

Glossary of Selected Terms

The following definitions are intended to assist the reader with the terminology specific to the recommendations. The sources from which these definitions have been developed are indicated in parentheses.

Agriculture Security Areas (ASA) – The designation of an ASA is intended to establish defined geographic areas of a set amount of land (e.g., at least 250 acres) that consist primarily of the most productive agricultural soils. Land in an ASA receives priority for protection from incompatible uses that may otherwise result in direct or indirect conversion of farmland. “ASAs establish, through municipal policy, priority and preference for lawful agricultural uses and activities on land within the ASA in order to avert nuisance complaints and suits and to strengthen the applicability of existing right-to-farm legislation.” ASAs may be a prerequisite for the expenditure of funds for conservation easements and other preservation interests in land, and are eligible areas for the acceptance of conservation easements by donation.

(Smart Communities Network. [Online, cited 6/23/03.] Available: <http://www.sustainable.doe.gov/codes/lancastr1.shtml>.)

Commercial Forest Program – The Commercial Forest Program was created in 1925 by Public Act No. 94, which is currently embodied in Part 511 (Commercial Forests) of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994. “The Commercial Forest Program provides a property tax reduction to private landowners as an incentive to retain and manage forestland for long-term timber production. Landowners participating in this program pay a reduced property tax of \$1.10 per acre listed in the program. Additionally, the State of Michigan pays \$1.20 per acre annually to each county where land is listed in the program. There are approximately 2.2 million acres listed in this program under the ownership of nearly 1300 private landowners. Landowners include private individuals, clubs, forest industry, and other businesses. Landowners in this program agree to develop, maintain, and manage the land as commercial forest through planting, natural reproduction, or other silvicultural practices. Lands listed in this program are private lands under the control of private owners, who through the program allow the public the privilege of hunting and fishing only.”

(Michigan Department of Natural Resources. [Online, cited 6/23/03.] Available: <http://www.michigan.gov/dnr/0,1607,7-153-10367-34016--,00.html>.)

Compact – “A pattern of land development with sufficient density of development and proximity between uses and activities to encourage pedestrian movement and efficient provision of public facilities and services.”

(Robert W. Burchell et al. 2002. *Costs of Sprawl—2000*. Transit Cooperative Research Program Report 74. Washington, D.C.: National Academy Press, 575–77.).

Concurrency – Installation and operation of facilities and services needed to meet the demands of new development simultaneous with the development.

(American Planning Association [APA]. December 1999. *A Glossary of Zoning Development and Planning Terms*, PAS Report No. 491/492. Chicago, Ill.: APA.)

Conservation Easement – A conveyance, by a written instrument, in which—subject to permitted uses—the owner relinquishes to the public in perpetuity his or her development rights and makes a covenant running with the land not to undertake development.

(Natural Resources and Environmental Protection Act, P.A. 451 of 1994, Sec. 36101.)

Conservation Reserve Enhancement Program (CREP) – An offspring of the Conservation Reserve Program (CRP), CREP is a joint, state-federal land retirement conservation program targeted to address state and nationally significant agriculture-related environmental effects. This voluntary program uses financial incentives (e.g., annual rental payments and cost-share assistance to establish long-term, resource conserving covers on eligible land) to encourage farmers and ranchers to enroll in contracts of 10 to 15 years in duration to remove lands from agricultural production. It is authorized pursuant to the 1996 Federal Agriculture Improvement and Reform Act. CREP has two primary objectives: to coordinate Federal and non-federal resources to address specific conservation objectives of a State and the nation in a cost-effective manner, and to improve water quality, erosion control and wildlife habitat related to agricultural use in specific geographic areas.

(Farm Service Agency. [Online, cited 6/23/03.] Available: <http://www.fsa.usda.gov/dafp/cepd/crep.htm>.)

Context Sensitive Design – “Context sensitive design (CSD) is a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic, and environmental resources, while maintaining safety and mobility. CSD is an approach that considers the total context within which a transportation improvement project will exist.”

(U.S. Department of Transportation, Federal Highway Administration. [Online, cited 6/23/03.] Available: <http://www.fhwa.dot.gov/csd/>.)

Contract Zoning – The establishment of conditions in connection with a rezoning that bind the developer and the community to its terms. Contract zoning has often been invalidated mainly because it is seldom specifically authorized in state enabling legislation.

(American Planning Association [APA]. December 1999. *A Glossary of Zoning Development and Planning Terms*, PAS Report No. 491/492. Chicago, Ill.: APA.)

Creative Class – “A fast-growing, highly educated, and well-paid segment of the workforce on whose efforts corporate profits and economic growth increasingly depend. Members of the creative class do a wide variety of work in a wide variety of industries—from technology to entertainment, journalism to finance, high-end manufacturing to the arts. They do not consciously think of themselves as a class. Yet they share a common ethos that values creativity, individuality, difference, and merit.”

(Richard Florida. 2002. *The Rise of the Creative Class*. New York, N.Y.: Basic Books, A Member of the Perseus Books Group.)

Developer/Development Agreement – There are two common meanings. Both are within the context of the recommendations in this report and both are from the same source:

1. An agreement by a developer with the city that clearly establishes the developer's responsibility regarding project phasing, the provision of public and private facilities, and improvements and any other mutually agreed to terms and requirements
2. A legislatively approved contract between a jurisdiction and a person having legal or equitable interest in real property within the jurisdiction that "freezes" certain rules, regulations, and policies applicable to development of a property for a specified period of time, usually in exchange for certain concessions by the owner

(American Planning Association [APA]. December 1999. *A Glossary of Zoning Development and Planning Terms*, PAS Report No. 491/492. Chicago, IL: APA.)

Exclusionary Zoning – "Development regulations that result in the exclusion of low- and moderate-income and minority families from a community."

(Robert W. Burchell et al. 2002. *Costs of Sprawl—2000*. Transit Cooperative Research Program Report 74. Washington, D.C.: National Academy Press, 575–77.)

Green Infrastructure – "An interconnected network of waterways, wetlands, woodlands, wildlife habitats, and other natural areas; greenways, parks, and other conservation lands; working farms, ranches, and forests; and wilderness and other open spaces that support native species, maintain natural ecological processes, sustain air and water resources, and contribute to the health and quality of life for America's communities and people."

(Mark Benedict and Edward McMahon. 2002, Autumn. *Green Infrastructure: Smart Conservation for the 21st Century*, 6. Sprawl Watch Clearinghouse Monograph Series. Washington, D.C.: The Conservation Fund. [Online, cited 12/24/02.] Available: <http://www.sprawlwatch.org>. Click on "Green Infrastructure: Smart Conservation for the 21st Century Report.pdf.")

Infrastructure – "Those systems under public ownership, or operated or maintained for public benefit, that are necessary to support development, maintenance, and redevelopment and to protect the public health, safety, and welfare."

(Robert W. Burchell et al. 2002. *Costs of Sprawl—2000*. Transit Cooperative Research Program Report 74. Washington, D.C.: National Academy Press, 575–77.)

Infrastructure includes capital improvement projects such as transportation systems (including sidewalks, bike paths, and wheelchair access), water supplies, sewage collection and treatment, and other services that involve a capital expenditure.

Inclusionary zoning – "Regulations that provide incentives to construct housing that is affordable to low- and moderate-income households."

(Robert W. Burchell et al. 2002. *Costs of Sprawl—2000*. Transit Cooperative Research Program Report 74. Washington, D.C.: National Academy Press, 575–77.)

Master Plan, Comprehensive Plan, or Future Land Use Plan – These are three of many common terms used to describe a plan prepared by a planning commission to guide future land use and infrastructure decisions in the community according to the procedures and requirements of the applicable planning enabling act (i.e., Municipal Planning Act, P.A. 285 of 1931, Township Planning Act, P.A. 168 of 1959, and County Planning Act, P.A. 282 of 1945). A plan

prepared under these acts has a long-term focus of at least twenty years, is required to be reviewed at least once every five years, and includes analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, services, and future land use.

(Adapted to fit Michigan's statutes from American Planning Association [APA]. December 1999. *A Glossary of Zoning Development and Planning Terms*, PAS Report No. 491/492. Chicago, Ill.: APA.)

Michigan Resource Information System (MIRIS) Current Use Inventory – MIRIS was created in 1979 by Public Act No. 204, which is currently embodied in Part 609 (Resource Inventory) of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994. The Current Use Inventory illustrates land cover and land use and was compiled from photo interpretation of color infrared aerial photography (1:24,000-scale or 1 inch to 2,000 feet) obtained in 1978–79. Aerial photography obtained in 1985 was used for the inventory of Detroit and seven highly urbanized counties in southeast Michigan. Maps are available of all 83 Michigan counties.

(Eric Swanson, Director, Michigan Center for Geographic Information, Department of Information Technology. April 2003. *Information Enhanced Land Use Planning*. White paper prepared for Michigan Land Use Leadership Council (MLULC). [Online, cited 6/26/03.] Available: http://www.michiganlanduse.org/resources/councilresources/GIS_LU_Planning.pdf.)

Mixed-use Development – “A tract of land with two or more different uses, such as residential, office, manufacturing, retail, public, or entertainment.”

(Robert W. Burchell et al. 2002. *Costs of Sprawl—2000*. Transit Cooperative Research Program Report 74. Washington, D.C.: National Academy Press, 575–77.)

Multijurisdictional – Involving more than one jurisdiction, and usually all jurisdictions immediately abutting a single jurisdiction, or a cluster of usually contiguous jurisdictions.

PA 116: The Farmland and Open Space Preservation Program was established in the state in 1974. This program, which is frequently referred to as PA 116, allows for farmland owners to enter into a temporary restrictive covenant with the state in which they agree not to develop their land. In exchange for enrolling in the covenant, the landowner is exempt from various special assessments and landowners may receive a tax credit through their state income tax to assist in the payment of property taxes.

(Dan Wyant, Director, Michigan Department of Agriculture. March 2003. *The Interrelationship Between Land Use Trends and Michigan Agriculture Policy and Effects of These on Sustainable Agriculture in Michigan*. White paper prepared for the Michigan Land Use Leadership Council. [Online, cited 6/26/03.] Available: <http://www.michiganlanduse.org/resources/councilresources/MDA-Ag-Impacts.pdf>.)

Regional Government – Refers to a Regional Planning Commission created under either the Regional Planning Act, P.A. 281 of 1945, or the County or Regional Economic Development Commission Act, P.A. 46 of 1966, or the Metropolitan Council Act, P.A. 292 of 1989, and acknowledged by the State of Michigan as the entity responsible for preparing certain

regionwide plans, such as transportation plans, and performing certain regionwide functions, such as demographic, economic development, and related data gathering and map making.

(P.A. 281 of 1945, P.A. 46 of 1966, and P.A. 292 of 1989. [Online, cited 6/26/03.] Available: <http://www.michiganlegislature.org>. Click on “Public Acts;” then enter number and year.)

Purchase of Development Rights (PDR) Program – “A program through which landowners may sell the development rights on their property to a local government unit. Except in certain circumstances, the rights must be held in perpetuity, ensuring that the land will be protected for a specific use” (e.g., agriculture, open space, forestry).

(Michigan Nonprofit Association and the Council of Michigan Foundations. 2002. *Michigan in Brief 2002–03*. Lansing, Mich.: Public Sector Consultants Inc.)

Private Forest Reserve – Part 513 (Private Forestry) of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994 created Private Forest Reserves. The owner or operator of a tract of land not exceeding 160 acres, where at least 1/2 of the land is improved and devoted to agricultural purposes, may designate a portion of that land, not exceeding 1/4 of the total area of the tract, as a private forest reserve. Land stays on the ad valorem tax roll but is assessed at \$1.00/acre. No grazing is allowed and the wooded acreage must be well stocked with specified numbers of seedlings, saplings, or trees. Administration of this program is handled by county or township officials. When timber is harvested, a yield tax of 5 percent of the harvest value applies.

(Part 513 (Private Forestry) of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994. [Online, cited 6/26/03.] Available: <http://www.michiganlegislature.org>. Click on “Public Acts;” then enter number and year.)

Transfer of Development Rights (TDR) – “The reassignment of all or part of the permitted density on one parcel of land to another parcel of land.”

(Robert W. Burchell et al. 2002. *Costs of Sprawl—2000*. Transit Cooperative Research Program Report 74. Washington, D.C.: National Academy Press, 575–77.)

OR

“A TDR allows the property owner of a parcel of land to transfer a portion of his/her development capacity to another parcel while retaining ownership. TDR does this by establishing a market mechanism through which the development potential of property can be transferred. The property owner from which development rights are transferred (sending property) is compensated for the value of the development rights. The property on which the development rights are used (receiving property) can then be developed at a higher intensity than otherwise permitted through zoning.”

(Planning and Zoning Center, Inc., and Land Information Access Association [LIAA]. February 1999. *Local Tools & Techniques to Achieve Smart Growth*. Traverse City, Mich.: LIAA.)