

COOPERATIVE LAND USE PLANNING WITH THE JOINT MUNICIPAL PLANNING ACT

Are Michigan's Local Governments Ready?

By Joe VanderMeulen, Ph.D., Executive Director, Land Information Access Association, Traverse City

Somewhere in Michigan, there's a small city that serves as the county seat and the community focal point for a large geographic area. People for miles around like the historic structures, active central business district, the river meandering on the edge of downtown, comfortable neighborhoods, and the familiar community feeling. The city, now mostly built out, provides water and sewer services, police and fire protection, several small parks, keeps the roads repaired, and streetscapes well lit. But like so many other cities across Michigan, the budget is tight and growing tighter. Personnel and health insurance costs are rising fast even as property tax revenues remain flat and state revenue sharing dollars are falling.

Our city's neighboring township is also a fine place to live with peaceful country scenes, active farms, quiet groves of trees, a large park, and the river rolling by numerous wetlands filled with wildlife. Township residents like the rural character and are proud of the productive farms. Along the state highway that passes through, strips of commercial development and large-lot subdivisions have begun to blossom at the edge of the city. In fact, there are rumors of several new subdivisions along with a major commercial project on the way.

You probably recognize this scenario or know of something like it. What happens next? What should the city and township do - together or alone? Perhaps several new development proposals will be presented to a troubled township planning commission and some very unhappy residents. Perhaps the city will be reluctant to extend water and sewer services into the township for fear of undermining the businesses in town. On the other hand, this community might have it all worked out.

About the Author

Dr. Joe VanderMeulen is Executive Director of the Land Information Access Association (LIAA), a nonprofit community planning and service organization based in Traverse City (www.liaa.org). He has worked on land use policy issues at the Michigan Legislative Service Bureau and LIAA for over 20 years. 0

Background Discussion

Several recent publications have highlighted the benefits to be gained by inter-governmental cooperation as well as the barriers standing in the way. The series of papers published by Southeast Michigan Council of Governments (SEMCOG) in 2003 and 2004, *Making Joint Public Services Work in the 21st Century*, does a fine job of describing the difficulties and opportunities involved in inter-jurisdictional cooperation. As part of their *Smart Growth Tactics* series, the paper titled *Multi-jurisdictional Planning* (Issue Number 5) released by the Michigan Association of Planning in 2004 focuses this discussion on the topic of land use planning, offering suggestions on how to move forward.

In many ways, the process of planning for and sharing police, fire, water, sewer, and other public services is a rational process of defining the need and purchasing the least cost alternative. Land use planning and regulation is fundamentally different.

The *Partnerships for Change Program* has also emphasized the economic benefits to be gained through intergovernmental cooperation in land use planning. The *service grant* program was developed last year by the Land Information Access Association (LIAA), Michigan Municipal League, and Michigan Townships Association with the support of the Michigan Association of Planning and Michigan State University Extension. Last September and again this June, *Partnerships for Change* sponsored a series of workshops on inter-jurisdictional land use planning. This April, the *Partnerships for Change Colloquium on Cooperative Land Use Planning* explored the limits to cooperation and offered new insights on how to succeed.

In all of these cases, we are reminded that intergovernmental cooperation is not at all unusual or new. Most local government officials can name instances of informal cooperation through information sharing and consultation with their neighboring jurisdictions. As described in SEMCOG's *Intergovernmental Cooperation: Background Paper*

by Dr. Lynn Harvey of Michigan State University, there are over 60 Michigan statutes that enable local governments to contract for or collaborate in the delivery of public services. There are literally hundreds of examples of cooperation between cities, townships, and villages in the provision of key services such as fire, ambulance, water, sewer, and recreation.

Such services are measurable, enabling clear calculations of costs and benefits to specific constituents. In many ways, the process of planning for and sharing services is a rational process of defining the need and purchasing the least cost alternative. Land use planning and regulation is fundamentally different. Planning and zoning have to do with defining a collective vision and enforcing it through police powers of the participating local governments. Land use controls focus and constrain the behavior of constituents, often without specific short-term or clearly calculable benefits. Indeed, planning and zoning at any level of government can be a very contentious process.

Considering the Benefits and Barriers

In recent years, people throughout the state have come to the conclusion that inter-jurisdictional cooperation in land use planning and regulation are necessary to increase the effectiveness and capacity of municipalities in providing for the health, safety and welfare of our citizens. Economic and social forces are not contained by municipal boundaries. Most cities, townships and villages share a wide array of natural resources and infrastructure with neighboring municipalities (e.g., rivers and roads). Residents regularly cross jurisdictional boundaries for work, school, shopping, and recreation. Clearly, many of Michigan's cities, townships and villages are interdependent.

Cooperation in land use planning and development offers a broad array of benefits to local governments. By sharing planning processes and experts, governments can save on overall costs. By addressing land use change collectively, local governments can manage development patterns, design characteristics, and the extension of services more efficiently while maintaining a community's unique character and overall quality of life. Financially efficient development across jurisdictions can reduce redundancy in services and infrastructure

costs while encouraging targeted investments in the community. Ultimately, cooperation acknowledges the economic interdependence of cities, townships, and villages and provides a better structure for protecting natural resources such as rivers, wetlands, groundwater, farmland, and open space.

As noted above, local governments regularly cooperate on the delivery of public services. However, cooperation in land use planning and regulation is quite another story. Michigan has relatively few examples of substantial or formal inter-jurisdictional cooperation in planning and zoning. There are, of course, many reasons for this reticence. At base, there is always a substantial amount of uncertainty in a land use planning process. The intended outcome, of course, is a land use and development plan that is acceptable to the vast majority of citizens; but no one can predict with certainty the vision or the specifics of the plan. That is, local officials are asked to give up some control and trust in *the process*, a process that impacts the jurisdiction they have been elected to protect.

Where two or more municipalities attempt to cooperate in this planning process, they encounter an even wider array of barriers. Issues of cost and power sharing, equitable representation, and differences in government structures frequently get in the way. Further, public officials must be willing to set aside historic and cultural differences as well as interpersonal conflicts and trust a relatively new and, as far as they are concerned, untested process.

Inter-jurisdictional Cooperation for Land Use Planning

When the citizens and public officials of adjacent jurisdictions choose to plan together, they take a bold step toward the more efficient, effective, and productive development of their community as *a whole*. They step away from a system that supports piecemeal development with planning commissions that often only react to external forces and toward a more proactive model of planning and decision making. They recognize the interdependence of their local governments and choose a stronger, more unified approach to managing growth and change. This can be done without giving up any "sovereignty" and can actually result in a new sum that is greater than the parts.

Pre-Conditions for Inter-Jurisdictional Planning

Getting to intergovernmental cooperation can be difficult. An environmental crisis such as groundwater contamination limiting access to drinking water might force the consideration of joint action. The loss of a key manufacturer, jobs, and population might force local officials to look outside of

their borders for help. However, there are easier ways to prepare.

There are a number of activities that can help to build a basis for successful cooperation in land use planning. In general, these community development activities focus on building trust, improving interpersonal relationships, and defining a community-wide sense of place. For example, local governments can share training programs for planning commissioners and leadership development. Planning commissions and local governing bodies can hold joint sessions where they also share a meal - building rapport and relationships. With LIAA's help, many communities in Michigan have conducted *community asset mapping* projects to create shared databases and build a mutual understanding as the basis for defining a future direction (*Building a Sense of Place*, 1999). This community-wide sense of place has been cited as key to healthy communities and can form the basis for successful cooperative planning (e.g., *Michigan Land Use Leadership Council's Final Report*, 2003). Ultimately, cooperating cities, townships and villages need to be secure in their self-knowledge and capable of articulating their development goals.

Precedents for Inter jurisdictional Planning

In many ways, intergovernmental cooperation in land use planning has been possible for a very long time. Indeed, there are a handful of examples where joint master plans have been developed cooperatively and adopted by each of the municipalities involved. Arguably the most celebrated example involves the City of Frankenmuth and Frankenmuth Township. Beginning in the mid-1980's, a representative joint planning committee worked with Professor Roger Hamlin of Michigan State University and a number of technical experts to forge a joint master plan that was adopted by each municipality. This effort led to a formalized intergovernmental agreement that establishes an urban growth boundary and process for managing growth. That plan was recently reaffirmed and updated with assistance from the Planning & Zoning Center, Inc.

Other examples of the successful development and adoption of joint master plans include the Saugatuck-Douglas Community (Cities of Saugatuck, City of the Village of Douglas, and Saugatuck Township), the Fremont Community (City of Fremont, Dayton and Sheridan Townships), the Decatur Community (Village of Decatur and Decatur Township), the Pentwater Community (Village of Pentwater and Pentwater Township), Emmet County and the City of Petoskey, and three of the four townships surrounding Houghton Lake. The municipalities involved in each case recognized their roles in a larger community of shared resources with a unique

sense of place. They also understood that a coordinated plan was required to guide the location and character of development for the benefit of their community. See Table 1 on pages 8-9 for a brief summary of these and a few other multi-jurisdictional land use planning projects in Michigan.

Benefits Provided by the Joint Municipal Planning Act

Although cooperative planning is possible and encouraged under traditional planning legislation, the *Joint Municipal Planning Act* J M PA adopted as PA 226 of 2003 (MCL 125.131, et seq.) offers municipalities new opportunities and benefits. The JMPA permits two or more municipalities to create a single joint planning commission with or without zoning powers. The JMPA can increase efficiency, reduce government costs, improve a community's ability to manage and attract development, and provide a new legal defense. More effective cooperation and coordination in managing growth will ultimately provide greater protection for cultural and natural resources while offering substantial savings in infrastructure costs.

A *Joint Planning Commission* (JPC) can help reduce the number of meetings, planning notifications, back-and-forth planning reviews, and other redundancies typically encountered in a community composed of two or more municipalities. The JPC can also assure a more consistent and predictable interpretation of the joint master plan over time. By joining forces under the JMPA, two or more municipalities can save planning and zoning costs (e.g., sharing consultants), zoning administration costs (e.g., sharing administration), more clearly articulate what development the whole community desires, potentially reduce "shopping" for the best deal by developers, and greatly strengthen the defensibility of local planning and zoning.

A unique benefit provided by the JMPA is a defense against the charge of exclusionary zoning found in Section 13 (MCL 125.143), an amendment authorized in November, 2004. Michigan courts have held that zoning ordinances cannot entirely exclude a land use for which there is a demonstrated need. As a result, each municipality has had to contemplate all possible land uses within their border when allocating land under a zoning ordinance. However, if a joint plan allocates land, it can consider the entire area for the full range of land uses and need not include all land uses in each of the participating jurisdictions. As stated in Section 13(1)(a), the plan "need not allocate land that is within the territory of any other participating municipality and that is within the jurisdictional area of the joint planning commission for that land use."

Getting Started Under the Joint Municipal Planning Act

In using the JMPA, the first step appears to be the hardest. The act requires the participating jurisdictions to adopt a legal agreement that defines the appointment, powers, objectives, and procedures of a joint planning commission. For most local government officials, reaching this agreement appears to be a very high hurdle. However, with proper preparation, as suggested above, the barriers to cooperation can be lowered.

The JMPA is a very brief and permissive statute. The heart of the act is found in Section 5 that permits *two or more municipalities to adopt an ordinance approving an agreement establishing a joint planning commission*. This section requires the inter-jurisdictional agreement to include, at a minimum:

- a. the composition of the joint planning commission, *including alternates* (note that alternates are not provided for in the other planning acts);
- b. member qualifications, selection (including election), and terms of office;
- c. conditions and procedures for filling vacancies and removing members;
- d. how the commission's operating budget will be shared;
- e. the jurisdictional area addressed by the commission - all or part of the municipalities;
- f. procedures for the joining or withdrawing of municipalities from the commission;
- g. the planning enabling act under which the commission will operate;
- h. the zoning enabling act under which the commission will operate; and
- i. any additional powers or duties of a zoning board authorized by the enabling act.

The legislation provides almost no guidance on how to transition from independent planning and zoning to joint planning and zoning. Section 7 simply states that *"all the powers and duties of a planning commission under each planning act are, with respect to the jurisdictional area of the joint planning commission, transferred to the joint planning commission."* However, the act is silent on what happens to the existing planning commissions, plans and zoning ordinances. Apparently, the existing commissions and policies carry on in force - even after a joint planning agreement is adopted - until formally repealed by the legislative bodies. This offers local governments a mechanism for creating a transition period which should provide some continuity.

Beginning in Bellevue

Michigan's First Joint Municipal Planning Commission?

Inter-jurisdictional land use planning often begins when two or more jurisdictions recognize that the protection of shared resources requires cooperation and coordination. Sometimes this interdependence is emphasized by external interventions or threats such as a trend in new development that does not fit the community character - either quality or location or both.

In recent years, the tightly knit, rural community of Bellevue in southwestern Eaton County has struggled with subdivision development that was poorly conceived and did not fit in. However, both the Village and Township of Bellevue were under county planning and zoning and found it difficult to manage such developments. Fortunately, the two local units of government have a history of cooperation and a good rapport. According to Travis Brinistool, Bellevue Village Manager, they simply agreed that cooperative land use controls were needed.

Last fall, the Village of Bellevue and Township of Bellevue agreed to work together under the Joint Municipal Planning Act (JMPA). With the help of Beckett & Raeder, an Ann Arbor planning consulting firm, the two jurisdictions worked out what may be Michigan's first intergovernmental agreement under the Act. Today, the Bellevue Joint Planning Commission is in the process of reviewing its first draft

joint master plan and developing its first joint zoning ordinance.

As noted, the JMPA is a permissive statute, giving local governments great flexibility in establishing, funding and empowering a joint planning commission (JPC). Here are some of the points of the agreement developed and adopted by ordinance in the Bellevue Community.

- Includes the entire area of the two jurisdictions.
- The JPC has nine (9) members appointed by the legislative bodies of each jurisdiction with staggered terms.
- Each jurisdiction appoints four (4) members and one (1) member is appointed alternately by the Village and Township.
- The JPC operates under the Municipal Planning Act (MCL 125.31, et seq.) and the City and Village Zoning Act (MCL 125.581, et seq.).
- Funding for the JPC is contributed by each jurisdiction at a percentage equal to its portion of the total real taxable valuation for the whole community.
- Either jurisdiction can withdraw from the agreement by passing an appropriate ordinance stating the reasons and after paying its obligations.

Thanks to a cooperative approach, excellent communications, and a clear understanding of what it wants, the Bellevue Community is well on its way to determining the kind and location of development

Possible Scenarios for the Application of the Joint Municipal Planning Act

As of this writing, there is only one known instance of municipalities adopting an agreement under the JMPA. In the fall of 2004, the Village of Bellevue and Bellevue Township agreed to develop a joint master plan under the act with the intention of also developing a joint zoning ordinance. With the consulting assistance of Beckett & Raeder (Ann Arbor), the Village and Township have successfully negotiated and formally adopted a joint planning agreement. A joint planning commission has been established and the process of developing a joint master plan is well underway (more details are provided in the sidebar).

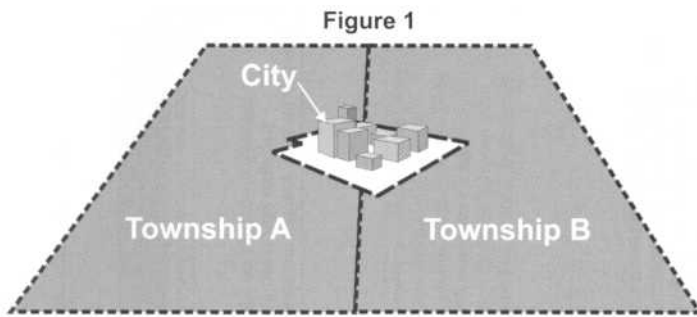
Given the brevity and flexibility of the act, there are many different ways to structure a joint planning agreement and associated intergovernmental arrangements (e.g., funding). However, it is important to remember that the actual planning and zoning processes must be carried out under one of the existing statutes. That is, both

the process used and resulting documents should be familiar to planning officials and professionals.

The following sections offer two generalized examples of how the JMPA might be applied in the future. These are purely hypothetical cases, but may serve as a basis of discussion and possible development.

Scenario One: City/Township Managed Growth

In this instance, a city and two adjacent townships (see Figure 1) recognize the need to work together as a single community in planning for urban development as well as the preservation of farmland, open space, and key wildlife habitat. The townships want only limited, very low density development with the exception of small areas near the city. On the other hand, the city would like to increase its tax base and improve services through in-fill, urban redevelopment, and very limited expansion. To strengthen their ability to attract and direct development as a community, the three ju-



missions will meet together on occasion - particularly during training programs.

With the help of a planning consultant, the JPC works with the citizens and interest groups of the community to define a common vision and draft a master plan, including a staging plan for extending

jurisdictions agree to develop a joint master plan and zoning ordinance.

Agreement

The three jurisdictions work together over a period of months to develop the specifics of an agreement to form a joint planning commission (JPC) under the JMPA. Adopted by ordinance, the agreement includes the following points:

- JPC will plan for the entire area of all three jurisdictions.
- JPC will have 5 members from the City and 3 from each of the townships with staggered terms.
- The members are appointed by the Mayor and the two township supervisors (they will also fill vacancies).
- In the first instance, the members will be selected from their respective planning commissions, city council and township boards. In terms of qualifications, these members will all have had experience on a planning commission and participate in training programs.
- Procedurally the JPC will follow the Municipal Planning Act (MCL 125.31 et seq.)
- The JPC will also follow the City & Village Zoning Act (MCL 125.581 et seq.)
- The agreement directs the JPC to develop a joint master plan for approval by the legislative bodies (asserting their authority to approve and reject).
- Funding will be provided on a pro-rated basis using a formula that takes into account the tax base, population, and land area of each jurisdiction. The staff provided by the city is part of the city's payment to the operation of the JPC.

Process

In addition to the points in the JPC agreement, the three jurisdictions agree to retain their existing planning commissions to enforce their respective plans and zoning ordinances until a new plan and zoning ordinance is in place. The JPC agrees to meet at times that do not conflict with the other boards and commissions. However, they also agree that all four planning com-

water and sewer. Additionally, the JPC develops an action plan for developing a single zoning ordinance for the three jurisdictions with a common capital improvement plan (CIP) process. After appropriate public hearings and reviews by other entities (including the county and pre-existing planning commissions), the master plan is adopted by the city council and the two township boards. The municipalities also adopt a resolution directing the JPC to begin the development of a zoning ordinance consistent with the new joint master plan.

At this point, the three legislative bodies must decide how to manage development requests while a new zoning ordinance is being developed. Consistent with the JPC's recommendations, the existing planning commissions and zoning boards of appeals are left in place to continue their work in addressing development requests and enforcing the existing zoning ordinances. However, variances, rezonings and ordinance text changes are curtailed as much as possible.

Working with citizens, public officials, and community interest groups, the JPC develops a new zoning ordinance consistent with the new master plan. The JPC also offers draft inter-local agreements to manage proposed zoning changes and provide a collective response to external challenges. The city council and township boards approve the new ordinance as well as resolutions directing the JPC to implement the plan and ordinance. Additionally, the three jurisdictions agree to establish a single office of zoning administrator and merge their appeals boards into a single zoning board of appeals. The original planning commissions are completely disbanded when the zoning ordinances of each jurisdiction are repealed.

Implementation

After these changes, developers interested in any of the three jurisdictions apply to one office for a zoning permit. The office of the zoning ad-

ministrator is slightly larger and more capable than what existed in any of the three jurisdictions before. When a development proposal requires review, the JPC uses a community-wide perspective to determine if the new use is appropriate. Additionally, the JPC invites comments from citizens in all three jurisdictions.

If a change in the zoning ordinance is necessary, the proposed change is submitted to all three legislative bodies for consideration. The jurisdiction that includes the subject parcel(s) receives advice and consent from the two other jurisdictions. All three jurisdictions stand together in the interpretation of the master plan and in responding to the proposed ordinance change. Further, they enjoy the protections against claims of exclusionary zoning when a particular use is limited to one jurisdiction or another within the JPC's planning area.

Scenario Two: City/Township Urban Growth Boundary

This second example is intended to address a situation where urban growth management is of great concern across the larger community. For this example, the city is wholly within a single township (see Figure 2). The city and township agree that almost all new development will occur within an area that includes part of the city and part of the township - a defined urban growth area. To assure the orderly development of this urban growth area, limit conflict across borders, and provide adequate services, the two municipalities agree to develop a joint master plan and zoning ordinance for this urban growth area.

Agreement

The two jurisdictions work together over a period of months to develop the specifics of an agreement to form a joint planning commission (JPC) under the Joint Municipal Planning Act. Adopted by ordinance, the agreement includes the following points:

- JPC will plan for a *donut-shaped* area, including parts of both jurisdictions.
- The members of the JPC will be selected from their respective planning commissions. That is, with the alter-

Figure 2

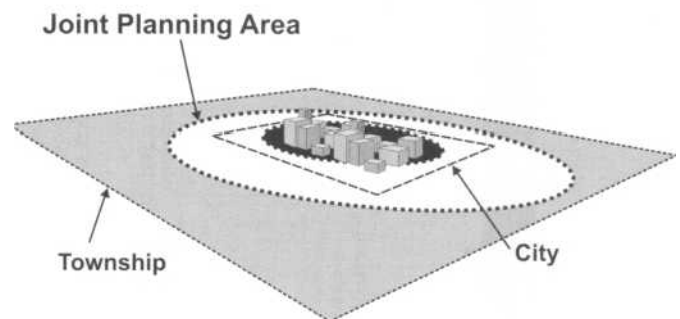


Table 1
SUMMARY OF SOME MULTI-JURISDICTIONAL LAND USE PLANNING PROJECTS
AT THE LOCAL GOVERNMENT LEVEL IN MICHIGAN

Communities Involved	Nature of Effort	Key Process Elements	Products	Outcomes	Joint Planning Commission	Lessons Learned
Frankenmuth and Frankenmuth Township	Joint planning and coordinated development regulations two times (mid 1980's and 2005)	Citizen survey (1 time) Visioning town meetings (2 nd time) Local leaders survey (2 nd time) 1 st Plan: key decision makers each jurisdiction 2 nd Plan: all members of each PC and governing body	Joint Growth Management Plans in mid 1980's and 2005	No annexation battles. 30t annexations by agreement, formal agreement until 2016; formal process for changing urban limit line (ULL) and for considering PA 425 agreements recently developed; broad public support for basic parameters although developers think it is too restrictive since not all land within ULL is available for purchase at prices developers willing to pay at any given time	Essentially both times. but not by statute or formal intergovernmental agreement	Some tension has aided the process. probably not good candidates for formal joint planning commission as business interests would likely dominate and it would be harder for Township interests to be seriously considered; Township beginning to be concerned about overall loss of territory, but still strongly supports farmland preservation and concentrating new development in or adjacent to the city
Saugatuck, Douglas and Saugatuck Township	Joint planning in late 1980's and 2005)	Citizen surveys (both times) Local leaders survey (2 nd time) Visioning town meetings (both times) Ad hoc joint planning committee each time	1 st time: 3 separate plans and one joint plan; 2 nd time: 1 joint plan	Citizen shift to support for studying consolidation of all 3 units, some elected official opposition; communities may explore joint zoning administration (already have joint police, fire, parks, sewer and water)	Plan recommends examining creation of joint planning commission	Even mention of study of consolidation is threatening to some elected officials; citizen driven processes can temper local official concerns, incremental steps much easier than bigger steps; and coordinating plan approval in 6 entities very difficult, a joint PC would be much better
Kalkaska and Kalkaska Township	Intergovernmental agreement on future village boundary adjustments	Each community hired its own facilitator/advocate who jointly facilitated the process All members of governing body of each entity involved in every meeting	Intergovernmental agreement adopted by resolution of each entity, required village to prepare an updated Plan that was compatible with land uses in Township Plan; required future boundary adjustments to zone land as identified in Township Plan; required annual joint CE review; required no future boundary adjustment without first polling people in area affected, and those areas had to be provided with sewer and water if incorporated into the village; required village commitment to not becoming a city	Village prepared and adopted an updated Plan and some areas with problematic septic systems came into the village. Unaware if agreement is still in effect.	Well worth exploring	Lack of regular communication spawned several erroneous assumptions on the part of each side; much more common ground than different that became evident during dialogue, progress would not have been made without professional intervention (and may not have been sustained without it)
3 of 4 Townships surrounding Houghton Lake	Joint plan in mid 1990's. One township completely uninterested and did not participate.	Single visioning session Local leaders survey	Joint Plan	Nothing significant	Obvious place for one, not only do they all surround Houghton Lake, they are all surrounded by state land	Was not much commitment on front end and communities never fully engaged, consequently no synergistic benefits
Emmet County and Petoskey	Joint plan over 5 years in mid-1990's. Process seriously disrupted and involved major local conflict over study of possible road bypass	Many local meetings with interested citizens, not much independently with local planning commissions or governing bodies	Joint City-County Plan	Served as "finger in dike" while locals fought over bypass	Intriguing idea, but hard to do since County has zoning over most parts of county not contiguous to the City	Congress should not appropriate pork barrel money for studies of bypasses without flexibility in what options can be studied

Communities Involved	Nature of Effort	Key Process Elements	Products	Outcomes	Joint Planning Commission	Lessons Learned
Leslie and Leslie Township	Ad hoc joint planning committees various times over the last 30 years. May be considered again.	Round table discussions on issues of joint interest, including 425 agreements and an expansion of mobile home park into the Township so a new location is not needed	Originally a 425 agreement, potentially agreement on expansion of the mobile home park on land in the township, possibly by 425 agreement or annexation	None yet	Significant potential because of new language in Joint Planning Act allowing a community to have a land use need (like providing for a mobile home park or industrially zoned land) met in an adjoining jurisdiction.	None yet
City of Fremont, Dayton Charter Township and Sheridan Township	Preparation and adoption of a joint master plan in 2001.	Local officials and citizens engaged in a cooperative effort to build a thorough database and map set documenting community assets. The "Building a Sense of Place" process helped establish rapport between officials as well as the base data needed for cooperative planning.	Three jurisdictions first developed and adopted a "plan for planning" to guide a community-wide planning process. They then developed and adopted a joint master plan. An advisory joint planning commission was also established.	Master plan has smoothed the way for a number of development decisions, including 425 agreements to support development within the defined urban growth area. Advisory joint planning commission appears to have little real effect.	A good option for this community, if newly elected and appointed officials can re-build a strong rapport.	The development of a shared community-asset database can be very helpful. Cooperative planning also benefits from efforts to build relationships and communication linkages between local officials across jurisdictional boundaries.
Chelsea Area: Village of Chelsea, Dexter, Lima, Lyndon, and Sylvan Townships	Multi-jurisdictional advisory plan for guiding development in all jurisdictions in 2003	Washtenaw County planning staff invested extensive staff time in helping citizens and public officials through a lengthy cooperative process.	Chelsea Area Regional Plan -Advisory Document	Process helped build relationships and supported a community-wide discussion on the direction of growth. However, there appears to have been very little true implementation of the plan.	Two or three of these local governments might consider forming a joint planning commission. However, there appears to be more work to do before any agreements are likely.	Multi-jurisdictional planning process can be an important learning process and offers a good framework for local planning and zoning.
Village of Decatur and Decatur Township	Development and adoption of joint master plan in 2001.	Close community ties across jurisdictional boundaries led public officials to discuss hiring the same planning consultant and choose joint planning effort.	Joint master plan separately adopted by the Village and Township (separately).	Has guided recent development and eased the way for water and sewer extensions under 425 agreements.	Continuing good relations following previous planning effort suggests that a joint planning commission could work here.	Community-wide perspective, cooperative attitude and open communication are great starting points.
Village of Pentwater and Pentwater Township	Joint master plan adopted in 1997 and zoning ordinance adoption in 1999.	Good communication between public officials and shared appreciation for community character led to hiring the same planning consultant as a cost-saving measure.	Joint master plan and joint zoning ordinance separately adopted by the Village and Township	Appears to be a community-wide agreement about what is desirable development and where it should be located.	Probably a good candidate for a joint planning commission based on past success in inter-jurisdictional cooperation for land use planning and regulation.	When public officials and citizens share a clear understanding of the community's "sense of place," cooperative planning is a little easier.
Hastings Township, Rutland Township and City of Hastings	Preliminary exploration of possible joint plan for city and two townships	As yet undetermined	As yet undetermined; could possibly include a joint plan for sewer and water extension from city into adjoining townships tied to annexation or 425 agreements, or some as yet undetermined technique; many options are likely to be studied	None yet	An option that should be considered	None yet, but several joint educational sessions over a couple of years have opened dialogue and receptiveness to a cooperative effort

NOTE: THIS TABLE IS BASED ON EXPERIENCES OF JOE VANDERMEULEN AND MARK WYCKOFF WITH THESE JURISDICTIONS. LOCAL OFFICIALS MAY HAVE A DIFFERENT VIEW THAN THAT DESCRIBED ABOVE.

Partnerships for Change Service Grants

Partnerships for Change is a multi-jurisdictional planning assistance program developed last fall by the Land Information Access Association (LIAA), Michigan Municipal League (MML), Michigan Townships Association (MTA), Michigan Association of Planning (MAP) and Michigan State University Extension (MSUE). The overall mission of the program is to foster new and expanded cooperation between cities, townships, and villages in developing and carrying out local land use policies that contribute to the preservation of cultural and natural resources.

To encourage and support multi-jurisdictional cooperation for land use planning and resource management, *Partnerships for Change* offers grants of planning and technical services to selected multi-jurisdictional partnerships. These service grants include:

- On-site facilitation services, surveys, workshops and educational support
- Research and analyses (e.g., identifying & evaluating alternatives)

- Geographic analyses and map production
- Development and drafting of land use policies (e.g., plans & ordinances).

Selected multi-jurisdictional partnerships are composed of at least one city or village and at least one township. Together, these municipalities are committed to community-wide land use policy change to better manage shared cultural and natural resources. Since each community is unique, the scope and description of proposed projects can vary from developing a multi-jurisdictional overlay district, to developing a major policy initiative such as a joint Master Plan. The flexibility of the *Partnerships for Change* grant permits communities to establish a project that best meets the goal of their multi-jurisdictional partnership.

Four communities have already received grants of services for inter-jurisdictional planning projects now underway. Three new service grants will be awarded to communities this summer.

Partnerships for Change will issue a new request for proposals (RFP) from Michigan communities this fall (2005). For more information or to get on the mailing list, visit www.partnershipsforchange.cc.

notes noted below, the JPC will be composed of both planning commissions.

- The JPC will have 4 members each from the city and the township, with staggered terms. Additionally, the township will appoint one alternate member and the city will appoint three alternates. This allows for full participation of both existing planning commissions (since the Township P.C. has 5 members and the City P.C. has 7 members).
- The members are appointed by the mayor and township supervisor (they will also fill vacancies)
- The JPC will follow the Municipal Planning Act (MCL 125.31 et seq.) and the City & Village Zoning Enabling Act (MCL 125.581 et seq.).
- The agreement directs the JPC to develop a joint master plan for approval by the legislative bodies (asserting their authority to approve and reject).
- Funding will be provided on a pro-rated basis using a formula that takes into account the tax base, population, and land area of each jurisdiction. The staff provided by the city is part of the city's payment.

Process

Meeting at times that do not conflict with the other boards and commissions, the JPC works with citizens and interest groups to develop a master plan for the specified urban growth area - the JPC area. They work with outside assistance to meld the existing city and township master plans to create a new document and map that articulates a shared vision of planned growth. The urban growth area is designed to accommodate at least 20 years' worth of growth. As part of this process, they also develop a CIP for the JPC area. The resulting plans are presented for review and public comment, consistent with planning enabling statutes before being revised and adopted by the City Council and Township Board.

As empowered by the municipalities, the JPC also develops a zoning ordinance specifically for the JPC area. Similar to the previous scenario, the existing planning commissions retain the authority to manage development requests within the JPC area while a new zoning ordinance is being developed. The zoning ordinance developed covers only the JPC area and includes all of the key tools such as design standards, site plan review, planned unit development (PUD) provisions, and a separate zoning board of appeals. City staff is already designated to provide administrative support.

As the new policies near completion, the City Council and Township Board work with the JPC in joint sessions to develop an Interlocal Agreement concerning the extension of city services into the urban growth area, clearly defining the circumstances when a conditional land transfer is required (Act 425 of 1984). After appropriate public notice, review, revisions and hearings, the city council and township board individually approve the new zoning ordinance and Interlocal Agreement, directing the JPC to implement the plans and ordinance.

Implementation

With the new policies in place, developers are encouraged to focus on the urban growth area. The pro-growth policies are clear and the application procedures are simplified - even on parcels that straddle the city-township boundary. Following the CIP and a development staging plan, developers have assured access to city services such as water and sewer.

If a change in the zoning ordinance is necessary, the proposed change is submitted to both governing bodies for consideration, with the advice and consent of the JPC and the other jurisdiction. The two jurisdictions are able to mount a coherent development marketing program, while assuring that the character and goals of the *whole community* are preserved.

Conclusions

At the beginning of this article, we imagined a city and adjacent township that faced a range of development pressures and economic challenges. In years past, these municipalities may have tried to go it alone. Distrust and a history of confrontation might have set the stage and directed the results. A new development opportunity offering many new jobs might have been missed when the township location it preferred was refused city water and sewer services. Or taxpayers of both the city and township might have faced large tax bills in paying for new, duplicative infrastructure as the township built its own capacity. In the past, the township might have seen low density development eat away at its farmland and wildlife habitat, destroying what made it a desirable place to live, even as the city lost population, jobs, and economic vitality.

Today, we know better. We know that inter-jurisdictional cooperation can help resolve these issues under both old and new planning and zoning laws. The legislative authority is already present. However, we need to encourage cooperation between municipal leaders, based on a productive rapport and increasing trust. Ultimately, we need a stronger commitment to land use planning that acknowledges the interdependence of jurisdictions and manages shared cultural and natural resources on a community-wide basis.