

Crosswalk for Michigan Land Use Leadership Council and CCS Catalog of State Actions

CCS Catalog of State Actions Table 3
Option No.

J. Goodheart, MDEQ

I. TLU- 1.2 Vehicle Operation

1.2.1 Enforce Speed Limits

MLULC Recommendations Chapter 6.9b Detail

Recommendation:

9. Community design. A variety of approaches are suggested to enhance existing efforts to improve community design.

Subrecommendation:

b. The state should authorize and strongly encourage the Michigan Department of Transportation (MDOT), county road commissions, and local communities to use alternative road design standards where safe and otherwise appropriate, including context-sensitive design rules that minimize environmental and community character impacts. These standards would include but are not limited to: (1) Standards for narrower width residential roads and rights-of-way serving residential developments, including associated standards that address grades, curves, landscaping in road rights-of-way, and similar design features (2) Flexible, alternative design standards for public roads, bridges, and rights-of-way that take into account their use and scenic character and include options such as narrower lanes, reduced speeds, and other alternatives (3) Protection from liability for road authorities that authorize use of narrower than current standard width public roads and rights-of-way including associated standards that address grades, curves, landscaping in road rights-of- way, and similar design features

II. TLU-2 Travel Activity Patterns

TLU-2.1 Land Use and Locations Efficiency

2.1.1 Statewide Growth Plan

MLULC Recommendations 6.12 Detail

Recommendation:

12. 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 Chapter 3 of this report.

6.21c Fund regional planning commissions that prepare regional plans; provide maps and assistance; prepare composite maps for all jurisdictions in the region; and annually report on community capital improvement programs.

2.1.3 Shape Public and Private Investment

MLULC Recommendations

4.3a Detail

4.3a (1) and (3) Build "livable" urban areas by complementing local green-infrastructure efforts such as inner-city trails, pathways, open space, and parks, and use tax-reverted lands to create open space.

MLULC Recommendations

5.20a Detail

Recommendation:

20. Encourage both nonregulatory and incentive-based approaches to land preservation. The governor and legislature should establish policies that encourage both nonregulatory and incentive-based approaches to land preservation by:

Subrecommendation:

a. Creating government-sponsored, low-interest loans that allow nonprofit conservation organizations and local governments to acquire an interest in private land to protect critical natural environments and preserve farmland and open space through the purchase of development rights, conservation easements, and similar mechanisms

MLULC Recommendations

6.25b(3) Where local governments have addressed specified density provisions, authorize them to adopt large minimum parcel sizes as a tool for farmland, open-space, and forestland protection.

6.25b(7) Detail

Recommendation:

Where local governments have addressed specified density provisions, authorize them to transfer development rights through a program consistent with further detail in the MLULC report.

Balanced growth strategy. Balancing the authorization of new planning and zoning tools with certainty for obtaining approval for higher density. The legislature should enact legislation that would enable local governments that have master plans with specified plan elements to adopt and implement the following planning and zoning tools within a single jurisdiction, or on a multijurisdictional basis in some cases.

Subrecommendation:

Authorize new tools for local governments provided they have addressed the elements above. These include: (7) Authorizing local governments to establish a market-driven density enhancement program involving the preservation of land in one part of a community by means of a density transfer to another part of the same community or to a different community via the terms of a coordinated agreement, provided the program has the following characteristics: a) The community providing the density enhancement already has in place an allowable density of not less than four units per acre for single-family detached housing or ten units per acre for multifamily or attached housing development and has public sewer, water, and roads available to serve development at those densities, or will have sewer, water, and roads at the time the new development using the transferred density is available for use b) Density for the transferred development rights will be granted based on the allowable per-acre density of the land as it currently exists. The development rights being moved are in addition to the allowable density already in place within the development area. If minimum lot size requirements do not allow for the added density, minimum lot sizes shall be adjusted to allow for the added density c) Developments using density enhancement will be subject to a streamlined and expedited review and approval process d) The community from which the transferred development rights originate shall designate areas eligible for transfer of development rights according to standards that define the public purposes for permanent

land preservation that may include but are not limited to preservation of farm or forestland, wetlands, or other sensitive natural features, archeological or historic sites, or other designated lands e) If the land subject to transfer of development rights was in a designated farmland or forestland preservation program with a minimum lot size larger than the minimum under local zoning prior to inclusion in the program, then that land shall have density rights transferred based on its density prior to inclusion in the farm or forestland protection program, or a higher density established by local zoning ordinance f) The local basis for such a density enhancement program shall be provided in the local master plan of the participating communities and implemented through the local zoning ordinance or a separate density enhancement ordinance g) The adopted master plan has the elements required in recommendation 25a h) The program is tied to an adopted local capital improvement program for a six-year period, which is annually updated and spells out community commitments for the provision of services identified in master plans.

2.1.4 Provide technical/financial support to local/regional agencies

MLULC Recommendations

6.21c Detail

Recommendation:

21. Regional planning commission responsibilities. (c) The state should contribute funding to regional planning commissions that carry out the following responsibilities:

Subrecommendation:

c. The preparation of general regional land use plans that respect and represent community needs while promoting consistency with state land use goals, as well as the preparation of regional resource management plans; regional environmental protection plans; regional greenways plans; regional transportation, sewer, and water service plans; energy conservation plans; regional affordable housing plans; regional economic development plans; regional emergency preparedness plans; and methods to deal with issues of greater than local concern b. The provision of maps, data, education, and technical assistance to local units of government, citizens, and the private sector c. The preparation of composite local future land use maps and local zoning maps for all jurisdictions in the region d. Annual compilation and reporting of all community capital improvement programs within the region.

2.1.5 Modify and fund reforms of state and local tax

MLULC Recommendations

6.20 Detail

Recommendation:

20. Revenue sharing formula. When evaluating the formula for revenue sharing in 2006, the legislature and governor are encouraged to examine the relationship between revenue sharing and adopted state land use goals

MLULC Recommendations

7.1b(1)(1) Detail

Recommendation:

State decisions on the disposition of state and federal infrastructure funding have a significant impact on land use. To help ensure that these expenditures guide wise land use decisions and support growth in an orderly manner, the council recommends that:

Subrecommendation:

b(1)(1). State and federal infrastructure funding should be targeted to encourage compact and/or mixed-use residential development and mixed-use development. (1) Small communities in rural areas should be eligible for state funding support to provide sewerage infrastructure improvements needed for protection of public health and for compact and/or mixed-use residential development and mixed-use development, provided that the project is consistent with adopted state land use goals and provided that where the project affects more than one jurisdiction, it is consistent with multijurisdictional planning.

MLULC Recommendations**6.13 Detail****Recommendation:**

13. Funding for planning and innovative zoning. The state should provide incentives for innovative local and multijurisdictional planning and zoning efforts that advance and implement the vision and goals as defined in Chapter 3 of this report, paying particular attention to the smart growth tenets.

MLULC Recommendations**6.25a(4) Detail****Recommendation:**

Balanced growth strategy. Balancing the authorization of new planning and zoning tools with certainty for obtaining approval for higher density. The legislature should enact legislation that would enable local governments that have master plans with specified plan elements to adopt and implement the following planning and zoning tools within a single jurisdiction, or on a multijurisdictional basis in some cases.

Subrecommendation:

Increase density and mix of land uses. Reduce overall land consumption by fostering more dense residential development through activities such as: (4) Setting a higher maximum density level for all developments commensurate with the availability of sewer, water, and roads. The allowable density must be not less than four units per acre for single-family detached housing with minimum lot sizes to accommodate those densities, or ten units per acre for multifamily or attached housing development in areas zoned or master planned for residential use

MLULC Recommendations**6.25b(3) Detail****Recommendation:**

Where local governments have addressed specified density provisions, authorize them to adopt large minimum parcel sizes as a tool for farmland, open-space, and forestland protection.

2.1.6 Ensure Michigan Congressional Delegation**MLULC Recommendations****7.4a Detail****Recommendation:**

Public Transportation

Subrecommendation:

The state should provide funding sufficient to ensure effective, safe, reliable, and accessible public

transit that provides mobility and transportation choices. To help accomplish this, the state should work with members of Michigan's congressional delegation to seek federal funding legislation that treats investment in bus transit systems and rail transit systems as comparable and equally important types of service that merit equivalent levels of funding.

MLULC Recommendations

7.4c Detail

Recommendation:

In addition, the state should:

Subrecommendation:

Utilize 25 percent of auto-related sales taxes to support the Comprehensive Transportation Fund (CTF)

III. TLU-2.2 Increasing Low-GHG Travel Options

2.2.2 Improve Transit Service

MLULC Recommendations

4.3e(1) Detail Build "livable" urban areas by helping communities with mass transit to partner with employers to encourage use of public transit and reduce employers' parking-related costs.

Recommendation:

3. The state should support public and private efforts to create and maintain, livable, urban areas where people want to live, work, invest and grow a business, learn, shop, and recreate and where there is a range of equitable housing options for all income levels by:

Subrecommendation:

e(1). Recognizing the needs of employees and customers of new or expanding downtown businesses to have transportation access without consuming large areas of the central business district for surface automobile parking by: (1) Encouraging and assisting communities with access to mass transit to consider public/private partnerships to reduce public transit costs to downtown employees from public and private savings otherwise needed to construct, maintain, and operate employee parking facilities.

MLULC Recommendations

7.1g Detail

Recommendation:

State decisions on the disposition of state and federal infrastructure funding have a significant impact on land use. To help ensure that these expenditures guide wise land use decisions and support growth in an orderly manner, the council recommends that:

Subrecommendation:

Local and state officials should take action to preserve existing rail corridor rights-of-way for future trail and transit use.

MLULC Recommendations

7.1h Detail

Subrecommendation:

h. When planning roadway expansions, local and state officials should attempt to secure rights-of-way for future public transit projects.

2.2.4 Invest Additional Funds in Bike and Pedestrian Infrastructure

MLULC Recommendations

4.6 Detail Support for Multimodal Transportation Systems

Recommendation:

6. The state should recognize that our cities need a diverse set of mobility options. 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.

MLULC Recommendations

5.21a-b Detail

Recommendation:

21. Trailways. Trails for motorized and nonmotorized recreation and transportation are crucial components of Michigan’s tourism industry. The state should:

Subrecommendation:

a. Provide incentives for all affected parties in order to develop and maintain trailways and to avoid the interruption of trailways vital to recreation and tourism interests.

Subrecommendation:

b. Encourage a statewide linked system of trails and recreation, as outlined in the Michigan Trailways Act.

2.2.5 Expand Transit Infrastructure

MLULC Recommendations

6.15 Detail

Recommendation:

15. Live where you work programs. The state should create a pilot incentive-based project to encourage live where you work programs with a special focus on communities that are actively working on and promoting more transit-oriented and walkable/bikeable development. A sample program would create partnerships with local governments to support, instruct, and provide limited down payment assistance for employees choosing to live near their work. The state could take the lead by promoting such a program among state employees.

2.2.8 Transit Prioritization

MLULC Recommendations

4.3e(1) Detail

Recommendation:

3. The state should support public and private efforts to create and maintain livable urban areas where

people want to live, work, invest and grow a business, learn, shop, and recreate and where there is a range of equitable housing options for all income levels by:

Subrecommendation:

e(1). Recognizing the needs of employees and customers of new or expanding downtown businesses to have transportation access without consuming large areas of the central business district for surface automobile parking by: (1) Encouraging and assisting communities with access to mass transit to consider public/private partnerships to reduce public transit costs to downtown employees from public and private savings otherwise needed to construct, maintain, and operate employee parking facilities.

MLULC Recommendations

7.4a Detail

Recommendation:

Public Transportation

Subrecommendation:

The state should provide funding sufficient to ensure effective, safe, reliable, and accessible public transit that provides mobility and transportation choices. To help accomplish this, the state should work with members of Michigan’s congressional delegation to seek federal funding legislation that treats investment in bus transit systems and rail transit systems as comparable and equally important types of service that merit equivalent levels of funding.

2.2.9 Set Standards for Telecommute, Live-Near

MLULC Recommendations

6.15 Detail

Recommendation:

15. Live where you work programs. The state should create a pilot incentive-based project to encourage live where you work programs with a special focus on communities that are actively working on and promoting more transit-oriented and walkable/bikeable development. A sample program would create partnerships with local governments to support, instruct, and provide limited down payment assistance for employees choosing to live near their work. The state could take the lead by promoting such a program among state employees.

IV. TLU-3.2 Vehicle Operation

3.2.3 Improve Traffic Flow

MLULC Recommendations

6.9b Detail

Recommendation:

9. Community design. A variety of approaches are suggested to enhance existing efforts to improve community design. Adopt alternative road design standards at state level and encourage the same at county and local levels to lessen impact.

Subrecommendation:

b. The state should authorize and strongly encourage the Michigan Department of Transportation (MDOT), county road commissions, and local communities to use alternative road design standards

where safe and otherwise appropriate, including context-sensitive design rules that minimize environmental and community character impacts. These standards would include but are not limited to: (1) Standards for narrower width residential roads and rights-of-way serving residential developments, including associated standards that address grades, curves, landscaping in road rights-of-way, and similar design features (2) Flexible, alternative design standards for public roads, bridges, and rights-of-way that take into account their use and scenic character and include options such as narrower lanes, reduced speeds, and other alternatives (3) Protection from liability for road authorities that authorize use of narrower than current standard width public roads and rights-of-way including associated standards that address grades, curves, landscaping in road rights-of-way, and similar design features.

V. TLU-3.3 Increasing Low GHG Travel Options

3.3.3 Increase Rail Capacity

MLULC Recommendations

7.1g Detail

Recommendation:

State decisions on the disposition of state and federal infrastructure funding have a significant impact on land use. To help ensure that these expenditures guide wise land use decisions and support growth in an orderly manner, the council recommends that:

Subrecommendation:

Local and state officials should take action to preserve existing rail corridor rights-of-way for future trail and transit use.

7.4a Detail

Recommendation:

Public Transportation

Subrecommendation:

The state should provide funding sufficient to ensure effective, safe, reliable, and accessible public transit that provides mobility and transportation choices. To help accomplish this, the state should work with members of Michigan's congressional delegation to seek federal funding legislation that treats investment in bus transit systems and rail transit systems as comparable and equally important types of service that merit equivalent levels of funding.

VI. TLU-4 Intercity Travel, Aviation, High Speed Rail, Bus

4.1 Invest in High Speed Rail

Recommendation: Work with Michigan's congressional delegation to seek federal approaches that treat investment in bus and rail as equally important types of service.

4.2 Improve Integrated Aviation, Rail, Bus Networks

MLULC Recommendations

6.21c Detail

Recommendation:

21. Regional planning commission responsibilities. (c) The state should contribute funding to regional planning commissions that carry out the following responsibilities:

Subrecommendation:

a. The preparation of general regional land use plans that respect and represent community needs while promoting consistency with state land use goals, as well as the preparation of regional resource management plans; regional environmental protection plans; regional greenways plans; regional transportation, sewer, and water service plans; energy conservation plans; regional affordable housing plans; regional economic development plans; regional emergency preparedness plans; and methods to deal with issues of greater than local concern b. The provision of maps, data, education, and technical assistance to local units of government, citizens, and the private sector c. The preparation of composite local future land use maps and local zoning maps for all jurisdictions in the region d. Annual compilation and reporting of all community capital improvement programs within the region.

VII. TLU-5 Off-Road Vehicles**5.4 Mandate Increased Use of Alternative Fuels****MLULC Recommendations*****5.3a Detail***

Recommendation: Establish agricultural production areas that offer farmers incentives to keep their land in agricultural production. (i.e. To provide crops for fuel)

3. Agricultural Production Areas (APAs). To maintain Michigan's various agricultural industries for the foreseeable future, the legislature should modify and enhance P.A. 116 to permit local units of government cooperatively and voluntarily to identify and establish APAs. Consideration should be given to the following guidelines when an APA program is developed: a. Minimum life cycle for APAs b. Size sustainability relevant to type of agricultural activity (e.g., livestock, soybeans, fruit, etc.). c. Meaningful recapture provision upon withdrawal, proceeds from which should be dedicated to farmland preservation initiatives d. Providing incentives to landowners to keep their land in agricultural production. Incentives should include: (1) Reduced property taxes on farmland (2) Enhanced eligibility for purchase of development rights (PDR) funding (Note: this would require a change to P.A. 262 of 2000) (3) Exemption of farmland (but not the dwelling unit) from special assessments as allowed in P.A. 116 (which does not allow exemption from farm drainage) (4) Exemption of farmland from real estate transfer tax as long as land is kept in agricultural production (5) Special review by the Michigan Commission on Agriculture when farmland within an APA is proposed for eminent domain or municipal annexation, to recommend any available alternatives (6) Allowing landowners to be enrolled into both P.A. 116 and an APA to receive benefits offered by both programs Eligibility for these APA benefits should be conditional on adherence to state and federal environmental, public health, and other relevant laws.