

KENT COUNTY, MICHIGAN

URBAN SPRAWL SUBCOMMITTEE REPORT

September 27, 2001



*Tom Postmus, Chair
Jack Horton
Paul McGuire
Harold Mast
Rick Smoke
Dave Guikema
Al Vanderberg*

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INTRODUCTION

The Urban Sprawl Subcommittee was established by Board of Commissioners Chair Steven Heacock in January 2000.

MEMBERSHIP

Commissioner Tom Postmus was appointed as chair and Commissioners Rick Smoke, Harold Mast, Paul McGuire, Jack Horton, Beverly Rekeny and Herschel Turner were appointed members. Dave Guikema, Director, Kent County-MSU Extension and Al Vanderberg, Assistant County Administrator served as staff to the subcommittee.

MISSION

To learn how county government can impact urban sprawl and to recommend a position regarding urban sprawl to the County Board of Commissioners.

METHOD

The Subcommittee met with a wide variety of groups and individuals with expertise and/or concern regarding urban sprawl in Kent County, as follows:

Patricia Arpen Grand Rapids Public Schools	William Kozak Moore & Bruggink, Inc.
Judy Barnes Greater GR Association of Homebuilders	Dave Kraker Kent County Health Department
Dave Bos Michigan Association of Realtors	John Logie City of Grand Rapids & Urban Cooperation Board
Andy Bowman Grand Valley Metro Council	Roger Laninga Kent County Drain Commissioner
Dave DeBruyn Grand Rapids Association of Realtors	Dr. Patricia Newby Grand Rapids Public Schools
Tom Fehsenfeld Grand Valley Metro Council	Dr. David Skjurland Rural Development Council of Michigan
Jerry Felix Grand Valley Metro Council	Mary Swanson Kent County Administrator's Office
Kara Griffith Kent-MSU Cooperative Extension	Gene Szpensi Grand Rapids Association of Realtors
Dave Guikema Kent-MSU Cooperative Extension	Gary Voogt Moore & Bruggink, Inc.
Cindy Heimbeck Alpine Township	Mark Wyckoff Planning & Zoning Center, Inc.
Sue Higgins Macatawa Area Coordinating Council	Michael Young City of Rockford & North Kent Sewer Authority
Don Hilton Gaines Township & MTA Regional Rep.	

The Subcommittee interviewed 18 fruit, dairy and grain farmers in two meetings at Alpine and Lowell Township Halls. Officials from the 35 cities, townships and villages in Kent County were invited to a Subcommittee meeting to provide input and recommendations regarding sprawl issues.

Written input was received and reviewed from Mr. John Koches, Grand Valley State University Water Resources Institute. The Subcommittee read numerous articles written by a variety of land-use authors including Dr. David Rusk and Rep. Myron Orfield. Two committee members, Jack Horton and Dave Guikema, participated in the Ultimate Farmland Preservation Tour sponsored by the American Farmland Trust.

SPRAWL DEFINED

The Subcommittee defined sprawl as the rapid urbanization of rural areas and green spaces.

SIGNIFICANCE OF SPRAWL IN KENT COUNTY

Kent County is Michigan's fourth largest county with a population of approximately 575,000. The County includes 836 square miles of land and is the state's fifth largest agricultural producing county. Farmland in Kent County is disappearing at twice the state rate. Kent County population grew by 18 percent in the last 20 years while the County urbanized area grew by 78 percent. As townships urbanize, they are finding that development costs more than the tax dollars generated by development. Sprawl leaves public infrastructure in urban core areas without an adequate service base to support that infrastructure. This leads to what has been termed "donut development" or "circles of decay" where residents are continually seeking greener pastures. An example of this is Detroit where Southfield and Farmington were two of the first "ring" cities that people moved to. The next ring became Farmington Hills, Auburn Hills and Rochester Hills. Each time a population moves, urban problems are left behind in a widening circle.

The USA Today Sprawl Index, released on February 22, 2001, analyzed the 271 metro areas in the United States in terms of sprawl and measured the rate of urbanization of these areas from 1990 to 1999. The Grand Rapids metropolitan area ranked sixth nationally for metropolitan areas with populations exceeding one million residents.

The movement of middle and upper class populations from central core cities to surrounding suburbs has been well documented nationally. Preliminary 2000 US Census data shows that half of Michigan's population now lives in townships, a 42% increase since 1990. Individuals are moving from the City of Grand Rapids to places such as Ada Township, Cannon Township, Algoma Township, City of Rockford, Caledonia Township, and Gaines Township. This occurs locally for many of the same reasons that it is occurring across the United States. Young couples frequently buy their first "starter" home in the urban core where it is more affordable. When their children reach kindergarten or middle school age, families are moving to the suburbs for communities that they perceive are more sheltered from the effects of crime and drugs, have better

educational opportunity for their children, are less congested, and provide larger lots for homebuilding. Urban sprawl results as residents leave the urban core for the suburbs in large numbers. New public infrastructure is constructed in green fields and existing public infrastructure is left with fewer persons to utilize and pay for it. A dramatic example of this in Kent County is the planned closure of 12 Grand Rapids Public Schools facilities at the same time that Rockford Public Schools is using trailers for classrooms outside of a two-year old elementary school.

One of the major contributing factors to sprawl is the strong focus on local authority prevalent in the Michigan Constitution. Per Michigan law, each city, village and township government has the authority to adopt land use master plans and zoning ordinances for their individual jurisdiction. Dr. David Rusk referred to Michigan as a "small box" state after conducting research on the impacts of sprawl on Michigan cities. Michigan has a total of 1,859 local governments including 1,242 townships, 261 villages, 273 cities and 83 counties. Different planning and zoning regulations exist in each of Kent County's 21 townships, 9 cities and 5 villages. Rapid growth highlights inherent problems when land use patterns are not consistent in adjacent communities.

Further racial and income segregation has resulted from sprawl in Kent County as predominantly white middle class families are leaving the urban core for the suburbs. Environmental impacts of sprawl include in addition to the loss of green space septage problems, storm drainage and groundwater contamination issues. Traffic congestion and safety issues are also often cited as sprawl concerns in Kent County.

FINDINGS

- Planning cooperation is needed on both an intra-County and a regional level.
- Green space preservation is necessary to maintain the quality of life and diversity of economic base enjoyed in Kent County.
- Many farmers want to remain in farming and to be able to bequeath their agricultural property to their children, in many cases as their fathers and grandfathers did. Michigan is one of two states that taxes agricultural land on the basis of potential highest and best use value instead of current use value. This results in farmland taxes that are among the highest in the nation. Many farmers are finding it difficult to make a profit and need to sell their farmland to the highest bidder. Large farms have been sold in Kent County because heirs have not been able to afford inheritance taxes. Farmland is being sold for development in Kent County because there is no alternative like Purchase of Development Rights (PDR) or Transfer of Development Rights (TDR) for farmers to receive full value for their land.
- Several interviewees cited the lack of countywide standards for drain and sanitary sewer design leading to situations where new housing developments negatively impact surrounding properties.

- Several of the individuals interviewed indicated that in their opinion, water and sewer regulations are not consistently applied which leads to substandard well and septic systems servicing new development.
- Almost every individual interviewed indicated a continuing need for educating the public regarding sprawl issues.

RECOMMENDATIONS

County government is not structured such that it can reduce or eliminate growth nor would this be a desired outcome. Recommendations are focused on managing growth to minimize negative impacts of "sprawl." The main thrust of the following recommendations is to place planning ahead of rapid growth so that the unique character of Kent County can be maintained for the enjoyment of future generations.

RECOMMENDATION #1

The County should work closely with the Grand Valley Metro Council (GVMC) Blueprint II Initiative.

The GVMC has assumed the leadership role for countywide and regional planning. The County Planning Act of 1943 allows counties to establish county planning commissions. Kent County had a planning commission that was disbanded effective January 1, 1976. The planning commission was discontinued after the federal funding (701 Planning Funds) was terminated. Other reasons for ending the planning commission included frustration with the lack of legal authority and cooperation from the local units of government.

Several of the parties interviewed thought that Kent County should reinstate the County planning department. The subcommittee does not recommend this course of action at this time as the GVMC is attempting to achieve countywide and regional planning through the Blueprint II initiative. The GVMC plans to divide the greater Grand Rapids metropolitan area into five sub-regional planning areas, several of which have already formed as a result of different issues. The sub-regional areas are as follows: Rogue River Watershed Council; Fruit Ridge Partnership; Urban Metro Association; East Metro Association and the Southbelt Planning Alliance. The proposal is to have these sub-regional areas work with the various cities, townships and villages to develop sub-regional plans. These plans would include land use, transportation, greenways, utilities, affordable housing and traffic handling. When the five sub-regional plans are completed, they would be used to generate a regional plan that would encompass Kent County.

GVMC has requested County assistance with the sub-regional planning process by having County staff involved with committees and County financial assistance. The

total estimated project budget is \$2,140,000 and \$500,000 was informally requested from Kent County. This amount would be paid to GVMC over a 3 to 5 year timeframe. Evidence of local unit “buy-in” to this proposal in the form of active participation and funding is critical prior to the County becoming involved.

If this effort at regional planning fails, then Kent County should review whether a county planning director and/or department would help to achieve countywide planning.

The Subcommittee recommends participation in the Blueprint II effort. The Land Use Educator from the MSU Cooperative Extension would be assigned to represent the County at necessary sub-regional planning meetings.

RECOMMENDATION #2

The County should establish a Green Space Preservation Program.

The preservation of open space–agricultural land in Kent County is important for the following reasons:

- Preserve County quality of life aesthetics, and rural character
- Environmental, water infiltration vs. runoff, green plants vs. pavement
- Economics, retain an important industry
- Protect unique and prime land

The proposed Green Space Preservation Program has two primary components, preservation of green space through farmland preservation and also through purchase of properties for future generations to enjoy through the Kent County Parks System.

There are a total of 1,136 farms in Kent County. Currently most Kent County farmland is located within 16 townships. There are 34 farms of over 1,000 acres, 45 farms from 500 – 999 acres, and 178 farms with 180-499 acres. National agricultural groups estimate that 100,000 acres of agricultural land is necessary to support agricultural industry within a county. In Pennsylvania, the benchmark of 100,000 acres of total farmland is the critical mass at which agricultural support businesses (grain elevators, equipment dealers, etc.) have enough of a base market to exist in a county.

Kent County/MSU Cooperative Extension staff reviewed national and state demographic information and recommended that Kent County preserve 50 percent of current farmland ($186,453 \times .5 = 93,226$ acres) over the next 10 years. The subcommittee concurred with this recommendation that half (46,613) be preserved through a *County PDR program* and that the other half (46,613) be preserved through a *County Transfer of Development Rights program (TDR)*.

The state adopted a “new” PDR program in 2000 to replace a similar program that was not functioning well. The PDR program allows farmers to voluntarily sell development

rights attached to their property at a fair market value in return for a permanent agricultural conservation easement. Farmers can in turn use the money from sale of development rights to continue farming operations, investment, retirement, debt payment, etc. By selling development rights, farmers will also reduce their property taxes. Farmers participating in the PDR program pay taxes based on the current use value (agricultural) instead of the development value of their property. The program is administered at the county level. The state pays 75 percent of the cost of obtaining the development rights and the county is responsible for the other 25 percent. The farmer is paid the difference between farm value and development value. A current problem with the state program is that farmers have not been paid for the market value of their land, which is not very attractive to Kent County farmers. The new program will pay farmers up to the market value of their land and counties that have PDR programs in place will be first in line to receive funding. The County Board of Commissioners would appoint a County Farmland Advisory Committee to serve as an advisory board regarding PDR matters.

Assuming an average of \$5,000 representing the difference paid in a PDR program between the farm value vs. the development market value, it will cost \$233,065,000 to purchase development rights for 46,613 acres with a PDR program. The subcommittee recommends that townships that pay half of the local match requirement of 25 percent (12.5 percent of total) be given priority for PDR approval. The total cost of the PDR program is estimated at just under \$24,000,000 per year with an annual cost to the County of \$3,000,000, or 12.5 percent. Over a 10-year program, the cost to the County would be \$30,000,000. Growth will occur and needs to be planned on the remaining 93,226 acres of unprotected farmland. The acreage and expense detailed above represents an ideal amount of development right purchase activity. The program will start out much more conservatively with the potential of growth dependent upon participation by the local units and funding availability both at the state and county levels.

The other half of the Farmland Preservation Program (46,613) acres preserved is accomplished through a County (TDR) Program. A potential TDR program also received significant support from most of the groups interviewed. A TDR program would allow a developer in one local unit within Kent County to purchase development rights from a farm owner in a planned "sending zone" within a township unit and develop a "receiving zone" in a different local unit more densely." The farmer in the sending zone would negotiate the price for sale of development rights directly with a developer. The development rights would be permanently severed from the land in the "sending zone" and attached to the land in the "receiving zone." Alpine Township is currently developing a township level TDR program, but finds that it has an excess of farmland "sending areas" and a shortage of "receiving areas." A Countywide TDR program would give townships like Alpine Township greater options for "sending areas."

Current House Bill No. 4346, the "Development Rights Market Act" would allow counties to establish countywide TDR programs. The county would approve all transfers

of development rights after the county and city, village or township has entered into an agreement regarding the transfer.

In 1998, the Board of Commissioners approved recommendations of the Ad Hoc Committee on Park Funding appointed by then Chair Pat Malone and chaired by then Vice-Chair Steve Heacock and embarked upon an aggressive parkland purchase program. \$2,000,000 was set aside for parkland purchases in 1998 and \$500,000 was committed each year for the next nine years. Substantial purchases have been made in Rockford (future Luton Park), Lowell Township (future Lowell Regional Park) and Thornapple River Property in Caledonia Township. Seven acquisitions have been completed as of this time totaling 589 acres. An additional 360 acres of parkland purchases are in progress. In addition, the County is proceeding with the Millennium Park project that will encompass 1,500 acres located in the cities of Grand Rapids, Wyoming, Walker and Grandville. The County has either purchased or submitted grant applications for the purchase of thirty-five parcels representing 825 acres. The Subcommittee agrees with the concept suggested by Board Chair Steve Heacock that the County should work with local units of government to maximize the opportunity for higher density residential development in proximity to large regional parks.

- A) The Subcommittee recommends that the County establish and fund a PDR Program with the State of Michigan and townships. The subcommittee further recommends that priority be given to townships that provide half of the local match requirement.**
- B) The Board of Commissioners should actively support the passage of legislation that would allow creation of a Transfer of Development Rights (TDR) Program.**
- C) County staff should work with local units to ensure that residential density will be increased where residentially zoned areas are adjacent to property that is purchased for County regional parks.**

RECOMMENDATION #3

Kent County should engage in educating residents about local sprawl issues and their impacts on the community.

The Kent/MSU Cooperative Extension has a Land Use Educator on staff. This individual works with the United Growth for Kent County project and teaches farmers and the public about land use options. This position could be used to facilitate initiation of a PDR and/or TDR program. The Kent/MSU Cooperative Extension could also coordinate the County Farmland Preservation Committee (advisory committee required per PA 262) and build community leadership on land-use issues. This position can also educate Kent County residents on Smart Growth principles like conservation design, mixed income neighborhoods, mixed use zones, etc. Grant funding should be available for this position for another 3 years.

A) A staff level committee should be established to review expectations and progress with the Kent County/MSU Cooperative Extension Director and the Land Use Educator.

B) The Subcommittee recommends completion of a cost-benefit analysis at the time that grant funding ceases for the Land Use Educator position in the Kent/MSU Cooperative Extension Office. If the need is verified, to fund a similar position from the County General Fund either in the Kent/MSU Cooperative Extension Office or in the Administrator's Office.

RECOMMENDATION #4

Kent County should support initiatives to establish consistent countywide standards for storm water drainage and sanitary sewer systems.

The GVSU Water Resources Institute has been working with area agencies including the Kent County Drain Commissioner, Department of Public Works, and Health Department to develop countywide drain and septage ordinances. The Kent County Septage Management Program and the Model Storm Water Ordinance exist in draft form. The goal of the septage program is to limit septic system use and septage disposal to those areas where it is appropriate, upgrade maintenance procedures and encourage septic system alternatives where practical. The purpose of the stormwater ordinance is to reduce artificially induced flood damage, reduce increased stormwater runoff from new development, reduce erosion, and to reduce non-point pollution. A major goal of these countywide ordinances is protection of groundwater. These countywide ordinances exist in draft form at this time and should be completed soon. The new standards will apply where approved by local units of government.

Many of the organizations interviewed had concerns with how the Water Supply Regulations and Sewage Disposal Regulations are being enforced by the Kent County Health Department. Specific concerns cited approvals of well and septic systems in less than adequate locations. This can increase sprawl where the next viable option is in or adjacent to a municipal water supply. Another concern was that some well heads are not sunk deep enough into the aquifer. The subcommittee heard testimony that one new housing development near Rockford was actually having problems accessing water shortly after the development was completed. David Kraker, Director of the Environmental Health Division of the Health Department supports the proposal to review both codes.

A) The Kent County Board of Commissioners should promote adoption of the Kent County Septage Management Program and the Model Storm Water Ordinance to local units of government.

B) A special committee of interested persons and organizations should be appointed to review and recommend possible changes to the Kent County Water Supply Regulations and Sewage Disposal Regulations.

RECOMMENDATION #5

The County Board of Commissioners should support the Kent/MSU Cooperative Extension United Growth for Kent County initiative with a resolution of support.

United Growth for Kent County is a Michigan State University project administered as a cooperative effort between the Kent County/MSU Extension and Michigan State University. This project dedicated to promoting positive regional growth through public education and community leadership. United Growth works in both urban and rural areas. Kent County currently has individuals assigned to both the United Growth Rural Committee (Mr. Ron Stonehouse, Director, Community Development and Housing Department) and the United Growth Urban Committee (Ms. Erika Rosebrook, Management Analyst, County Administrator's Office).

Funding for United Growth is provided by: Frey Foundation; Americana Foundation; Grand Rapids Foundation; Lowell Area Foundation; Steelcase Foundation; and the FFA Foundation. Cooperative Extension has requested that the Board of Commissioners adopt a resolution of support for the United Growth project.

The Subcommittee recommends that the Board of Commissioners adopt a resolution supporting the goals and activities of the United Growth for Kent County project.

CONCLUSION

Kent County is at a critical juncture where decisions made today will have major and far-reaching impacts on the future quality of life of residents. Kent County is experiencing urbanization and sprawl at a rate that is one of the fastest in the state and nation. Decisive action today on the recommendations contained within this report will not slow the tremendous growth that has caused Kent County to prosper but will preserve open space, agricultural lands, and diversity of economic base.

Kent County has been blessed with many resources and has pursued and achieved excellence in many different areas. County Board Chair Steve Heacock described the pursuit of *continuous excellence* as "an audacious goal" in his 2001 State of the County Address. The Urban Sprawl Subcommittee, per the recommendations contained herein, is establishing an audacious goal for land preservation that will help to enhance quality of life for generations into the future.