on its magnificent scenic character to attract businesses and tourists and enhance the quality of life for all its residents. The council recommends that the governor direct the Michigan Department of Transportation (MDOT) to propose a billboard management program.

Top Priority= 18.5% Worth Pursuing= 48.1% Reservations= 18.5% Don't know= 7.4% No = 7.4%

10. Governmental Programs

Land Division Act reforms. The legislature should initiate a comprehensive revision of the land division act to shorten plat review and approval time, reduce the number of non-platted land divisions, eliminate the ten-year redivision process, encourage compact development, and require applicants to submit plat requests to all appropriate departments simultaneously.

Top Priority= 22.2% Worth Pursuing= 59.2% Reservations= 11.1% Don't know=7.4% No= 3.7%

11. Leverage additional federal funding with state investment.

The Governor and legislature should identify the state funds necessary to leverage Michigan's fair share of federal funding for farmland protection and conservation programs in order to secure a minimum of a 3:1 federal match for state spending on farmland protection and conservation efforts.

Top Priority= 22.2% Worth Pursuing= 48.1% Reservations= 14.8% Don't know= 3.7% No= 7.4%

12. State agency coordination.

Simplify and increase state intra- and interagency coordination of state grant programs that protect sensitive environments by creating a clearinghouse and "one-stop-shopping" and by examining opportunities within the permit review process to coordinate permit issuance and conditions with the grant programs.

Top Priority= 18.5% Worth Pursuing= 55.5% Reservations= 18.5% Don't know=7.4% No= 0

13. Trailways.

The state should provide incentives to develop and maintain trailways and to avoid the interruption of trailways vital to recreation and tourism interests, encourage a statewide linked system of trails and recreation, and place emphasis on securing abandoned rights-of-way.

Top Priority= 25.9% Worth Pursuing= 62.9% Reservations= 11.1% Don't know= 0 No= 0

14. Education and Public Information

Land use education. Provide incentive-based training, education, and knowledge in the means and methods of managing land use change, community development, and smart growth tenets to all local planning and zoning officials and to local elected officials and measure attainment of this goal.

Top Priority= 29.6% Worth Pursuing= 40.7% Reservations= 22.2% Don't know=0 No= 11.1%

15. Technical planning information.

The state should provide financial incentives to regional and county planning organizations and multi-jurisdictional sub-areas to encourage development of community planning information, facilitate local build-out analyses, and help local governments ensure that land use decisions are made in long-term, landscape-scale contexts.

Top Priority= 22.2% Worth Pursuing=48.1% Reservations= 14.8% Don't know= 3.7% No= 11.1%

16. Public education.

The state, foundations, and stakeholder organizations should support public participation in land use decision making and informed dialogue to help citizens better understand the ten common smart growth tenets, the implications of continuation of land use trends, the benefits of planned development, and the specific benefits of alternative design schemes that focus on density.

Top Priority= 25.9% Worth Pursuing= 44.4% Reservations= 18.5% Don't know= 7.4% No=0

17. Housing and Development

Review new regulations for housing impact. The state should encourage review of regulatory barriers that add cost or effectively discourage a variety of types of new or existing housing and, where appropriate, eliminate these regulatory barriers and should adopt policies that ensure a continuous supply of appropriately zoned land and appropriate public infrastructure for a wide variety of housing choices.

Top Priority= 22.2% Worth Pursuing= 33.3% Reservations= 37% Don't know= 7.4% No=0

18. Land Division Act reform.

The legislature should initiate a comprehensive revision of the land division act to shorten plat review and approval time, reduce the number of non-platted land divisions, eliminate the ten-year redivision process, encourage compact development, and require applicants to submit plat requests to all appropriate departments simultaneously.

Top Priority= 11.1% Worth Pursuing= 62.9% Reservations= 18.5% Don't know= 3.7% No= 3.7%

19. Density and mix of land uses.

The state should reduce land consumption and foster more dense residential development by encouraging minimum housing densities of 4 units per acre for single-family housing and 10 units per acre for multifamily where infrastructure is available, encouraging cluster developments, promoting use of accessory dwelling units, providing incentives for housing above existing retail, and encouraging residential mixed-use.

Top Priority= 11.1% Worth Pursuing= 37% Reservations= 22.2% Don't know= 11.1% No= 18.5%

20. *Manufactured home communities legislation.*

The state should implement taxation methods to make taxes in manufactured home communities comparable to site-constructed housing, provide local governments with more authority, and allow the development and siting of manufactured home communities to be part of a multi-jurisdictional housing strategy.

Top Priority= 74% Worth Pursuing= 18.5% Reservations= 3.7% Don't know=0 No= 3.7%

21. *Community design.*

The state should adopt context-sensitive design rules for state highways, authorize and encourage all road agencies to use similar rules, expand programs to preserve historic structures and enhance aesthetic qualities; foundations should facilitate multi-authority partnerships to improve the appearance of the rural landscape; and road corridors and standards should include non-motorized accommodations, native landscaping, and storm water retention.

Top Priority= 33.3% Worth Pursuing=44.4% Reservations=11.1% Don't know=7.4% No=7.4%

22. *Establishment of state land use goals for Michigan.*

The state should establish broad-based, visionary land use goals for Michigan that incorporate the vision and goals as defined in this report.

Top Priority= 25.9% Worth Pursuing= 29.6% Reservations= 37% Don't know= 7.4% No= 3.7%

23. *Funding for planning and innovative zoning.*

The state should provide incentives for innovative local and multi-jurisdictional planning and zoning efforts that advance and implement the vision and goals as defined in this report, paying particular attention to the smart growth tenets.

Top Priority= 29.6% Worth Pursuing= 33.3% Reservations= 33.3% Don't know=3.7% No= 7.4%

24. *Modernization of the planning and zoning enabling acts.*

The legislature should unify and modernize Michigan's four planning enabling acts and three zoning enabling acts consistent with the recommendations in this report.

Top Priority= 37% Worth Pursuing= 25.9% Reservations= 18.5% Don't know=18.5% No=3.7%

25. *Coordinating and implementing the state's role.*

The governor should organize the activities of the executive branch of state government to advance this report, coordinate interagency decisions, secure stakeholder input, and secure federal funds for state, multi-jurisdictional, multi-authority, and local initiatives to advance statewide land use goals.

Top Priority= 18.5% Worth Pursuing= 25.9% Reservations= 37% Don't know= 7.4% No= 7.4%

26. Regional and multi-jurisdictional partnerships.

The legislature, the governor, and regional and multi-jurisdictional entities should advocate for the development of stronger partnerships between public, private, and institutional organizations to promote urban redevelopment and compact and mixed-use designs and discourage low-density greenfield development.

Top Priority= 33.3% Worth Pursuing= 29.6% Reservations= 11.1% Don't know= 18.5% No=7.4%

27. Local Governance Structure

Authorization of joint planning commissions. Allow two or more communities to form a joint planning commission.

Top Priority= 14.8% Worth Pursuing= 74% Reservations= 7.4% Don't know= 0 No= 3.7%

28. Balanced Growth Strategy

Balancing the authorization of new planning and zoning tools with certainty for obtaining approval for higher density. The legislature should enable local governments to adopt and implement more robust planning and zoning tools that allow higher density with infrastructure or much lower density where there are sensitive lands, provide more certainty for all involved, and encourage inclusionary zoning.

Top Priority= 22.2% Worth Pursuing= 40.7% Reservations= 25.9% Don't know= 11.1% No= 0

29. State Infrastructure Expenditures

State and federal infrastructure funding should be prioritized to support existing developed areas and existing infrastructure; incentivize multi-jurisdictional coordination; protect public health, safety, and the environment; encourage compact, mixed-use development and inclusionary zoning; and tie state transportation funding to comprehensive multi-jurisdictional plans.

Top Priority= 22.2% Worth Pursuing= 37% Reservations= 18.5% Don't know= 3.7% No= 18.5%

30. Multi-jurisdictional Infrastructure Considerations

The council recommends that infrastructure should be planned, guided, and coordinated at the multi-jurisdictional level and should be constructed in a timely fashion before capacity of the existing infrastructure is exceeded.

Top Priority= 25.9% Worth Pursuing= 37% Reservations= 18.5% Don't know= 7.4% No= 11.1%

31. Local Infrastructure Decisions.

The council recommends that local jurisdictions should have the necessary clear authority to effectively manage infrastructure decisions, that a scientifically based statewide sanitary code for on-site disposal systems and community water and sewer systems be developed, and that infrastructure master plans be developed and supported by State permitting agencies.

Top Priority= 25.9% Worth Pursuing= 44.4% Reservations= 22.2% Don't know= 3.7% No= 3.7%

32. Public Transit

The state should utilize the full 10% of the Michigan Transportation Fund to support the Comprehensive Transportation Fund, and utilize 25% of auto-related sales taxes to support the CTF to provide funding sufficient to ensure effective, safe, reliable, and accessible public transit that provides mobility and transportation choices.

Top Priority= 11.1% Worth Pursuing=25.9% Reservations= 33.3% Don't know= 7.4% No= 22.2%

33. Natural Environment

To help sustain Michigan's environment, the council recommends development of statewide plans for biodiversity conservation, wildlife habitat protection, water quality, coordination of infrastructure projects with environmental agencies, encouraging the use of native species, and creating wildlife corridors and crossings.

Top Priority= 18.5% Worth Pursuing=33.3% Reservations= 25.9% Don't know= 11.1% No=11.1%

**Survey Responses Which Had a Positive Rating
of 70% or Higher**

#1 (Question 20) Manufactured home communities legislation. 92.5%

The state should implement taxation methods to make taxes in manufactured home communities comparable to site-constructed housing, provide local governments with more authority, and allow the development and siting of manufactured home communities to be part of a multi-jurisdictional housing strategy.

Top Priority= 74% Worth Pursuing= 18.5% Reservations= 3.7% Don't know=0 No= 3.7%

#2 tie (Question 1) Siting of Public Facilities 88.8%

The state should locate their public offices and facilities in urbanized areas consistent with local development plans and compatible with existing land uses to stimulate economic activity, encourage private reinvestment, optimize existing infrastructure, decrease sprawl, and increase accessibility of government services.

Top Priority= 25.9% Worth Pursuing= 62.9% Reservations= 7.4% Don't know = 3.7% No=0

#2 tie (Question 13) Trailways. 88.8%

The state should provide incentives to develop and maintain trailways and to avoid the interruption of trailways vital to recreation and tourism interests, encourage a statewide linked system of trails and recreation, and place emphasis on securing abandoned rights-of-way.

Top Priority= 25.9% Worth Pursuing= 62.9% Reservations= 11.1% Don't know= 0 No= 0

#3 (Question 2) State and Local Assistance in Attracting Private Investment 85%

The state and local government should coordinate and review proposals to ensure that they effectively promote new private investment and reinvestment in existing urban areas that (1) optimize existing infrastructure, (2) encourage new retail businesses (3) create new employment and (4) enhance the quality of life in urban communities.

Top Priority= 37% Worth Pursuing= 48.1% Reservations=3.7% Don't know=7.4% No= 3.7%

#4 (Question 10) Governmental Programs 81.4%

Land Division Act reforms. The legislature should initiate a comprehensive revision of the land division act to shorten plat review and approval time, reduce the number of non-platted land divisions, eliminate the ten-year redivision process, encourage compact development, and require applicants to submit plat requests to all appropriate departments simultaneously.

Top Priority= 22.2% Worth Pursuing= 59.2% Reservations= 11.1% Don't know=7.4% No= 3.7%

#5 tie (Question 6) Information and Education 77.7%

Improved data collection, analysis, and access. The State should complete its natural features inventory and update MRIS, develop a statewide historic resource GIS database, develop and deploy new technologies for monitoring and analyzing Michigan's environment, and prepare a "State of Michigan Land Use and Environment" report every 5 years.

Top Priority=7.4% Worth Pursuing= 70.3% Reservations= 18.5% Don't know= 0 No= 3.7%

#5 tie (Question 21) Community Design. 77.7%

The state should adopt context-sensitive design rules for state highways, authorize and encourage all road agencies to use similar rules, expand programs to preserve historic structures and enhance aesthetic qualities; foundations should facilitate multi-authority partnerships to improve the appearance of the rural landscape; and road corridors and standards should include non-motorized accommodations, native landscaping, and storm water retention.

Top Priority= 33.3% Worth Pursuing=44.4% Reservations=11.1% Don't know=7.4% No=7.4%

#6 tie (Question 5) Transportation 74%

In partnership with the federal and local governments, the state should support modern, cost-efficient, multimodal transportation systems to assure that our urban areas are accessible, attractive and efficient for people of all ages, incomes, and physical abilities and provide a diverse set of mobility options.

Top Priority= 11.1% Worth Pursuing= 62.9% Reservations= 22.2% Don't know= 3.7% No= 0

#6 tie (Question 12) State agency coordination. 74%

Simplify and increase state intra- and interagency coordination of state grant programs that protect sensitive environments by creating a clearinghouse and "one-stop-shopping" and by examining opportunities within the permit review process to coordinate permit issuance and conditions with the grant programs.

Top Priority= 18.5% Worth Pursuing= 55.5% Reservations= 18.5% Don't know=7.4% No= 0

#6 tie (Question 18) Land Division Act reform. 74%

The legislature should initiate a comprehensive revision of the land division act to shorten plat review and approval time, reduce the number of non-platted land divisions, eliminate the ten-year redivision process, encourage compact development, and require applicants to submit plat requests to all appropriate departments simultaneously.

Top Priority= 11.1% Worth Pursuing= 62.9% Reservations= 18.5% Don't know= 3.7% No= 3.7%

7 tie (Question 11) Leverage additional federal funding with state investment. 70.3%

The Governor and legislature should identify the state funds necessary to leverage Michigan's fair share of federal funding for farmland protection and conservation programs in order to secure a minimum of a 3:1 federal match for state spending on farmland protection and conservation efforts.

Top Priority= 22.2% Worth Pursuing= 48.1% Reservations= 14.8% Don't know= 3.7% No= 7.4%

#7 tie (Question 14) Education and Public Information 70.3%

Land use education. Provide incentive-based training, education, and knowledge in the means and methods of managing land use change, community development, and smart growth tenets to all local planning and zoning officials and to local elected officials and measure attainment of this goal.

Top Priority= 29.6% Worth Pursuing= 40.7% Reservations= 22.2% Don't know=0 No= 11.1%

#7 tie (Question 15) Technical planning information. 70.3%

The state should provide financial incentives to regional and county planning organizations and multi-jurisdictional sub-areas to encourage development of community planning information, facilitate local build-out analyses, and help local governments ensure that land use decisions are made in long-term, landscape-scale contexts.

Top Priority= 22.2% Worth Pursuing=48.1% Reservations= 14.8% Don't know= 3.7% No= 11.1%

#7 tie (Question 16). Public education. 70.3%

The state, foundations, and stakeholder organizations should support public participation in land use decision making and informed dialogue to help citizens better understand the ten common smart growth tenets, the implications of continuation of land use trends, the benefits of planned development, and the specific benefits of alternative design schemes that focus on density.

Top Priority= 25.9% Worth Pursuing= 44.4% Reservations= 18.5% Don't know= 7.4% No=0

#7 tie (Question 31) Local Infrastructure Decisions. 70.3%

The council recommends that local jurisdictions should have the necessary clear authority to effectively manage infrastructure decisions, that a scientifically based statewide sanitary code for on-site disposal systems and community water and sewer systems be developed, and that infrastructure master plans be developed and supported by State permitting agencies.

Top Priority= 25.9% Worth Pursuing= 44.4% Reservations= 22.2% Don't know= 3.7% No= 3.7%