

Why Cooperate and For What Results? An Analysis of Local Cooperative Efforts to Manage Regional Growth in Michigan

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Urban Policy Research Briefs
2008, Number 3

MSU Center for Community and Economic Development

Introduction

In the early 1990s, several state reports identified the lack of integrated and coordinated planning as the greatest threat to Michigan's environment and economy. These reports revived conversations on regionalism and cooperation in Michigan, which coupled with the current state of Michigan's economy have resulted in clarion calls for local governments to share services and work cooperatively to increase fiscal efficiencies.

However, much of the emphasis on regional planning in Michigan has been on cooperation around services. Consequently, while there are many examples of Michigan localities sharing services to increase efficiency and promote costs savings, little is known about whether and how Michigan communities are working cooperatively on land use planning and zoning issues.

An analysis of the constitutional and legislative provisions addressing regional cooperation reveals that several Michigan statutes enable local governments to engage in regional cooperation. However, like most other states that do not have formal growth management programs in place at the state level, there are limited incentives for regional cooperation on land use planning and zoning issues in Michigan.

About 49% of municipalities indicated some level of cooperation around land use planning activities.

Given this institutional framework, this study evaluates the extent of cooperation on planning and zoning issues in Michigan and the factors that affect such cooperation. This study also evaluates the roles played by county planning departments and regional planning agencies (RPA) in fostering cooperation.

Key Questions

1. What is the extent of land use cooperation in Michigan?
2. What are the factors that affect cooperation on land use issues?

Methods

1. Mail surveys were sent to a representative sample of 600 local governments in Michigan. 33% of these local governments responded to the survey. Of those who responded, 68% were from townships, 11% were from villages, and 21% were from cities. Mail

surveys were also sent to a census of county planning departments and RPAs. 25% of counties and 50% of RPAs responded to the survey.

2. In-person semi-structured interviews were conducted with elected officials and planners from selected case-study communities that are currently engaged in cooperative planning and zoning efforts.

Based on the surveys and interviews, the following conclusions are drawn about the extent of planning and zoning cooperation in Michigan, the roles played by key actors such as counties, regional agencies and planning consultants in fostering cooperation, and the factors that promote and impede cooperation on land use planning and zoning issues.

Assessment of Cooperation Among Municipalities

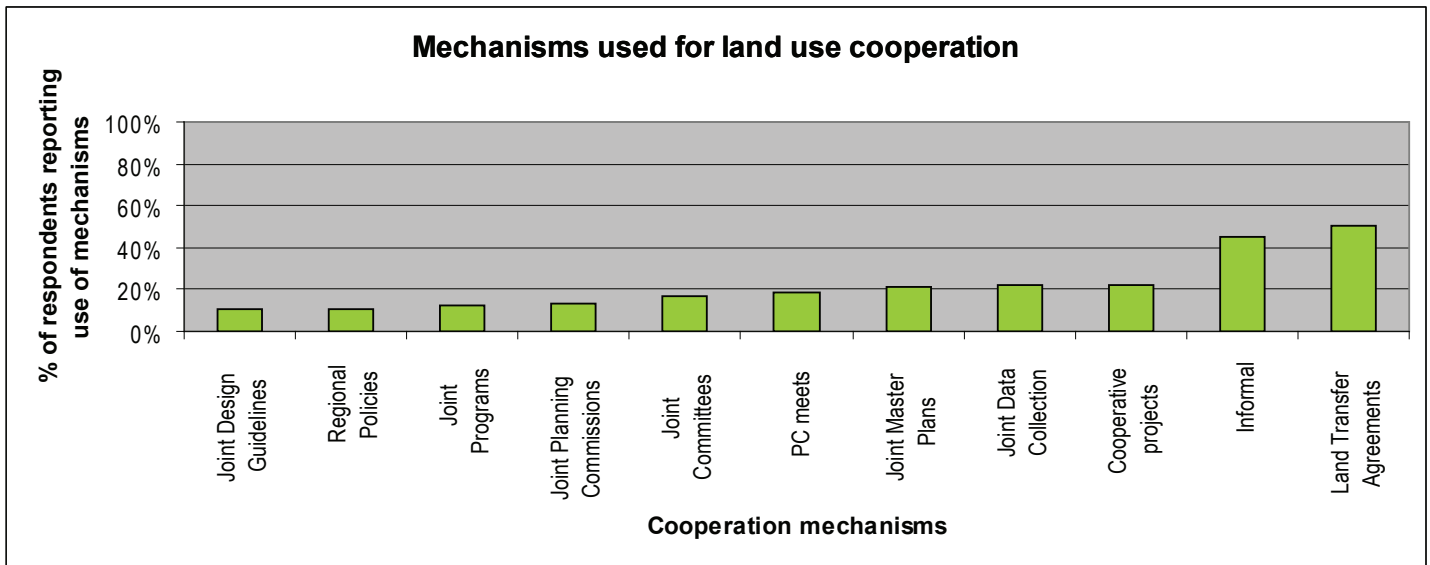
The study's key purpose was to ascertain the extent of land use cooperation on the ground. Starting with cooperation around services, as anticipated, a vast majority (94.5%) of respondents indicated that their jurisdiction cooperated with other municipalities on service delivery. Transit (23%), police (31%), parks (36%), water and sewers (51%), and fire (76%) are services that are most commonly addressed through cooperative arrangements.

On the planning and zoning front, about 49% of municipalities indicated some level of cooperation around land use planning activities. The cooperation mechanisms used ranged from a continuum of informal talks and meetings among planning commission members to more formal means, such as establishing joint plans and ordinances and forming Joint Planning Commissions (JPCs). The percentage of respondents indicating the use of these mechanisms is depicted in Figure 1.

As Figure 1 indicates, a Conditional Land Transfer Agreement, or PA 425 agreement (51%), is the most commonly used cooperative mechanism for land use planning purposes followed by informal cooperation (45%) among local decision makers. About 21% of municipalities reported having joint master plans and 14% reported considering, discussing, or having established joint planning commissions.

We wanted to understand if cooperation around particular services served as a precursor to cooperation on planning and zoning issues. Of all the service categories examined, quantitative analysis revealed that cooperation around water/sewer and transit services

Figure 1: Extent of Land Use Cooperation



were the only service types that were significantly correlated with cooperation on land use issues. This is not surprising considering that water/sewer and transit decisions have more direct impacts on land use patterns. Further analysis showed that municipalities that cooperate on transit services cooperate significantly more on land use issues when compared to municipalities that do not cooperate on transit issues. Similarly, municipalities that cooperate on water and sewers cooperate significantly more on land use planning issues when compared to municipalities that do not cooperate on water and sewer issues.

About one-quarter of respondents indicated that their

One-quarter of respondents indicated that their jurisdiction was involved in an unsuccessful attempt to cooperate on planning and zoning issues.

jurisdiction was involved in an unsuccessful attempt to cooperate on planning and zoning issues. Frequently cited reasons for these unsuccessful attempts could be divided into two components: Reasons that impede decision makers from getting to the table and reasons that make it difficult to sustain participation (see Table 1). The first set of reasons include turf problems, trust issues, issues not being ripe enough for action, prior annexation issues, and lack of real interest from communities. The second set of reasons include lack of money to sustain effort, unwillingness to compromise at the table, inability to reach an agreement, and lack of communication among participants.

This study also addresses the roles played by county, regional, and state agencies at alleviating these obstacles and facilitating local cooperation.

County Role

Counties in Michigan do not have regulatory authority over local plans, ordinances, or local planning processes. Counties typically play an advisory role in the planning process, providing numerous forms of assistance to local governments. Analysis reveals that 90% of counties comment on local master plans. This, however, is the only consistent function that counties in Michigan perform. County role with regard to general planning and zoning seems to be widely dispersed: 20% of counties reported that they plan and zone for local governments, 30% of counties assist local governments with master plan preparation, 35% of counties indicated that they provide technical assistance to local governments, while 55% reported that they provide data for plan preparation.

In addition to their role in the general planning process, counties perform several functions aimed at facilitating cooperation among municipalities in the county. These functions range from providing technical and financial assistance for local cooperative efforts to providing several opportunities for local elected officials and planning staff to interact. The county role in facilitating local cooperation was examined using both surveys of officials from municipalities and surveys of county officials.

Respondents from municipalities were asked to rate the effectiveness of the county planning department at performing several functions that are important for facilitating cooperation. The effectiveness of the county planning agency at performing the

Table 1: Factors affecting cooperation

Factors impeding the formation of cooperative efforts	Factors impeding sustained participation in cooperative efforts
Turf problems Trust issues Issues not being ripe enough for action Prior annexation issues Lack of real interest from communities	Lack of money to sustain effort Unwillingness to compromise at the table Inability to reach an agreement Lack of communication among participants.

following functions was significantly correlated with the extent of local cooperation:

1. The technical assistance provided by the county planning agency for local cooperative efforts
2. The extent to which the county planning agency serves as a forum for county wide problem solving
3. The extent to which the county planning agency provides a fair representation of county-wide interests
4. The extent to which the county planning agency sets county-wide land use goals and priorities

In a separate survey, county officials were asked to prioritize the same list of functions that are important for facilitating local cooperation. Results are shown in Figure 2. Two results are important: On average, county agencies consider providing financial incentives for local cooperation and mediation services for local governments as their lowest priorities.

The survey of county officials also revealed additional information on how county planning departments impact local cooperation. Some counties are more proactive than others at providing opportunities for local elected officials and planners to interact through workshops, conferences, committees, and working groups. This is important because the number of forums that counties provide for interaction among local decision makers was significantly correlated with the extent of local cooperation around planning and zoning issues within the county. The analysis also shows that the ability of counties to organize forums for municipalities is dependent on the resources available at the county level. In fact, the number of county-organized forums for local interaction was significantly correlated with the number of staff in the county planning department. This finding highlights the importance of strengthening the resources of county planning departments, as not all counties have the capacity to actively engage municipalities in cooperative planning processes.

Regional Role

RPAs (also referred to as State Planning and Development Districts) in Michigan, like the counties, do not have regulatory authority over local planning processes and plans. However, while 90% of counties report having a county-wide land use plan, only

40% of regional agencies have regional plans in place. The RPAs perform a range of functions, with about 70% reporting that they comment on master plans and assist with local plan preparation, and 90% reporting that they provide technical assistance and data to municipalities. These statistics, when compared with county statistics, reveal that county planning departments and RPAs are performing many duplicative roles. Division of labor between these two agencies would help direct some valuable and much needed resources more efficiently.

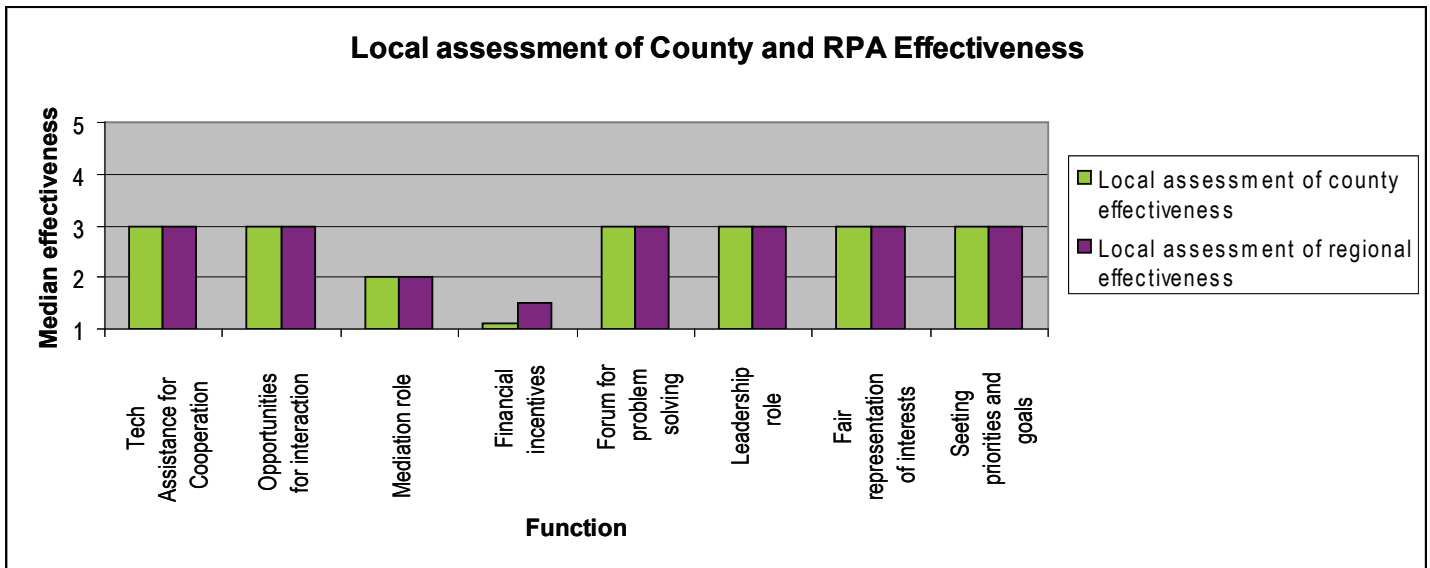
RPAs consider providing financial incentives for local cooperation and mediation services for local governments as their lowest priorities.

In the survey sent to municipalities, respondents were asked to rate the effectiveness of the RPA at performing several listed functions. The following functions performed by the RPA were significantly correlated with the extent of local cooperation on planning and zoning issues:

1. The extent to which the RPA provides financial incentives for cooperation
2. The extent to which the RPA serves as a forum for problem solving
3. The extent to which the RPA provides a fair representation of county-wide interests
4. The extent to which the RPA sets regional land use goals and priorities

In a separate survey, RPA officials were asked to prioritize the same list of functions that are important for facilitating local cooperation. Results are shown in Figure 4. Two results are important: Like the county planning agencies, on average, RPAs consider providing financial incentives for local cooperation and mediation services for local governments as their lowest priorities.

Figure 2: Municipalities' Assessment of County and RPA Effectiveness



These data provide valuable information on those county and regional roles that need to be emphasized to increase cooperation among municipalities.

Policy makers might consider establishing incentive packages that make it easier for municipalities to plan jointly.

First, when municipalities were asked to offer suggestions on incentives that could be provided to better facilitate cooperation, most respondents indicated the need for “carrots” such as financial incentives, awards, and recognition for cooperating municipalities. Yet, counties and RPAs list providing financial incentives for cooperation as one of their lowest priorities. Second, several municipalities indicated the lack of agreement on core regional issues and problems, inability to reach agreements at the table, the lack of communication among participants, and unwillingness of participants to compromise as key impediments to cooperation. Prior academic research suggests that these issues can be resolved if professional mediation, conflict management and negotiation opportunities are available to local decision makers. Yet, both counties and regional agencies list providing mediation services for cooperative efforts as one of their lowest priorities. State assistance in these areas has the potential to greatly increase local cooperation on regional issues.

State Role

State level activity on regional land use planning shows two key recent developments facilitating cooperation in Michigan:

1. The Coordinated Planning Act 2001 requires all

municipalities to send drafts and completed master plans to neighboring municipalities, the county, or RPA (among other entities) during plan preparation and updates. Research reveals that while county and regional agencies comment on the master plans and plan updates they receive, most neighboring municipalities do not. Local governments, for their part, incorporate most of the county and RPA comments in their plans but typically receive limited feedback from neighboring municipalities. Policy makers might consider strengthening requirements for feedback on master plans from neighboring municipalities to ensure systematic rather than sporadic interactions among municipalities.

2. The Joint Municipal Planning Act 2003 enables local governments to form Joint Planning Commissions. Research reveals that at least seven Joint Planning Commissions have been formed under this legislation. A number of municipalities indicated that they were considering PA 425 or the conditional land transfer agreements as part of the JPC agreements to resolve concerns surrounding annexation. To supplement this legislation, policy makers might consider establishing incentive packages that make it easier for municipalities to plan jointly. An example of an incentive package might be regional Transfer of Development Rights (TDR) programs for cooperating municipalities.

Several respondents indicated that policy makers should consider developing a set of state level goals and priorities (perhaps from the Leadership Council report) for land use planning in Michigan, and identify areas in the state to be protected from development, and areas to be prioritized for development. Policy makers might also consider establishing minimum master plan contents including a master plan section on regional cooperation and minimum consistency requirements for boundary uses and planning and zoning categories (e.g., R1, R2). Several respondents

also suggested that the state should provide incentives through revenue sharing by prioritizing those communities that have regional cooperative efforts and plans in place.

Role of Planning Consultants

Interviews revealed that most municipalities and counties in Michigan lack adequate resources to plan, zone, and enforce land use policies effectively. Only 34% of Michigan municipalities indicated that they employed full time staff for planning and zoning purposes. About 54% of municipalities indicated that they employed part time staff. Of the responding counties, 50% indicated that they employed full time staff and 50% indicated that they employed part time staff. Although regional agencies seem to be doing better in terms of capacity than counties and municipalities, the distribution of staff across regional agencies is highly varied with a range of 3-80 staff members per agency.

Given this assessment, it is not surprising to note that over 73% of local master plans are prepared by planning consultants. Several municipalities indicated that planning consultants are more likely to provide unbiased advice on what municipalities “ought” to do in terms of planning and zoning. This places planning consultants in the unique position of having the opportunity to provide both assistance and information on cooperation to decision makers at the local level, especially when adjacent local governments hire the same consultant independently.

Training

64% of municipalities responded that they had received training on the benefits of cooperation on planning and zoning issues. However, analysis shows that such training does not have a significant direct impact on local cooperation. Case studies indicate that training works indirectly through the process of “learning” that local and regional networks facilitate. Municipalities also reported that training is effective if it includes conversations with elected officials from municipalities that have established successful cooperative efforts. Training also seems to be effective in terms of providing decision makers with access to the information and expertise available for the topic at hand, should the municipality see the need to take the first step towards cooperative action.

Motivations for cooperation

When asked about the reasons why municipalities should cooperate with each other on land use issues, most decision makers indicated that cooperation was important to ensure the compatibility of land uses and development patterns and the consistency of land use policies and decisions across jurisdictional lines. Decision makers were not convinced that a number of the land use challenges faced by municipalities could not be solved exclusively at the local level or that some problems relating to land use planning, social equity, and environmental protection might be

better solved at a metropolitan or regional level. Similarly, decision makers, on average, were tentative about justifying cooperation on land use issues using arguments of sustainable land use patterns.

Case studies of communities currently involved in cooperative efforts reveal other motivations. Local decision makers who were part of cooperative efforts involving urban cities or villages, and rural townships indicated the presence of compatible goals as a key motivator of cooperation. Here townships that wanted to stay rural cooperated with cities or villages that wanted to stay urban. This allowed townships to consider directing development towards the city or village where infrastructure was already in place using policies such as urban growth and service boundaries. Local cooperative efforts have also capitalized on commonalities such as school district and watershed boundaries to define common issues of concern. Several jurisdictions started their interactions by identifying small common problems and achieving small cooperative successes in solving these problems together. Several others started planning cooperatively by reinterpreting their jurisdictional lines as common areas rather than boundaries and focusing on boundary uses as the starting of point for joint planning. Finally, many local governments are seeking protection against claims of exclusionary zoning and needed development by engaging in cooperative planning. Although not tested in the courts (yet), the Joint Municipal Planning legislation provides this protection.

Municipalities, counties, and regional agencies were also asked for their assessment of several factors thought to affect cooperation. These factors ranged from respondents’ assessment of the political climate in their region to an assessment of their relationships with other local decision makers. Several results are worth noting. First, municipal, county, and regional decision makers, on average, agreed that they shared good relationships with decision makers from surrounding municipalities. Second, municipal, county, and regional decision makers agreed that they could not identify strong leadership for land use cooperation in their region. Third, all three types of decision makers, on average, agreed that there was an absence of strong regional institutions that fostered cooperation in their respective regions. Fourth, with the exception of regional decision makers, both county and municipal decision makers, on average, indicated that they had limited access to the financial, technical, institutional, and other resources needed to forge cooperative alliances among elected officials on land use issues. Finally, while all three types of decision makers indicated that most municipalities in their region faced similar problems, they all also indicated that municipalities in their regions did not agree on what the problems were and how to solve them.

Conclusion

Despite obstacles, constraints, and the lack of many incentives to cooperate, municipalities in Michigan are cooperating to some extent on planning and zoning issues. These cooperative efforts range from informal conversations among municipalities to more formal plans and planning commissions being established among multiple local government units. This study indicates that county and regional planning agencies have the basic infrastructure in place to play a larger and clearer role in facilitating local cooperation. Planning consultants may be valuable to local cooperative efforts and their roles in such efforts should be more carefully examined.

About the Authors:

Nina David is a doctoral student in the Urban Planning Program at the University of Michigan. Her doctoral dissertation focuses on cooperative regional land use efforts in Michigan, Florida and New Jersey. She is an expert at local land use decision making in Michigan and has worked extensively with local decision makers, policy makers and educators in Michigan over the past four years. She has served in the capacity of project manager and research associate for local planning processes in many Michigan communities including Traverse City (the Riverfront Project) and the Northeast Michigan Region (the Northeast Michigan Integrated Assessment Project). She currently serves in the Government Relations Committee and writes policy briefs for the Michigan Association of Planning.

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Professor **Elisabeth Gerber** is a leading expert on intergovernmental cooperation. She has published several articles on the topic and is currently principal investigator on a major NSF grant to study the institutional context of local government cooperation in U.S. metropolitan areas. Between 2001 and 2006, Gerber served as Director of the University of Michigan's Center for Local, State and Urban Policy. In this capacity, she consulted with numerous scholars, analysts, policy professional and decision-makers on various state and local policy topics.

Visit <http://ced.msu.edu/> to obtain a copy of the full report summarized in this brief.

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The **Urban Policy Research Series** addresses critical urban policy issues facing our State by connecting Michigan's core city mayors and legislative leaders with its finest urban scholars. By supporting of policy research on priority issues identified by mayors themselves, the Policy Research Series mobilizes practical scholarship concerning urgent issues facing Michigan's older central cities. In 2007, with support from the W. K. Kellogg Foundation through the MIHELP consortium, Michigan scholars were invited to propose policy research and analysis projects concerning specific issues identified as of high priority to members of the Urban Core Mayors. Six projects were selected, and researchers were commissioned to conduct the first of what is intended as an annual cycle of targeted policy research.

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About the Partners:

The Urban Policy Research Series is the result of a partnership between elected leaders in local and state government and Michigan's higher education community. Special thanks to Faron Supanich for his leadership in coordinating this project, and Graham L. Pierce for preparing this report for publication.

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The **Center for Community and Economic Development** is a Lansing-based unit of Michigan State University's Office of University Outreach and Engagement. Established in 1969 to initiate and support innovative problem-solving strategies to improve the quality of life in distressed communities throughout Michigan, CCED provides a multidisciplinary capacity to respond to the complex, interrelated issues of communities. In fulfilling its mission to engage university resources in support of Michigan communities, CCED has provided assistance and information to the Urban Core Mayors since 1993. For more information visit <http://www.ced.msu.edu/>

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