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LAND USE PROVES TO BE LEGISLATURE'S ENERGIZER BUNNY

A year after rolling out a 160-point plan to help the state's urban sprawl problem, Land Use Leadership Council members and the legislators given the task of implementing the proposals say easy initiatives have been completed, but more legislation still is in the works.

Bills allowing local leaders to form joint planning commissions, specifying open space by a development need not be contiguous, setting guidelines of sustainable forestry for the Department of Natural Resources, and creating land bank fast track authorities to ease the turnover of abandoned urban land for redevelopment, all have been enacted into law in the past year in an effort to limit urban sprawl, an issue Governor Jennifer Granholm brought to the forefront after years of uncoordinated proposals.

Ms. Granholm has used her executive orders to spur progress on the land use agenda as well, such as an order to have the Transportation Department design and build "context-sensitive" roadways. Her "Cool Cities" initiative also is seen as an offshoot of the council's recommendation to boost urban revitalization.

But legislators say much has been completed on their end because the state had reached a tipping point in which the issue simply could not be ignored any longer. The council's report, released in August 2003, shows that on average from 1960-1990 development in the state was eight times faster than population expansion. In areas such as Detroit, Saginaw, and Bay City, where buildings spread 27 times quicker than the area's population, the situation was only going to get worse.

"Michigan didn't get to its current state of affairs overnight and it's not going to change overnight," said Rep. Chris Kolb (D-Ann Arbor), who has introduced several proposals after sitting on the Land Use Leadership Council.

He said having the administration focused on the issue ensures the spotlight on the Legislature stays lit. Although there's no tally for exactly how many recommendations have been worded into legislation, Sen. Patricia Birkholz (R-Saugatuck) said having all the decision makers and a broad base of interest groups at the table has at least somewhat eased the compliance process.

But that's not to say that all recommendations from the council were given the OK by everyone, in the report there are several points of contention listed by legislators, business groups, and other members of the panel.

In a deficit budget year, it's been difficult for some of the fund-based initiatives to find their legs. Hans Voss, executive director for the Michigan Land Use Institute and a council member, said the state may be moving backward rather than forward when it comes to funding and expanding public transit, he considers a crucial component of land use reform.

Brad Garmon, with the Michigan Environmental Council, also pointed out that regional coordination efforts, such as joint planning commissions, aren't backed by state incentives, i.e. money, and that could pose a problem for municipalities actually using their new found freedom.

Some of the legislation still up in the air deals with creating agriculture production zones, which would give tax credits to farmers who place their property within the farmland district. Rep. Howard Walker's (R-Traverse City) bill ([HB 5030](#)) has passed the House and is awaiting a hearing in the Senate Agriculture, Forestry, and Tourism Committee.

Another bill ([HB 5660](#)), introduced by Rep. Philip LaJoy (R-Canton), would allow municipalities to have oversight of school planning sites that normally are limited to the superintendent. That legislation was approved by the House in May and is docked in the Senate Natural Resources and Environmental Affairs Committee.

Equalizing the taxation of manufactured housing in comparison to regular stick-built homes also was recommended by the council and [HB 4880](#), which cleared the House at the beginning of August, would raise mobile home property taxes from \$3 a month to eventually \$12 in 2010.

The proposal was contentious not so much for its ties to urban sprawl control as much as that municipal groups thought mobile home residents should pay their fair share for schools and services. The bill had been bumped back and forth between the chamber and the House Local Government and Urban Policy Committee since June 2003, but after the August primaries it passed on an 80-28 vote.

The creation of commerce centers, part of a CORE package of legislation introduced by Sen. Jason Allen (R-Traverse City) and an important part of the council's recommendations, has been in committee since its introduction in May. The initiative targets state funding to municipalities that demonstrate "commercial character."

Ms. Birkholz said she has a work group looking at how to streamline the permit process for building and development, and also just introduced a bill for the reauthorization of the state housing development authority, which gets to the council's push for more affordable housing.

Lawmakers say that although it's an election year and some key figures involved in the issue, such as council member and House Land Use and Environmental Affairs Chair Rep. Ruth Johnson (R-Holly), cannot seek re-election because of term limits, reform momentum will continue when the Legislature reconvenes August 25.

Michigan is becoming a national model for land use reform, Mr. Voss said, as leaders realize the issue transcends into the state's economic viability.

"If this is a marathon, we're at the three mile mark and we're feeling good," he said.