

the review

July / August 2021

the official magazine of the  michigan municipal league

Glenn and Essence Wilson Are Building Community in Flint



MSHDA Statewide
Housing Plan Will Be
a First for Michigan

>> p. 10

Is Your Zoning Ordinance
Limiting Attainable
Housing Options?

>> p. 13

Expanding Housing
Supply Through
Innovative Zoning

>> p. 20

the review

The official magazine of the Michigan Municipal League

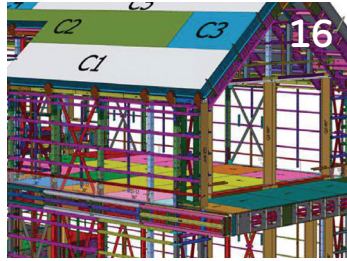
Features

6

Hidden in Plain Sight

Multi-Family Housing from Historic Precedents

By Melissa Milton-Pung



16

16

Lincoln Park

What to Do with City-Owned Lots?

By Leah DuMouchel, AICP



20

10

MSHDA Statewide Housing Plan Will Be a First for Michigan

By Josh Hovey



10

20

Expanding Housing Supply Through Innovative Zoning

By Chris Khorey, AICP

24 COVER STORY

Turning 'Dirt into Diamonds'

Communities First Is Crazy for Change

By Matt Bach



24

13

Is Your Zoning Ordinance Limiting Attainable Housing Options?

By Andy Moore, AICP



13

28

Convention 2021

We're Back in Person in Grand Rapids this September!

32

Homelessness and a Focus on Housing Security

By Eric Hufnagel

Columns

5 Executive Director's Message

35 Legal Spotlight

36 Municipal Finance

38 Northern Field Report

40 The Lab Report

45 Municipal Q&A

46 Maximize Your Membership

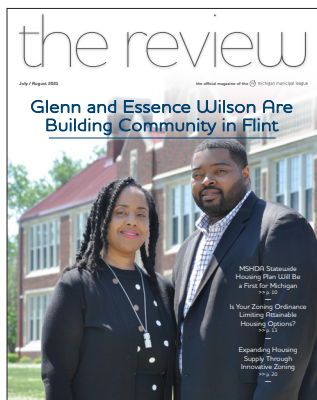
COVER

Glenn and Essence Wilson of Communities First, Inc. in Flint

See mml.org for the electronic version of the magazine and past issues.



For information that is up-to-date and relevant to your community, visit: mml.org/coronavirus



Follow Us:





Thriving Communities Don't Happen by Accident™

Public officials across Michigan work with Plunkett Cooney to develop healthy business districts and safe neighborhoods that residents are proud to call home. Whether in council chambers or in the courtroom, your community can count on Plunkett Cooney for the right result.

ATTORNEYS & COUNSELORS AT LAW

Audrey J. Forbush

Governmental Law Practice Group Co-Leader

Direct: (810) 342-7014

PLUNKETT  COONEY

DETERMINED. DISTINCTIVE. FEARLESS.®

Bloomfield Hills | Detroit | Lansing | Flint | Grand Rapids | Marquette | Petoskey

www.plunkettcooney.com

FACT SHEET



Municipal Attorneys...
Managers...
Department Heads...

Add to our
growing
collection!

Do you write one-page
explanations of
municipal topics for
your council or staff?

If so, submit them to
the League as possible
Fact Sheets.

These one-page information
sheets offer a clear and
concise explanation of
a variety of municipal topics.
The *Fact Sheet* is an additional
piece of information, such
as a sample ordinance,
policy, or resolution.

These fact sheets are
available online at mml.org.
Email kcekola@mml.org
for details.



the review

The official magazine of the Michigan Municipal League

Volume 94, Number 4

We love where you live.

The Michigan Municipal League is dedicated to making Michigan's communities better by thoughtfully innovating programs, energetically connecting ideas and people, actively serving members with resources and services, and passionately inspiring positive change for Michigan's greatest centers of potential: its communities.

BOARD OF TRUSTEES

President: William Wild, Mayor, Westland

Vice President: Dr. Deirdre Waterman, Mayor, Pontiac

Terms Expire in 2021

Michael Cain, City Manager, Boyne City
Brian Chapman, City Manager, Sault Ste. Marie
Frances McMullan, City Manager, Ypsilanti
Jean Stegeman, Mayor, Menominee
Diane Brown Wilhelm, Councilmember, Midland

Terms Expire in 2022

Peter Dame, City Manager, Grosse Pointe
Carla J. Filkins, Mayor, Cadillac
Monica Galloway, Councilmember, Flint
Patrick Sullivan, City Manager, Northville
Mark Washington, City Manager, Grand Rapids
Barbara A. Ziarko, Councilmember, Sterling Heights

Terms Expire in 2023

Robert Clark, Mayor, Monroe
Stephen J. Gawron, Mayor, Muskegon
Robert La Fave, Village Manager, L'Anse
André L. Spivey, Councilmember, Detroit
Deborah Stuart, City Manager, Mason
Keith Van Beek, City Manager, Holland

MAGAZINE STAFF

Kim Cekola, Sr. Editor
Tawny Pearson, Copy Editor
Monica Drukis, Editorial Assistant
Marie Hill, Creative Lead
Josh Hartley, Graphic Designer

TO SUBMIT ARTICLES

The Review relies on contributions from municipal officials, consultants, legislators, League staff and others to maintain the magazine's high quality editorial content. Please submit proposals by sending a 100-word summary and outline of the article to Kim Cekola, kcekola@mml.org.
Information is also available at:
www.mml.org/marketingkit/.

ADVERTISING INFORMATION

The Review accepts display advertising.
Business card-size ads are published in a special section called Municipal Marketplace.

Classified ads are available online at www.mml.org. Click on "Classifieds."
For information about all MML marketing tools, visit www.mml.org/marketingkit/.

SUBSCRIPTIONS

\$24 per year for six issues.
Payable in advance by check, money order, Visa/MasterCard/American Express.
Make checks payable to Michigan Municipal League. Phone 734.669.6371; fax 734.669.4223 or mail new subscription requests and checks to the Michigan Municipal League, P.O. Box 7409, Ann Arbor, MI 48107-7409.

The Review (ISSN 0026-2331) is published bi-monthly by the Michigan Municipal League, 1675 Green Rd, Ann Arbor, MI 48105-2530. Periodicals postage is paid at Ann Arbor MI. POSTMASTER: Send address changes to THE REVIEW, 1675 Green Rd, ANN ARBOR, MI 48105-2530.



Please recycle this magazine

Digging in to the Future of Housing

As our emergence from the challenging past year accelerates, it is imperative that we continue to turn our attention towards addressing socioeconomic problems that were further revealed by the pandemic. Providing adequate housing for all residents has always been a top priority for communities, but like so many other things, the pandemic highlighted the critical need to address it in bigger and bolder ways. The lack of affordable housing, the rising costs of housing, evictions, foreclosures, and homelessness create a very unstable housing environment that impacts the whole community. As we talk about community wealth—defined as strategies that build community and individual assets, creating resilient and adaptable systems to address social and economic needs—the League believes that a key component is to ensure that all residents have access to equitable, attainable, and stable housing for a community to thrive and grow. Although many stopgaps were put in place to address emergencies, now is the time to establish longer-term measures that will be more sustainable.

On several different fronts, housing issues are being undertaken at the national, state, and local levels. Illustrating its resolve to address housing in this country, the federal government has proposed investing five billion dollars to assist with emergency rental assistance, mortgage payments, and homelessness assistance payments. Whether it makes it through the long and arduous legislative process remains to be seen, but at the very least, it shines a light on a pressing need. The National League of Cities (NLC), in partnership with The National Low Income Housing Coalition, developed a new practices guide for cities operating Emergency Rental Assistance programs (ERA). Although this primarily applies to direct recipients of ERA program funds—cities over 200,000 and state programs—it could also be useful as a model for smaller cities who are proactively trying to connect their residents to aid through the states or larger metro areas. You can check out their *CitiesSpeak* blog at [NLC.org](https://nlc.org) for more information.

I am very excited about our recently announced initiative that the League, along with League member communities, is part of a coalition of organizations that is launching a legislative agenda to address the state's

housing crisis. We are putting our collective forces behind a bipartisan plan to focus on this urgent crisis. The goal is to proactively assist municipalities to meet the housing needs of their residents and businesses by expanding tools for local governments, which will allow them to support the development or rehabilitation of housing supplies. Providing more flexibility and local control to local units will enable them to make decisions on proposed programs including affordability requirements, length of any tax credits, and where assistance can be applied. This will allow housing tools to be applied based on local conditions and need. Several initiatives have already been introduced, so please check out our legislative blog, *Inside208*, for frequent updates.

Lawmakers across Michigan communities are already initiating new ways to not only alleviate the shortage of affordable housing, but to develop new housing that will respond to the shortage. The City of Lincoln Park is pursuing a potential partnership with local trade schools to build lower-cost installation of prefabricated homes. In addition, they have developed a Housing Redevelopment Guide to encourage building on vacant city-owned residential parcels that will be less of a drain on the city. The mayor of St. Johns, Eric Hufnagel, also the executive director of the MI Coalition Against Homelessness, shares his ideas on how communities can respond to homelessness. Our "Northern Field Report" shares thoughts on how Airbnbs are upending the housing market. We also feature an analysis of zoning regulations and how different types of housing—Accessory Dwelling Units (ADUs), mixed-use, setback requirements, modular/mobile homes in residential neighborhoods, and duplexes can contribute to an increase in housing in our communities. Check out the articles for many other perspectives and innovations.

Enacting significant change in any crisis takes time. Although there's no doubt that we have a lot of work ahead of us, I am confident that together we can make meaningful progress that will have a real impact on housing instability and ultimately enrich our communities.



Daniel P. Gilmartin
League Executive Director and CEO
734.669.6302; dpg@mml.org



HIDDEN IN PLAIN SIGHT:

Multi-Family Housing from Historic Precedents

By Melissa Milton-Pung

Michigan has a rich housing stock, spanning in origin from the early nineteenth century to the present day, offering a diverse array of forms and styles. Many homes are “vernacular” styles, the common, everyday building language adapted to the climate of the Great Lakes region. Some examples echo national housing styles popularized by pattern books and mass marketing, with Victorian-era styles, pre-Depression kit homes, and post-World War II tract developments occupying a substantial portion of this portfolio, as well as mid-century modern suburban homes currently enjoying a popular revival.

Absent from this brief story is evidence of multi-family homes once abundant in Michigan municipalities.

This Used To Be Normal

During the early twentieth century, Michigan shifted from an agrarian economy to one heavily reliant on industrialization, and in particular, the auto industry. People migrated here from all over the country for Ford’s “\$5 a day” deal, occupying all manner of “double houses” and “rooms to let.” Demand for safe, clean, housing led to the creation of multi-family units and apartments.

Most of these multi-family dwellings were located walking distance from employers, or the nearest streetcar, and many were used as flexible ways for families or extended relations to live together. Today, we would call them duplexes, triplexes, quads, and small apartment buildings. During the 1930s, three generations of my own family—emigrants from western Kentucky to Detroit—occupied an entire six-unit building of “cold water flats” in southwest Detroit, so named because they had basic plumbing, but not the luxury of hot water. These flats were built as large houses, often with wide, shared porches and common hallways. Still others were converted from aging mansions. Such smaller-sized unit housing choices provided a sense of community among tenants, and yet also offered privacy and affordability.



No. 130



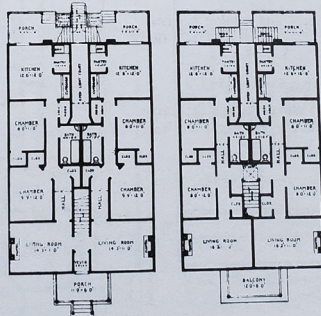
A four-family apartment house with four rooms for each family that can be built at a very low cost and will make an exceptionally good paying investment. The building of this house at a low cost is made possible by the economical arrangement of the plans, such as our single stairway to be used for both families on the second floor, and with but one front door and one vestibule. Having the two bathrooms on the first floor adjoining the same wall and the bathrooms on the second floor directly over the bathrooms on the first floor makes it possible to use one set of plumbing pipes for all four bathrooms. One rear stair opening to each side to accommodate all the families in the building.

Details and features: Sixteen rooms and four baths. Four-family house. Front porch with balcony above; center gable; dentil cornice. Fireplace in living rooms.

Years and catalog numbers:
1911 (130); 1912 (130); 1913 (130)

Price: \$1,783 to \$2,152

Locations: Boston, Mass.;
Great Falls, Mont.; Woonsocket, R.I.; New Richmond, Wis.



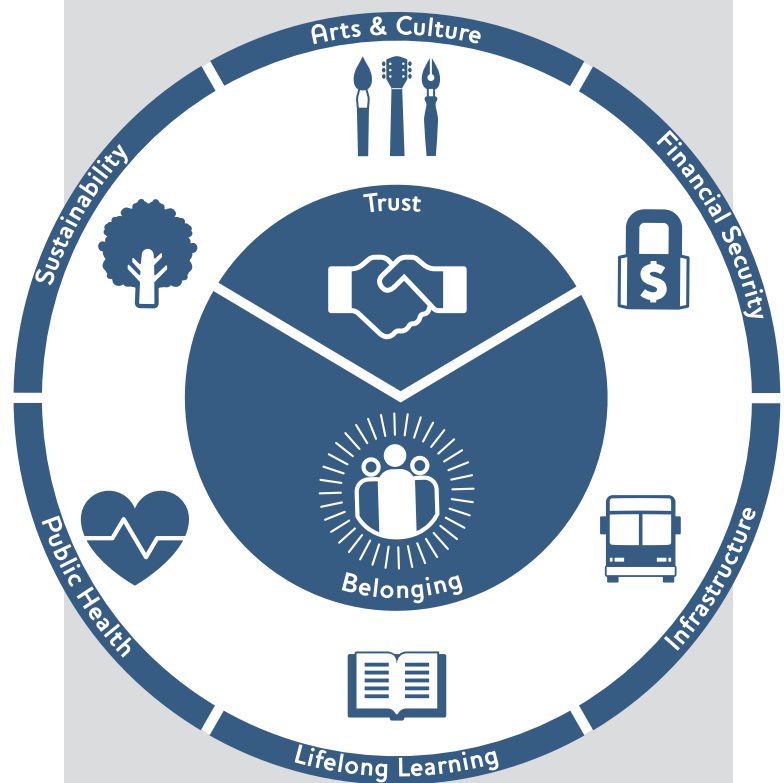
Mail-Order Solutions

The kind of manufacturing that drew migrants to cities during this era also scaled up to meet the residential sector. Several mail-order companies, such as Bay City-based Aladdin Homes and the Sears, Roebuck & Co., appeared in the market. People could save up the cash to purchase or access financing through the manufacturer for an entire home, which would arrive on a railcar ready for construction by the buyer or locally hired skilled trades. Casually and without fanfare, a modest array of “two-family houses” or small apartment four-plexes were offered by these manufacturers alongside small cottages, mid-sized models, and capacious single-family homes.

In 1913, the Sears Model “No. 130” was described as, “a four-family apartment house with four rooms for each family that can be built at a very low cost and will make an exceptionally good paying investment.” The floorplan was neatly arranged as if two sets of mirrored shotgun houses were stacked upon one another with common wet walls, connected by a central hall, skinned with a confidence-garnering brick exterior, and accessed by a singular entry door on a shared porch. While the value of accommodating four households in one urban lot was sold as a sound investment, the visuals of unobtrusively fitting into the residential landscape was accomplished with form, massing, and shown siting nearly indistinguishable from single-family homes.

Pillars of Community Wealth Building

We define community wealth building as strategies that build community and individual assets, creating resilient and adaptable systems to address social and economic needs. The League will work with our partners to provide thought leadership, training, advocacy, resources, and best practices to build community wealth.



EUCLIDEAN ZONING is a system of zoning whereby a... community is divided into areas in which specific uses of land are permitted (*Merriam-Webster Dictionary*); also known as use-based zoning.

R1 refers to single family residences in zoning codes.

"In the United States, it would seem that diversities of style and strong contrasts of architectural design are a perfectly natural occurrence."

CALVERT VAUX
ARCHITECT AND LANDSCAPE DESIGNER,
CO-CREATOR OF NEW YORK'S CENTRAL PARK


Written Off the Map

With the arrival of Euclidean zoning in many American towns by the mid-to-late 1920s, and the connoted moral superiority of R1 neighborhoods, the ability to slide multi-family units into urban and suburban lots was written out of the playbook. In subsequent decades, the adaptation of larger single-family housing units to multi-unit housing has continued to occur naturally, and sometimes covertly, in both urban and suburban landscapes. Despite their pragmatic approach, these kinds of functional adaptations to market needs are still, with rare exceptions, essentially outlawed. While some have been grandfathered in as non-conforming uses pre-dating current zoning code, others have been grudgingly allowed by zoning boards on a case-by-case basis. These factors, combined with loan products focused on single family housing and the high cost of new multi-family construction unsupportable outside of the luxury market, have created a vacuum in housing choice options for a substantial portion of Michiganders.

What We Need Next

Currently, most of Michigan's housing stock—approximately 70 percent—is single-family housing, the ideal of the post-World War II-era. Meanwhile, the average household size continues to shrink—from 4.5 individuals in the 1960s to 2.5 individuals in the 2020s—so the need for expansive, multi-bedroomed residences has waned. More pressingly, as household incomes have dropped or stagnated on average, demand has markedly increased for housing units within the affordable or attainable cost range.

Michigan's communities continue to grapple with vacant lots yielded from Recession-era blight demolitions, blank parcels never developed within municipal boundaries, and lack of activity for the creation of by-right accessory dwelling units (ADUs). Such undercapitalized land assets present the opportunity to create new housing units—and create future taxable revenue with increased density—while availing of municipal investments already sunk into public transit and non-motorized corridors, as well as standard roads, water lines, and sewer infrastructure.

Twenty years into the twenty-first century, a fraction of Michigan's historic multi-family units remain standing. It was not that these pragmatic housing solutions fell out of fashion, it's because they were written off of the landscape by the perceived superiority of single-family housing. While the big house on a large lot may work for some, it is not the solution for everyone. Perhaps what we need again is, in fact, hidden in plain sight, in the form of these multi-family housing solutions to age-old housing needs. 

Melissa Milton-Pung is a policy research labs program manager for the League. You may contact her at 734.669.6328 or mmiltonpung@mml.org.

**METRO CONSULTING ASSOCIATES**

Helping communities make real, positive transformations

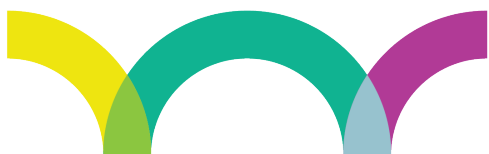
Community Outreach + Education
Grant Writing + Fund Management
EGLE Compliance
Civil Engineering
Stormwater Consulting
GIS Services
Land Surveying

800.525.6016 | info@metroca.net

Michigan communities have an opportunity to re-emerge from the pandemic as co-creators of a bright, new future that puts people and local communities first.



Bridge Builder microgrants support innovative work that intentionally & creatively brings people together, and repairs broken relationships in the community.



BRIDGE BUILDERS
neighborhood microgrants



BRIDGE BUILDERS
main street microgrants

Pledge your support for Bridge Builders in Michigan communities at mmlfoundation.org/donate.



HOUSING MICHIGAN

Prosperity Regions

The Regional Prosperity Initiative was established in 2013 to help accelerate the state's economy and improve the quality of life for Michiganders by more effectively leveraging resources at a regional level. Regional planning and collaboration supported by responsive state services are critical to economic growth in Michigan.

ALICE

ALICE is a United Way project that stands for Asset Limited, Income Constrained, Employed. ALICE represents residents who earn more than the U.S. poverty line, but less than the basic cost of living.

MSHDA STATEWIDE HOUSING PLAN WILL BE A FIRST FOR MICHIGAN

By Josh Hovey

Housing and community planning experts have long noted Michigan's lack of quality affordable housing as a barrier to community growth and advancements in quality of life. According to a recent Michigan Statewide Housing Needs Assessment, about 50 percent of renters and 25 percent of homeowners pay too much for housing. This overpayment strains household finances and can result in families struggling to afford basic necessities or even maintain their health.

The onset of the COVID-19 pandemic has amplified housing challenges and highlighted the need to improve the safety and quality of the state's housing stock, as well as gaps in racial disparities. To address the state's housing needs, the Michigan State Housing Development Authority (MSHDA) has begun the process of developing a five-year Statewide Housing Plan (SHP) that ensures all Michiganders have access to safe, affordable, and quality housing.

MSHDA is spearheading the development of the plan, the first-of-its-kind for the state, with the help of Lansing-based consulting group Public Policy Associates. "The objective is to have something that is research-informed and takes a broad

perspective so that the plan reflects the needs in Michigan and the opportunities to make positive change," said Public Policy Associates Chief Operating Officer Colleen Graber.

Public Feedback

Graber explained that the SHP's development will involve a robust process that includes broad community and stakeholder engagement. So far, roughly 7,000 landlords, tenants, and homeowners have been surveyed across the state to offer their input on Michigan's housing issues, opportunities, and challenges.

A second public feedback survey is planned later in the year alongside public feedback sessions to gather input on the plan as it is in its draft states. At least one feedback session will be held in each of the state's Prosperity Regions, which are anticipated to be held virtually. In addition, Public Policy Associates is leading an analysis of national housing trends and innovations, benchmarking MSHDA against other states conducting interviews with state and national housing experts.



SHP is also being guided by the Michigan Statewide Housing Plan Partner Council, a group of more than 50 leaders who are advising the consultant team from Public Policy Associates and MSHDA's strategic planning team on stakeholder outreach and engagement approaches, helping interpret stakeholder input, and generating ideas for strategies to address the state's housing needs.


"Housing serves as the cornerstone to every community—impacting numerous other social and economic concerns such as health, educational achievement, and access to employment," said MSHDA Acting Executive Director Gary Heidel. "With every stakeholder in the housing industry working together through this Council, MSHDA aims to identify and implement solutions that will result in meaningful changes at the individual, community, regional, and state levels."

Michigan Municipal League Joins Coalition's Call

The Michigan Municipal League is represented on the Partner Advisory Council by Executive Director and CEO Dan Gilmartin and Legislative Associate Jennifer Rigterink. "Michigan communities have been through so much, especially in the past year and a half. Our goal is to ensure all League member perspectives are well-represented so that communities large and small, urban, and rural, have the opportunity to provide input into the housing strategies detailed in the final plan,"

said Rigterink. Rigterink notes that the creation of the Statewide Housing Plan be a critical component of supporting the League's Economic and Financial Security Pillar. "League members have long recognized that quality housing is vital to a community's long-term success, so we're focused on making sure the Partner Advisory Council's work is being informed by tools like the United Way's ALICE project as well as drawing inspiration from our members across the state that have employed creative solutions to address their housing needs."

Get Involved

Outreach and engagement efforts for the Statewide Housing Plan will continue throughout the summer with the goal of having a completed plan with measurable objectives by the end of 2021. League members are encouraged to learn more and participate in the plan's development. Visit Michigan.gov/housingplan for more information. 

Josh Hovey, APR, is vice president of Martin Waymire. You may contact him at 517.485.6600 or jhovey@martinwaymire.com.



The League has compiled the resources on its Diversity, Equity, and Inclusion page in support of our members as we move together toward a better understanding of racial injustice in our communities, and our role in correcting it.



mml.org/dei

The Law Firm For MUNICIPALITIES

CAPITAL PROJECTS & INFRASTRUCTURE
CONSTRUCTION AGREEMENTS & LITIGATION
DOWNTOWN/ECONOMIC DEVELOPMENT
ELECTIONS
ENVIRONMENTAL & REGULATORY LAW
HOSPITALS & HOUSING

INTERGOVERNMENTAL AGREEMENTS
LABOR & EMPLOYEE BENEFITS
LOCAL, STATE & FEDERAL TAX
OMA/FOIA
REAL ESTATE
TAX INCREMENT FINANCING

**MILLER
CANFIELD**

millercanfield.com/PublicLaw

From innovative projects and municipal bonds to collaborative agreements and tax increment financing, cities and villages and their attorneys throughout Michigan rely on Miller Canfield's 160+ years of collective wisdom and diverse expertise.

DETROIT ANN ARBOR TROY LANSING KALAMAZOO GRAND RAPIDS CHICAGO



IS YOUR ZONING ORDINANCE LIMITING ATTAINABLE HOUSING OPTIONS?

By Andy Moore, AICP

The housing affordability crisis has been a focal point of many community planners and developers as the inexorable march of housing prices into the stratosphere seems to continue unabated. This leaves many local officials feeling helpless as they try to implement policies to provide attainable housing options for a variety of ages, abilities, and incomes. While one city or village can't solve the entire problem, everyone can do their part to create more inclusive communities. Implementing attainable housing policies doesn't have to be a herculean effort. Several simple adjustments can be made to the zoning ordinance that will allow for more affordable and attainable housing options.

Size Matters

When it comes to attainable housing, size matters. Large houses cost more to build and maintain than small houses. Large lots cost more than small lots. With this in mind, a good place to start in the evaluation of your zoning ordinance is what it requires for minimum dwelling unit sizes and minimum lot sizes.

Most zoning ordinances include a section, usually in the general provisions, that regulates single-family dwellings. This addresses topics such as construction methods and materials, foundations, crawl spaces, and the like. It also contains two often-overlooked provisions that require a minimum area for all dwelling units and a minimum horizontal dimension. In many cases, the minimum area for dwelling units is 1,200 or even 1,500 square feet, so it is quite literally illegal to build a small, affordable house for one or two people. Similarly, this same section often requires a minimum horizontal dimension across any front, side, or rear elevation of at least 24 to 30 feet, which can also have a practical effect of mandating larger houses than necessary. These two provisions should be evaluated in conjunction to ensure that, at a minimum, it is possible to build a smaller house in your community if the market demands it.

Attainable housing is priced for households earning 60–120 percent of the area median income (all state and federal housing resources are designed to target income earners averaging 60 percent AMI or below. The one exception to this is the down payment assistance program for first-time homebuyers which extends to households earning up to 80 percent AMI). AMI is always based on the county-wide data sets. This can be frustrating for communities that have much higher rates of poverty than the county-wide average. However, the federal definition is what drives the funding allocation, so we are a bit stuck with it.

Affordable housing is priced for households earning 60 percent of AMI or below.

Definitions courtesy of Ryan Kilpatrick at Housing Next.

Many zoning ordinances also contain minimum dwelling unit standards in the zoning district chapters, so be sure to check there, too. In this case, you can take a more fine-grained approach by adopting different minimum requirements on a district-by-district basis to best meet the needs of your community, but you should identify several areas in your community that can accommodate the growing demand for attainable housing.

In addition to dwelling unit sizes, minimum lot size requirements can also affect how much housing will cost. Some communities have amended lot size standards in older neighborhoods to fit a more suburban pattern, so it may be possible to restore lot size requirements to match the original plat. This could allow for additional housing supply since more homes can be built in a given area, and it also encourages the construction of smaller homes on smaller (and often less expensive) areas of land. If you decide to explore this option, make sure you review and adjust, as needed, set back requirements so new buildings can be approved on smaller lots without a variance.

Consider a Variety of Alternatives

Many Euclidean (use-based) zoning ordinances only contemplate three forms of housing: single-family detached, two-family (duplexes), and multiple-family dwellings. This approach can make for a simple zoning ordinance to administer, but it doesn't necessarily represent the diverse range of housing options that communities need and want.

So, consider the following options, such as:

Accessory Dwelling Units (ADUs). ADUs are generally defined as a second, subordinate dwelling on a residential property that contains separate living, cooking, sleeping, and restroom facilities. ADUs (often called granny flats, mother-in-law suites, guest houses, etc.) have experienced a resurgence of sorts in the last 10–20 years.

ADUs are a viable option, particularly for students and seniors, that may have fewer possessions and do not have the time, ability, or desire to maintain a larger living area and property. ADU regulations are flexible: they can be attached or detached to the main dwelling; they can be their own standalone building or on the second story of a detached garage, and you are free to regulate their use, occupancy, sale, lease, and duration of use as much or as little as your community desires. ADUs can be enabled as permitted or special uses through a series of relatively simple amendments to your zoning ordinance, so enabling their development and use need not be a complex and intimidating effort.

Mixed Uses. Most communities permit some kind of mixed-use development, but they are often relegated to areas where no one wants to live, so the option does not get exercised often enough. Consider permitted mixed-use development that includes a residential component right in your community, particularly in or near areas where residents can walk to obtain goods, services, and entertainment options.


Live/Work. Live/work units are buildings containing a residence in addition to a nonresidential (retail, service, or office) space. They are intended to allow for a person to live and work in the same building in separate spaces. Live/work units are often in small structures and can be placed on small lots, making them ideal for neighborhood infill opportunities.



Think Positively

Sometimes, ordinances are written or amended around the mindset that the community needs to prevent certain bad behaviors or undesired land uses. While this is sometimes justified, local officials must also ask themselves if their zoning ordinance is enabling good design. A zoning ordinance will never live up to its potential if it doesn't, at a minimum, enable the kind of development that the community supports.

As an experiment, test your ordinance yourself. Design a rough sketch of a project that you would like to see in your community and review it against your zoning ordinance to see if you'd be able to approve it. Is it even permitted? Would the site design require a PUD? A special land use permit? A variance? How long do you think it will take to approve?

If you find yourself digging through your zoning ordinance, seeking out obscure provisions, technicalities, and creative interpretations to make it work, your ordinance might feel like an obstacle to good development and good design, rather than a guide for it. If this is the case, it may be time to work on some amendments. 

Andy Moore, AICP, is an executive at Williams & Works. You may contact him at 616.224.1500 or moore@williams-works.com.



An ADU on the second story of a detached garage.



**TOTAL
SECURITY
SOLUTIONS**

SAFETY + AESTHETICS in Bulletproof Systems



FREE CONSULTING



CUSTOM DESIGNS



RETROFITS



NEW CONSTRUCTION

For a free design consultation visit or call:
on.tssbulletproof.com/mml | 517-236-8806

Vacant, city-owned residential parcels are a drain on city resources: mowing obligations, security concerns, blight prevention. Redevelopment is the best way to get them back in the private sector, but a mismatch between the market-rate sale price and the cost of investing in homebuilding, including profit considerations, leaves these opportunities unpursued. To help bridge that gap, the City of Lincoln Park is creating a redevelopment guide that pairs available parcels with neighborhood-level development information extracted from its 2019 master plan. At the same time, the city's building official is considering how to develop a partnership with local trade schools to meet dual goals of lower-cost prefabricated home installation and skill development in the emerging adult population.

LINCOLN PARK: WHAT TO DO WITH CITY-OWNED LOTS?

By Leah DuMouchel, AICP

The Problem with City-Owned Lots

What does each lot cost the city? "We are responsible for snow removal and lawn maintenance, and any damage if it happens," said building official John Meyers. The lots, which are empty, flat, curb cut, and served with utilities, are "long-term unused," according to Meyers, "and have never been formally invited back into the community." He worked with assessing to ensure that each entry on his list of properties was in a legal condition to sell, then worked with city council to adopt an official process. The planning consultant identified properties that didn't meet minimum width or area standards and those in the Ecorse Creek floodplain. "We offered all unbuildable lots to adjacent owners at cost—just what it takes to do the paperwork," explained Meyers. "We don't have assemblable properties, though. It's a very piecemeal process."

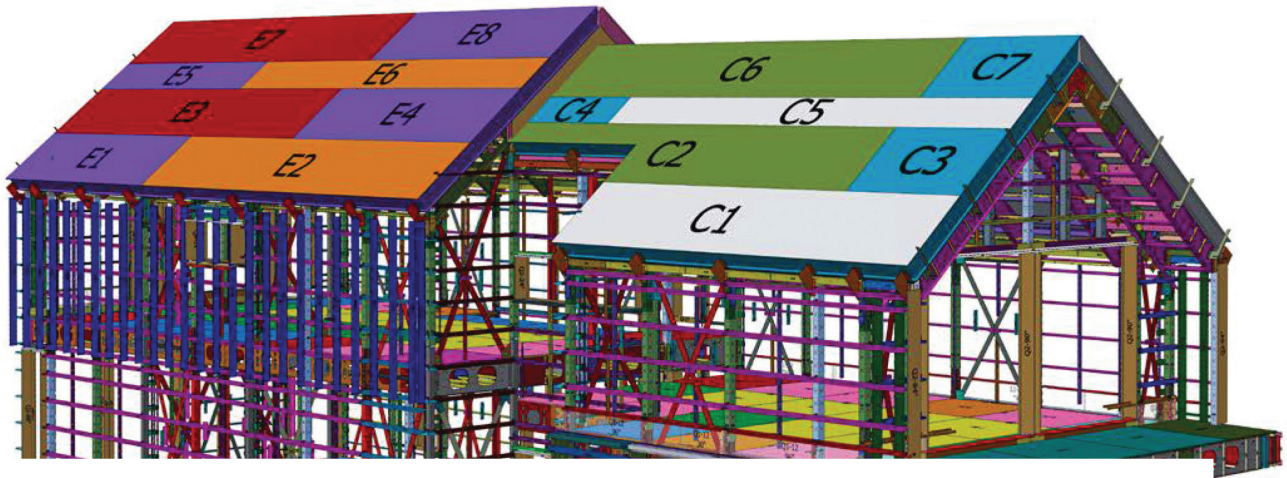
Redevelopment Guide

The analysis showed about 80 standard-sized residential lots to be redeveloped. To start, the city took a page out of the Redevelopment Ready Communities program playbook: Lincoln Park's 2019 Master Plan presented a description of housing structures by type, and also identified neighborhoods for planning purposes. This information was supplemented with infrastructure information and neighborhood-specific income and housing data, then repackaged into a "Property Redevelopment Guide." An ever-changing spreadsheet of available properties can now be paired with the guide to offer an interested party a clear picture of the desired development and site characteristics.

Exploring Prefabricated Housing

With that, the horse is led to water. But no one expects significant development pressure for these lots to suddenly appear now that the paperwork is cleared up. Their vacancy was not attributable to an external force such as the housing crisis; rather, they are an accumulation of isolated buildings that have succumbed to disinvestment or tragedy. This collection of property scattered across the city's low- and moderate-income neighborhoods is a particular sort of investment opportunity, one that's not fully represented on a single-project pro-forma designed to show the financial gain to a company specializing in residential buildings. When properly calculated, the city itself is the entity that stands to gain the most from making it.

Housing is generally in the purview of the private sector, where the rule is "no profit, no project." Meyers ticks off the familiar barriers: 10-15 percent increase in materials costs over the past two years; shortage of skilled builders; and disruption exacerbated by the pandemic. When the city's planning consultant sent him an article showcasing a type of prefabricated homes designed to address those challenges, he picked up the phone and called the company cited in the article, Canada-based Bone Structure. "Don't show me the promotional video," he asked the representative, "show me the engineering drawings."



"Housing is generally in the purview of the private sector, where the rule is 'no profit, no project.'"

What he learned impressed him. "The modular system says, 'I have the house built well,'" explained Meyers, "and my contractor only has to worry about foundations, footings, connections, and finishing. So now instead of 10 months from the ground up, it may only take six. It's not so much a cost savings as it is rearranging the timing. This particular company has their own drawings, and instead of building it out of wood, they can build out of steel. I find a lot of positive in it, even though I've not built much with steel. All of the mechanicals are pre-set and drawn—everything is calculated." Overall, he sees a strong potential for a better-quality product with longer-term value and lower utility costs.

Quality input makes this prefab system work. Bone uses detailed site information to craft its blueprints, which the city would need to commit to gathering and delivering to the company in a usable format. Meyers hopes this could offer an immediate opportunity to contain costs: "There's no reason we wouldn't be starting this with seven buildings of the same model." The blueprint significantly lowers the bar for implementation. "In Michigan, commercial buildings are governed by architecturally sealed drawings," he noted, "but residential buildings can be executed by licensed contractors. So, we still need someone to read a blueprint and match it to the construction process. But after that—where do we get our people who are doing the work? If we're not worried about lack of skill, we can bring in a different group of people."

John's Vision

And here is John Meyers' comfort zone: people-based community building. An ordained minister whose professional background includes teaching wood shop and survival camping to at-risk youth, he says, "My background was not in specs, techs, and facts. I feel like I run out of steam when there's so much need and all I hear is, 'There's no money.' What happens if we stop and say, 'Let's change the financials?'" In his vision, he'd like to re-create something similar to a past partnership he had with Lawrence Tech University, retrofitting an existing building to meet current community needs, but this time partnering with high schools that have building programs. The homes would be learning tools for the students, with a city inspector specializing in residential building instruction. "We need to show that we can build a two-story multifamily building on a 50' lot that integrates with the neighborhood and is attractive and affordable. By the time we build two of these with high schoolers or even nonprofits, they will have an understanding of how buildings work that they can take into a career in construction or inspection."


Actually, if he's really dreaming, Meyers would prefer to have these homes built by Lincoln Park's own high school students, because he is a true believer in complete neighborhoods that serve their residents' educational, recreational, and convenience needs in addition to offering a roof over their heads.



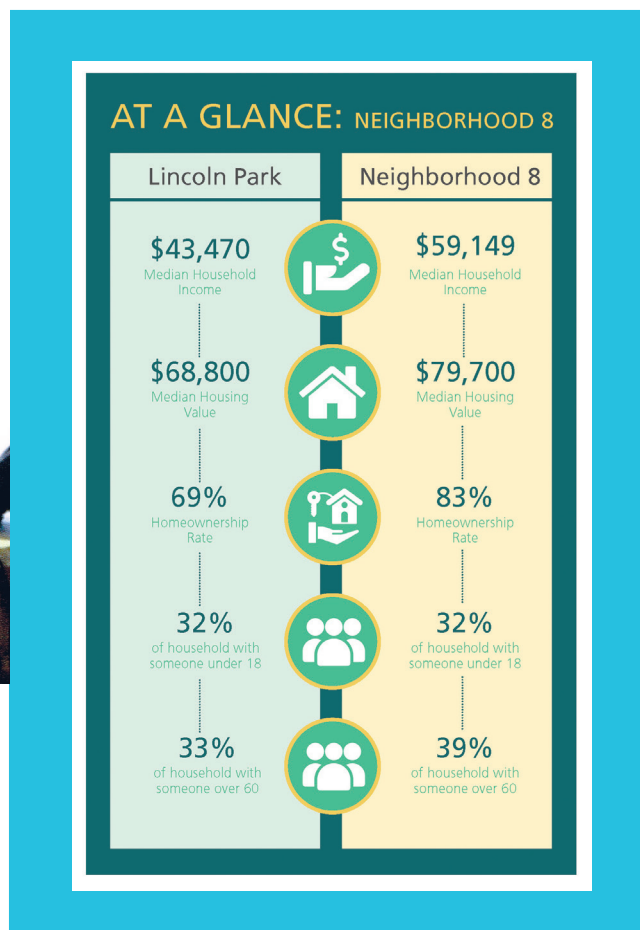
Lincoln Park building official John Meyers' vision is to retrofit an existing building to meet current community needs by partnering with high school building programs.

Building and Zoning Codes Limitations

When asked whether the building and zoning codes were in fact limiting housing development from his point of view, his criticism was largely directed at use restrictions: "In the zoning code, I'd move 'neighborhood businesses' off the corridors and into the actual neighborhoods so people have real walkability—someplace to walk to. These 'quality of life' improvements add monetary value to the homes, and we can strengthen mom and pop shops and smaller businesses there, too. Chains are not going to locate on these streets, because there's not enough traffic. So, we can leave the corridors to them."

There is a 3.67-acre parcel in the center of a neighborhood in the city's northwest corner that has caught his attention, where he dreams of improvements that will lift the whole neighborhood. "I would make it mixed-use," he mused, "with a couple of townhomes, a bank, a place to get ice cream and coffee, and a laundromat." This vision is a real departure from the one that guided the city's development, wherein single-family homes are rigidly separated from every other use, but Meyers argues that the strong effort necessary to develop a brand-new vision is far better than the alternative. "Are we supposed to wait until 60 percent become vacant, and then bulldoze it all and try to rebuild? Is that the only way forward? Why can't we have something good on this 3.67 acres, but I have to cut it every two weeks?" 

Leah DuMouchel, AICP, is a principal with Beckett & Raeder, Inc. You may contact her at 734.663.2622 or ldumouchel@bria2.com.



Ron Redick | Curtis Underwood | Ross Leisman

Municipal and Public Law Powered by Experience.

- Municipal governance
- Finance & bond counsel
- Litigation
- Condemnation
- Elections & ballot proposals
- Special assessments
- Property tax appeals
- Zoning & land-use planning
- Intergovernmental cooperation
- Labor & employment
- Environmental law
- Water, sewer & stormwater systems
- Technology

Mika Meyers PLC

Attorneys at Law

mikameyers.com

(616) 632-8000

Here for Michigan. Now more than ever.



Confidence comes with every card.®

At Blue Cross Blue Shield of Michigan, we're committed to caring for Michigan and everyone who calls it home. For our members, it's a commitment to provide you with the ability to see a doctor from your home, and the option to speak to a nurse anytime you need them. Now more than ever, we will stand behind the care you need. Like we've done for 81 years. For more information, contact your local BCBSM licensed agent or the MML Risk Management Department at **800-653-2483**.

Blue Cross Blue Shield of Michigan and Blue Care Network are nonprofit corporations and independent licensees of the Blue Cross and Blue Shield Association.

W001601

Expanding Housing Supply Through Innovative Zoning

By Chris Khorey, AICP

Facing an extremely tight national and statewide housing market, communities are searching for ways to increase supply using their planning and zoning tools. These efforts frequently involve three prongs—designating appropriate greenfield sites on the edge of town for new housing, increasing housing opportunities in downtowns and other mixed-use nodes, and adding “missing middle” housing and “gentle density” to existing residential neighborhoods.

But in recent years, a fourth option has arisen, with pioneering communities re-thinking their commercial corridors—and even their industrial areas—in an effort to create new opportunities for quality, attainably priced housing near jobs and amenities.

The commercial conversion option has shown fewer barriers to success. Suburban-style corridors have relatively low land values per acre, especially as the brick-and-mortar retail and office markets evolve post-pandemic. Converting these corridors to mixed-use boulevards, featuring multi-story buildings, opens up a new opportunity to rapidly absorb housing units into markets that need them.

The early adopters of this idea around Michigan have been some of its largest cities—Detroit, Grand Rapids, Lansing, Ann Arbor, etc.—as well as inner-ring suburbs with high housing demand, such as Royal Oak, East Lansing, and Wyoming. In those communities, the fruit of community planning and zoning is visible, as new mixed-use developments and housing rise on corridors formerly populated by fast food and strip malls.

But the first step is getting the planning and zoning tools in place. And a second wave of communities is working on those tools right now, preparing themselves for redevelopment and growth.

The proposed Form Based Code for 28th Street would require a “slip street” to be constructed with new development, to separate local traffic from through traffic and create a safe pedestrian environment.

A 20th Century Suburb Plans for the 21st Century

The City of Livonia adopted its “V.21” Master Plan in 2018. Livonia was constructed around the traditional Michigan grid of “mile” roads, with its major corridors widened as the city grew, and in many cases lined with shopping centers and auto-oriented retail.

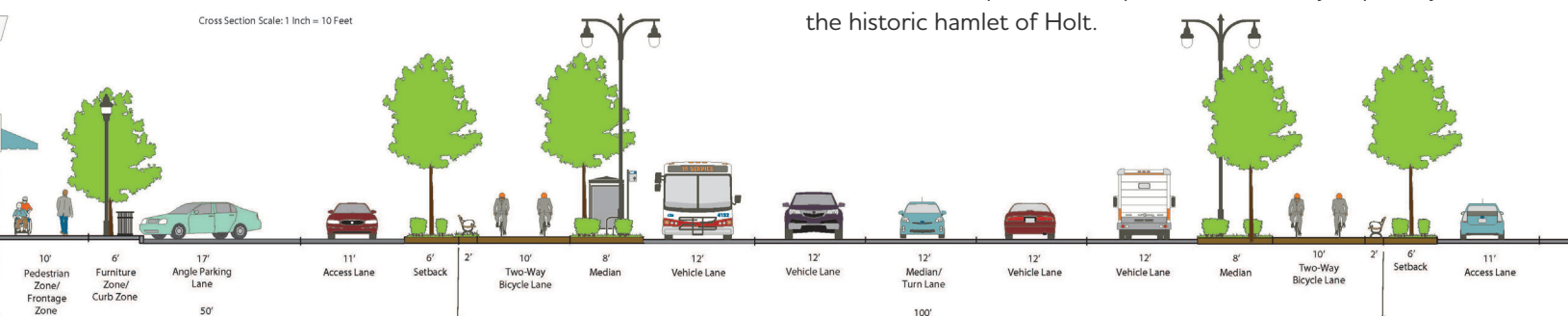
In rethinking these corridors for the coming decades, the city identified its best opportunities for redevelopment, including the intersection of 7 Mile and Middlebelt Roads, the community’s Civic Center at 5 Mile and Farmington Roads, and the Plymouth Road corridor. The city then articulated a vision for the corridors that connected them—a gradual, market-driven conversion of underutilized commercial to missing middle housing.

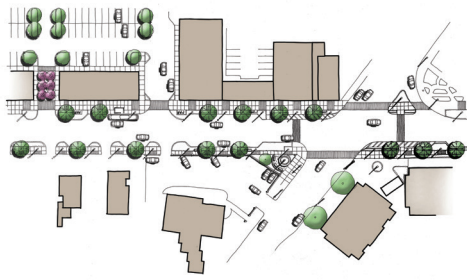
These tiers of redevelopment were incorporated into Livonia’s soon-to-be-adopted zoning ordinance, creating a new “form-based development option,” which developers can choose to use within the areas designated in the master plan. This system allows developers and the city to react to the market—viable commercial sites remain stable, while disinvested sites become opportunities for redevelopment.

Turning a Regional Thoroughfare into a Main Street

The Ingham County suburb of Delhi Charter Township has been working for several years to transform Cedar Street, a major regional thoroughfare connecting Lansing and Mason, from a conventional suburban corridor into a series of mixed-use nodes, including housing to meet growing demand.

Delhi’s efforts began with the award-winning Realize Cedar corridor plan, which used graphics and images (and an animated fly-through) to demonstrate the community’s final vision and gain buy-in from residents and property owners. The township also worked with the Ingham County Road Department (which owns the roadway) to add bike lanes, crosswalks, and other traffic calming designs. With the public infrastructure in place, development is underway, especially in the historic hamlet of Holt.

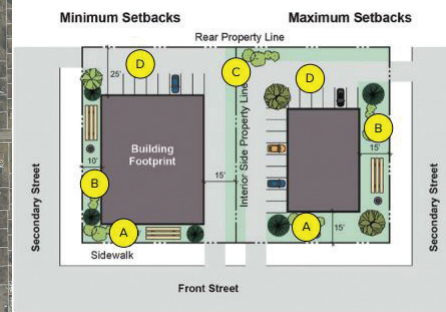




One of the key nodes in the Realize Cedar plan is the historic hamlet of Holt, shown here reimagined with new development (currently under construction) and a safer, more pedestrian-friendly streetscape (which has already been completed).



The Livonia V21 Master Plan includes this conceptual vision for the Middlebelt Road corridor near 7 Mile Road, envisioning the creation of housing and mixed-use development, while retaining green space.



Holland's Form Based Code acknowledges the realities of development on busy corridors by allowing for a small setback, featuring amenities and greenspace, on the heavily traveled River Avenue and Michigan Avenue corridors.

Bold Thinking on an Aging Corridor

Meanwhile, the City of Grandville is home to the western end of the Kent County's signature suburban commercial corridors, 28th Street. But Grandville saw an opportunity to think big—first, because 28th Street is just a few blocks from the city's historic downtown, and second, because of the development of the Grand Castle, a 10-story multi-family building featuring over 500 units, along the corridor.

With a walkable neighborhood nearby and emboldened by the successful completion of a mid-rise building, the city is in the final stages of adding 28th Street to its existing form based code. The new 28th Street District would have no height limitation but would have precise regulations about the street frontage—a “slip street” concept to separate pedestrians, local traffic, and parking from the through traffic on the busy corridor. This would create a serene and safe pedestrian environment to support a new, more urban form.

Finding Housing Opportunities Citywide

Ottawa County is facing one of the state's most acute housing shortages. According to a report by Housing Next, the county added nearly 40,000 jobs since 2009, but barely 10,000 housing units during that same time frame. At the epicenter of the housing crunch is the county's largest city, Holland, which is undergoing a comprehensive re-write of its zoning and development codes, to create a unified development ordinance. And it's taking a city-wide approach to housing.

In addition to provisions expanding housing opportunities in its mixed-use centers, its residential communities, and its undeveloped outskirts, Holland has created specific zoning to incentivize housing in its commercial corridors—and its industrial districts.




The Form Based Code adopted along Michigan Street in the City of Grand Rapids has resulted in mixed-use developments rising on a corridor previously characterized by drive-thrus and parking lots.

For the commercial corridors, the city is converting its conventional commercial zoning in the “corridor mixed-use” zoning district—a district that allows multi-story buildings and housing, while preserving commercial first floors. Holland is also creating a “greenfield mixed-use” district for larger or underdeveloped lots, especially in its Waverly Avenue corridor.

The city also features a large industrial area on its Southeast side, filled with corporate campuses—and their attending greenbelts and buffers. The new zoning would create opportunities for “non-industrial outlots”—allowing the companies to invest in workforce housing on their existing properties, on land previously reserved for landscaping or otherwise not suitable for industrial development.

Reacting to a Changing Market

As the COVID-19 pandemic abates, the post-pandemic market is coming into focus. Housing is growing in demand, while retail and office are stagnant or shrinking. Forward-thinking communities are using their planning and zoning tools to anticipate this trend, and to be ready when the market calls for redevelopment. 

Chris Khorey, AICP, is a manager at McKenna & Associates. You may contact him at 248.596.0920 or ckhorey@mcka.com.

MISSING MIDDLE HOUSING describes a range of multi-family or clustered housing types that are compatible in scale with single-family or transitional neighborhoods. Missing middle housing is intended to meet the demand for walkable neighborhoods, respond to changing demographics, and provide housing at different price points.[1] The term “missing middle” is meant to describe housing types that were common in the pre-WWII United States such as duplexes, rowhomes, and courtyard apartments but are now less common and, therefore, “missing.” (Wikipedia)

A FORM BASED CODE (FBC) is a means of regulating land development to achieve a specific urban form. Form Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle, with a lesser focus on land use, through municipal regulations. A FBC is a regulation, not a mere guideline, adopted into city, town, or county law and offers a powerful alternative to conventional zoning regulation.[1] (Wikipedia)



PLANNING
DESIGN
BUILDING

Delivering thoughtful solutions.

It all starts with listening. McKenna professionals engage with community officials to identify key challenges before developing creative, thoughtful solutions to realize the unique vision of each planning, design, and building assignment. Our professionals even provide communities with high quality, on-location help in zoning administration, building, and planning.

By tailoring our services to your needs, you benefit from McKenna specialists. Commit to no more than you need but secure the support and resources of some of the state's best talent, only when you need it.

With offices in Detroit, Grand Rapids, Kalamazoo, and Northville, our professionals are immediately poised to serve Michigan's elected and appointed leaders as we look to a brighter 2021.

Communities for real life.

MCKA.COM • 888.226.4326



MML Liability, Property and Workers' Compensation Insurance

MML Insurance Programs. You Own Them.

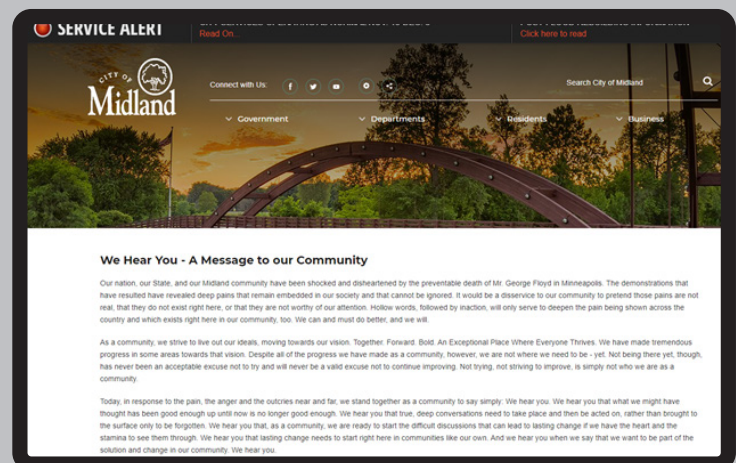
www.mml.org • 800.653.2483

DEI Sample Member Policies



On the Michigan Municipal League Diversity, Equity & Inclusion site, we have assembled a variety of sample member policies that address discrimination, police misconduct, or racial inequity—please share your own policies as examples for others to draw on. They range from community-wide communications, like the example shown on this page, to community benefits ordinances and racism as a public health crisis.

To learn more, visit mml.org/dei.



“Some people have the mindset of being in poverty because they haven’t been taught differently. It’s about showing compassion and having them think about wealth creation.”

-GLENN WILSON

FLINT
pop. 102,434



Turning ‘Dirt into Diamonds’:

Communities First Is Crazy for Change

By Matt Bach

At a popular sandwich shop in Flint, Glenn Wilson is approached by a homeless woman asking for money for food. He turns around, looks the woman in the eye, and asks for her name. “Rhonda,” she says. “Well Rhonda, it’s nice to meet you. I’m Glenn,” he responds. “How about I just buy you something to eat?” Rhonda thanks him and continues down the street with her lunch. Glenn explains to a bystander that while he doesn’t normally give people money, he does try to meet the need they’re having if he can. But even more importantly, he will get their name and talk with them because “people are people and everyone deserves to be noticed and heard,” he says.



Before (l): Coolidge Elementary School closed in 2001. After (r): As a place special to Glenn, who attended Coolidge with his brother, sister, and cousin who perished in a house fire, Communities First rehabbed it into 55 apartments.

Taking that people-focused approach in everything they do, Glenn and his wife, Essence Wilson, are the founders and visionaries behind Communities First, Inc.—an inspirational nonprofit community development corporation that takes abandoned and heavily neglected buildings and turns them into incredible apartments for low-income individuals. The end products are places that anyone would be proud to call home—laminated flooring, stainless steel appliances, and granite countertops.

The Wilson's story starts in their hometown—but this isn't just a Flint story. It could be your story. Likely every Michigan community has "that building"—the one people complain about. While it could be a headache for some, for the Wilsons it is an opportunity to build community wealth. The work of this dynamic duo has been featured in national publications and won multiple awards, including most recently the Governor's Award for Historic Preservation for turning the former Coolidge Elementary in Flint into the stunning Coolidge Park Apartments.

Under the motto "Empowering People. Building Communities," the powerhouse couple has endured their own obstacles as minority developers in a traditionally white-male dominated profession. Since forming 10 years ago, they've provided homes to hundreds of people. "Where people see dirt, we see diamonds," said Glenn, president and CEO. Essence is Chief Strategy Officer. Together they run the organization along with a board of directors and a small team. "We are changing the scope of how people look at a homeless individual. People are people. People having difficulties. You don't know people's story until you ask them."

"If they don't have family or friends who can support them in times of difficulty, the vast majority of people are one job loss or accident away from being homeless," Essence added.

The Michigan Municipal League and the MML Foundation are strong advocates of the community wealth building work being done across the state by people and organizations like

Communities First. Community wealth building embraces strategies that build community and individual assets, create resilient and adaptable systems to address social and economic needs, and enhance the overall human experience.

"Communities First has strong leadership and a team focused on a broad approach to equitable community wealth

building," said Helen D. Johnson, president of the Michigan Municipal League Foundation. "Michigan needs more comprehensive community development organizations and efforts working to create equitable outcomes. We are thankful that Communities First is leading great work in this space and we hope to see more examples of this work in the state."

To finance their many projects, the Wilsons work closely with state and federal housing agencies, and numerous partnerships with banks, foundations, and private donors.

At the federal level, U.S. Representative Dan Kildee, D-Flint, has frequently worked with the Wilsons and Communities First and has seen first-hand the considerable effort that goes into these developments.

Communities First, Inc. is a nonprofit community development corporation based in Flint that has invested more than \$50 million in converting dozens of one-time eyesores into community gems. To learn more, visit communitiesfirstinc.org or follow them on social media at Facebook, [com/communitiesfirstinc](https://www.facebook.com/communitiesfirstinc), twitter.com/Communities_1st, [Instagram.com/communitiesfirstinc/](https://www.instagram.com/communitiesfirstinc/), and YouTube.



Oak Street Senior Apartments BEFORE

“Born and raised in Flint, Glenn and Essence Wilson love their hometown and are always looking for ways to help people,” Kildee said. “Their work has had a remarkable, positive impact on Flint. By breathing new life into buildings, they are helping to revitalize our community and make lives better for the people who call Flint home.”

Gary Heidel, acting executive director for MSHDA, the Michigan State Housing Development Authority, grew up in Flint and has seen the city go through its highs and lows. “I’ve been very impressed with how Communities First leveraged state and federal resources to turn various vacant and blighted buildings and schools into points of pride for the community,” Heidel said. “What’s even more important is how these developments have transformed the lives of the people who live in and enjoy these now vibrant places.”

One person whose life has been transformed is Beverly. She was overwhelmed with emotion when she first viewed her new home. “I’ve been homeless for almost two years and I’m so excited to be in this apartment. All mine, nobody I have to ask, ‘can I sleep here, can I come into your home and use your bathroom? Can I get a meal?’ I just want to thank you for allowing me to be off the streets. These are joyful tears,” she said wiping her eyes. “Man, this is awesome, this is beautiful.”

Flint Mayor Sheldon Neeley said other communities can learn from Communities First. “Flint is proud of the work being done by Communities First. They build community both physically through their housing developments and spiritually through events like Movies Under the Stars, an international food festival, and educational seminars,” Mayor Neeley said. “Glenn and Essence are true community assets.”

Jermaine Ruffin is an urban planner out of Detroit and host of the podcast *The Streets Are Planning* about urban planning, cities, hip hop culture, and community development. Ruffin has



Oak Street Senior Apartments AFTER

followed the Wilsons closely from the very beginning. He says what sets them apart from some other developers is their heart and the holistic, community-service approach they take. “They really get to know the people they’re supporting,” Ruffin said. “They realized early on that merely handing over the keys to someone who was once homeless or has experienced financial struggles or other hardships isn’t enough. So, they provide a lot of other services as well, such as food assistance, help with their credit, and mental support when needed. They truly are building equity and wealth for people and the communities they serve.”

Trust and Community Building

Glenn and Essence believe that to serve the whole person you need to build trust and belonging. To do this, Communities First focuses on the following areas—economic mobility, equitable real estate development, and engaged communities. “Some people have the mindset of being in poverty because they haven’t been taught differently,” Glenn said. “It’s about showing compassion and having them think about wealth creation.” In addition, they help with school, job training, leadership and conflict resolution training, and medical assistance. “For a lot of them, we provide furniture when they move in,” Glenn said. “It’s about providing people holistic care because some of our residents are coming from trauma-based situations. When you’re able to help them come out of that trauma that gives them the stability they need.”

Essence added, “Once they get the help they need, they start helping other people. They become volunteers. We helped one resident become a Master Gardener and she does vegetable and flower gardens that everyone enjoys. It’s kind of a ripple effect. It’s about empowering our residents.”

The organization provides dozens of community-focused events each year, including Movies Under the Stars in summer, an African American Film Series in winter, and A Taste of Culture featuring cuisines from different countries in the spring. They organize field trips called “Culture Shock Experiences,” designed to provoke, surprise, and stimulate—such as curling, hiking the dunes in Grand Haven, and riding the tall ships in Bay City. In addition, they lead webinars in their “Community Candor: Go Make a Difference” series on race relations, community policing, the importance of volunteering and voting, financial planning, home improvements, and tips for working with contractors, just to name a few. “Even during COVID-19 with our webinars and outdoor events we were able to reach upward of 30,000 people,” Glenn said.

Communities First isn’t a typical development company because Glenn and Essence are not your typical developers. Glenn was a partner in a successful health care group and Essence has a background in mechanical engineering. “Being minorities has not been easy, especially in the field of building development,” Glenn said. “We’ve been able to break through a lot of barriers, but we’re not the norm. We’re also trying to find ways to open spaces for future minority developers.” Not long after they started dating, Glenn sold his share in the health care company and was looking for his next turn in life. He had been in a lot of people’s homes and saw places where no one would want to live—yet there they were. “Imagine living some place because you have to not because you want to,” Glenn said. “I thought, ‘we can do better than this.’”

Essence added, “We had just started dating and this dude was like, ‘let’s start a nonprofit.’ I’m like, ‘well that’s great for you,’ but I’m thinking, ‘he’s going to be broke for life,’” she said, laughing. “But it all worked out. That’s the rejuvenating factor—our belief in God and being able to tap into a source greater than yourself and knowing that what you’re doing has a real purpose. Anybody can build a building. But building someone’s memories and building someone else’s legacy is a super cool and an amazing thing to be part of.”

Preserving Buildings and Memories

Glenn’s life and history in Flint came full circle recently when Communities First redeveloped the former Coolidge Elementary into a 55-unit Coolidge Park Apartments. Glenn attended the school as a boy with his siblings. It was closed in 2011 as part of budget cuts and declining enrollment for Flint Community Schools.

“In 1992 we had a house fire and I lost my brother, my sister, and a cousin,” Glenn said. “And we all went to Coolidge school together. So that project was particularly special to me.”

Glenn and Essence were at Coolidge recently and talked about the tree that was planted outside of the school decades ago in memory of Glenn’s family members who died. The tree is now fully grown and the Wilson’s will be restoring a plaque on the tree that was stolen that commemorates his family members. The 93-year-old building had fallen into disrepair. With a \$16.8 million investment using low-income housing and federal historic preservation tax credits, Communities First restored the school and had it listed on the National Register of Historic Places. They also constructed an adjacent four-story mixed-use residential and retail building, and a large community playground. Residents touring the facility during its grand opening were amazed to see all the school lockers restored, murals created by students still adorning the walls, the school gym and theater room were renovated to their original glory, and the classroom doorways were now entries to apartments.

“Now I can take my daughter to Coolidge, and with pride, show her where her dad went to school. So not only are we preserving buildings, we’re preserving memories of the past and for the future.”

Advice for Communities Working with Developers

The Wilsons said the number one thing communities can do to help developers like them is recognize the need for attainable housing. “I shouldn’t have to come to a council meeting and explain why you need affordable housing,” Glenn said. “I shouldn’t have to do that because the need is so immense out there.” Their recommendation to other developers looking to do this work is to stay focused, have a ton of patience, a strong work ethic, and a good business plan that has these three steps: 1) Research; 2) Connecting to other people; and 3) Building a team for success.

“Many projects don’t happen, because people don’t have the grit, tenacity, and perseverance to get the job done,” Essence said. “People go into it thinking it’s much easier than it is. People don’t realize the different phases and steps that they’ll have to go through. There’s the ideation and funding, then the construction, then the leasing process, and then you have to run the completed development.”

And their final recommendation is more of an intangible—a touch of insanity.

“Some people might call me crazy. I guess I’m crazy for progress,” Glenn says with a chuckle. “Crazy for solutions. Crazy to see change happen.”

And change is happening —one historic building at a time.



Matt Bach is the assistant director of strategic communications for the League. You may contact him at 734.669.6317 or mbach@mml.org.



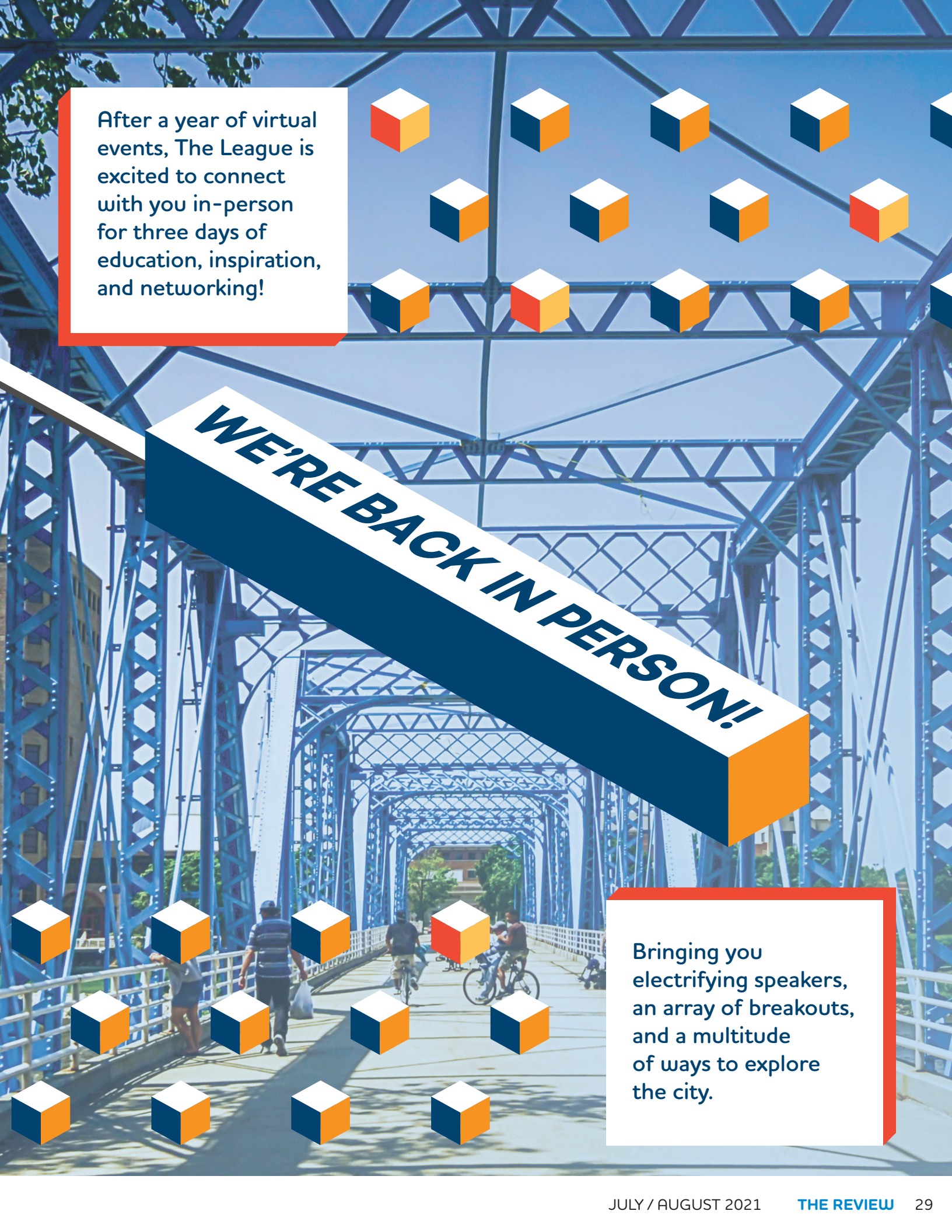
MICHIGAN MUNICIPAL LEAGUE
2021
CONVENTION
TRUST & BELONGING
Sparking a Community Revival



GRAND RAPIDS, MI

SEPT 21-24, 2021

CONVENTION.MML.ORG



After a year of virtual events, The League is excited to connect with you in-person for three days of education, inspiration, and networking!

WE'RE BACK IN PERSON!

Bringing you electrifying speakers, an array of breakouts, and a multitude of ways to explore the city.

Join us for a range
of experiences that
will leave you feeling:

OPTIMISTIC

EMPOWERED

COURAGEOUS

OPEN-MINDED

REGISTER TODAY!

EARLY BIRD RATE ENDS AUGUST 30

For more information go to convention.mml.org

MML
CNV
2021





BECOME A SPONSOR

LOOKING FOR VISIBILITY AND THE ULTIMATE IN BRAND RECOGNITION?

For three days, local officials from across the state come together to connect, engage, and discover creative solutions to local challenges. We will do our utmost to satisfy the needs of sponsors with unique involvement and exposure.

Contact Rachel Potts at rpotts@mml.org or visit the sponsorship tab at convention.mml.org for more information.



#MMLCONV



Homelessness and a Focus on Housing Security

By Eric Hufnagel



Whenever I'm asked to give an overview of what homelessness looks like in the state of Michigan, my response will invariably include the phrase "homelessness is complicated." Its complexity exists in the myriad of reasons that may contribute—singularly or in many different combinations—to an individual or family finding themselves without housing. Resolution, then, is often similarly complex as multiple issues may need to be addressed—some concurrently, some sequentially; across multiple systems with separate access points, relying on various funding streams with differing eligibility requirements and, unfortunately, even systemic weaknesses that create and perpetuate inequity.



Barriers

For a quick overview of the issue, the number of Michiganders who've experienced homelessness has hovered above 60,000 people annually for the past few years. The following are some additional statistics included in the 2019 annual report developed through Michigan's Campaign to End Homelessness that I believe are worth keying in on:

- Just under half of all persons experiencing homelessness were families;
- Nearly 60 percent of those families were led by a single female parent;
- The average age of the children within those families was seven;
- The average monthly income for a person experiencing homelessness was only \$662 (not enough money to afford rent and living expenses anywhere in Michigan);
- More than 40 percent of the homeless population had a long-term mental and physical health condition (despite this fact, people experiencing homelessness are less likely to have health insurance than the general population); and

- 52 percent of Michiganders experiencing homelessness were Black (despite only accounting for 14 percent of the overall state population) which even significantly outpaces the national average of 40 percent.

The COVID-19 pandemic has certainly elevated the issue of housing instability and has sharpened many communities' focus on the importance of helping families remain housed. While significant progress has been made (Michigan's numbers have fallen by a third over the past decade), many challenges existed before the advent of the pandemic and have only been exacerbated in the past year. The state's homeless service delivery system continues to adapt and pursue solutions in collaboration with a wide range of stakeholders, including local units of government.

Homelessness and Elected Officials

As an elected official, I can use a different lens when looking at that system and the role that municipalities can and do play. While the homeless service delivery system relies very heavily upon funding that originates at the federal level, local units of government are an essential partner—though a significant percentage still hold untapped potential. Regardless of a municipality's size and service scope, each can bring something to the table. The key is: 1) becoming aware of what options local policymakers have; and 2) committing to do something. In broad terms, these are things every municipality should consider:

- Be an advocate and catalyst for more affordable and stable housing in your community;
- Create policies that center cross-sector collaboration among various service delivery systems; and
- Engage in efforts to transform the homeless service delivery system through a racial equity lens.

Unfortunately, there are many elected officials who believe their community is immune to the issue but it's not, regardless of population size. It's incumbent upon staff and elected officials to understand homelessness in their respective community and elevate the issue when possible. A city commission, for instance, could do something as simple as pass a resolution in recognition of Homeless Awareness Month in November and invite a representative of the local homeless

How Housing Changed My Life

Personal Stories of Homelessness & The Importance of Federal Funding



services planning body (aka Continuum of Care) to speak on the issue. More importantly, municipalities should be “at the table” and engaged with other stakeholders through the Continuum of Care to better understand homelessness and to be part of solutions developed at the local level.

This lands squarely within the wheelhouse of human service and community development programming.

Homelessness and Policy

One of the most significant contributors to housing insecurity is the lack of affordable housing stock—in every community in Michigan. At a policy level, units of government must make this a priority. This relates to the maintenance of existing housing stock as well as the creation of new housing. Are you helping to maintain housing quality standards through ordinances and active code enforcement? Do you have a rental registration program in place to help ensure health and safety standards for renters?

There are a variety of reasons for this, of course, but municipalities have tools that are within their control. These include things like: housing studies to better understand what gaps exist and attempting to address them through things like a master plan update done through the lens of housing needs (e.g., considering an emphasis on higher density housing), considering form-based zoning, partnering with nonprofit developers (e.g. Habitat for Humanity) to infill empty municipally owned lots, streamlining development approval and environmental review processes, automating application and permitting processes, promoting adaptive re-use of older properties; and strategic targeting of infrastructure that can act as a catalyst for development.

Of course, incentives are often needed to make deals viable for new affordable housing. These include tax abatements like: Obsolete Property Rehabilitation Act (OPRA); Commercial Rehabilitation Act (CRA), Neighborhood Enterprise Zone (NEZ), Payment In Lieu Of Taxes (PILOT), and Neighborhood Enterprise Zone (NEZ).

These all relate to a municipality putting “skin in the game” by foregoing revenues, though, and have legislative origins. There are many other tools that are at the discretion of individual municipalities, such as:


- Density bonuses that allow more units to be built on a site than would otherwise be allowed by the underlying zoning code;

- Zoning variances that allow higher-density development or other departures from underlying land use regulations;
- Reduced parking requirements that lower land or construction costs by requiring fewer spaces to be provided; and
- Reduced or waived development fees.

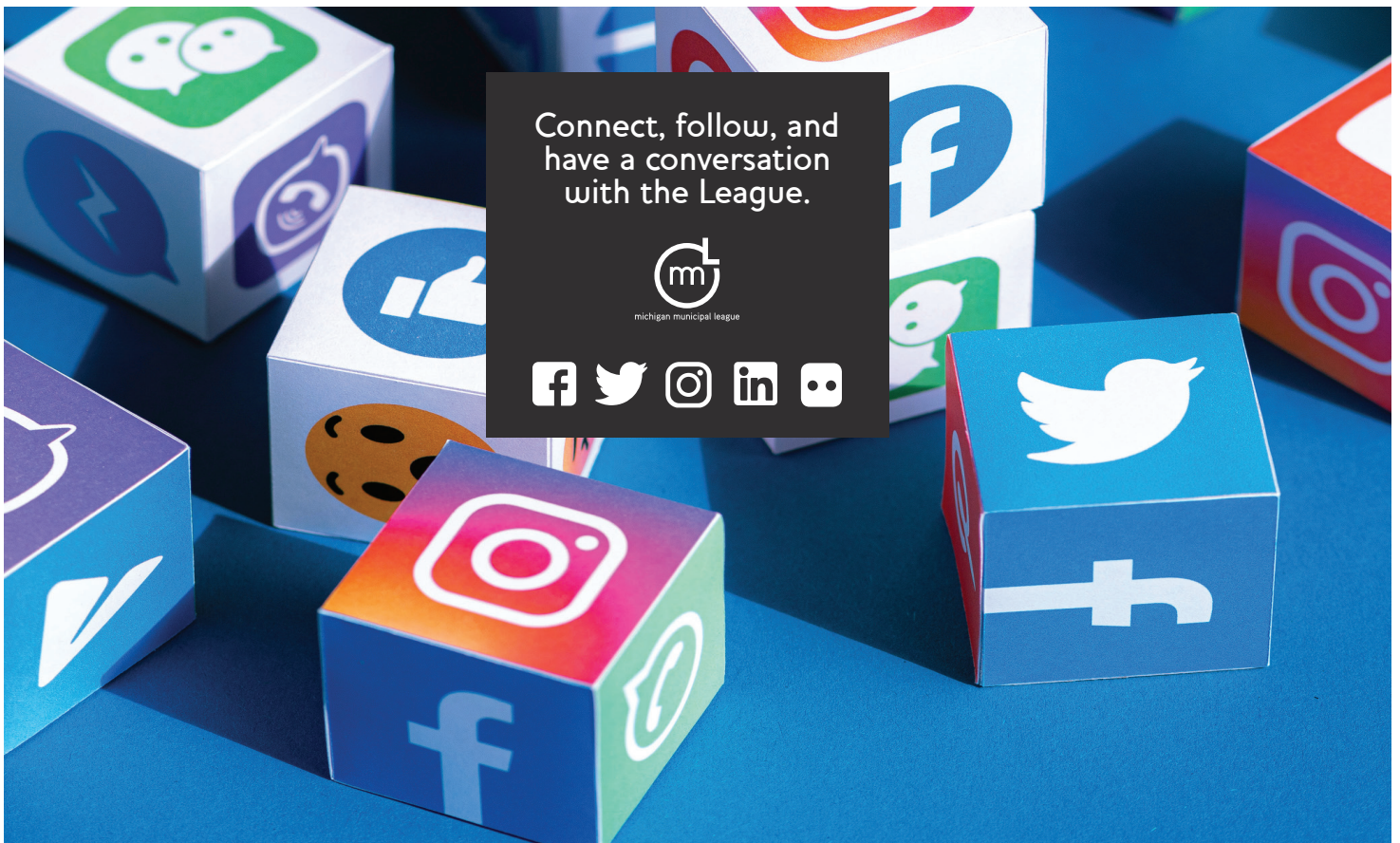
A significant expansion of the state’s housing stock is not a silver bullet, but it will go a long way in addressing a major contributor to homelessness. Homelessness is complicated, remember?

What gives me hope, though, is the tremendous success achieved through a national initiative to end veteran homelessness. Huge strides were made in reducing veteran homelessness including a formally recognized end of veteran homelessness in hundreds of communities around the country. How was this done? It was an immense concerted effort at the national, state, and local level to address the issue. It included formal commitment pledges by governors and mayors. Oh, and there were also significant resources (funding and in-kind support) brought to bear at all levels. A wrap-around approach with unprecedented collaboration and cooperation at all levels and the additional resources necessary to carry it out.

A form based code (FBC) is a means of regulating land development to achieve a specific urban form. Form Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle, with a lesser focus on land use, through municipal regulations. A FBC is a regulation, not a mere guideline, adopted into city, town, or county law and offers a powerful alternative to conventional zoning regulation.[1] (Wikipedia)

A coordinated federal, state, and local effort to re-prioritize housing as an essential part of every community’s infrastructure could be a transformative moment in the effort to end homelessness in Michigan. 

Eric Hufnagel is the mayor of the City of St. Johns and executive director of the Michigan Coalition Against Homelessness. You may contact him at 989.224.6920 or echoenterprises@juno.com.



League Virtual Training Programs

Our expert presenters will provide your group with the knowledge they need to be great community leaders.

To learn more, visit mml.org/events

Advanced Virtual Training

- Building a High-Functioning Leadership Team

Standard Virtual Training

- Essentials of Local Government
- Parliamentary Procedure
- Everything Meetings
- Social Media and Your Community



We bring the classroom to you!

Sue Jeffers is a legal consultant to the League. You may contact her at sjeffers1@me.com.

Township's Drone Use Violates Fourth Amendment

In 2008, Long Lake Township entered into a settlement agreement with Todd Maxon and his wife (defendants) in which the Township agreed to dismiss its zoning complaint for zoning violations related to the defendants' maintenance of junk cars on their property and also to "not bring further zoning enforcement" actions based on the same facts and circumstance.

In 2018 the Township filed a new action alleging that the defendants had "significantly increased the scope of junk cars" kept on their property since the 2008 Agreement in violation of the Township's Zoning Ordinance. In support, the Township relied upon aerial photographs taken in 2010, 2016, 2017, and 2018 by a drone.

Defendants moved to suppress the photos on the basis that they had a reasonable expectation of privacy and that the Township's use of the drone constituted an unlawful search of their property under the Fourth Amendment. In support of their position, defendants argued that, from a non-aerial vantage point, very little of their property is visible from the ground, due to a combination of buildings and trees and that, as a consequence, they had a reasonable expectation of privacy in the property. Defendants further argued that unlike fixed wing aircraft and helicopters which routinely fly over a person's property, drones are equipped with "high power cameras" and operate at a lower altitude than aircraft and helicopters.

The Township argued that the drone was operated in accordance with FAA regulations i.e., in visual line of sight of the operator and at an altitude of less than 400 feet and that the defendants did not have a reasonable expectation of privacy.

The trial court found that the defendants did not have a reasonable expectation of privacy and denied their request to suppress the photos.

QUESTION: Does drone surveillance which is low-altitude, unmanned, and specifically targeted to a private individual's property intrude upon a person's reasonable expectation of privacy implicating the Fourth Amendment?

ANSWER: The Michigan Court of Appeals: Yes.

In a published opinion, the Court found that persons have a reasonable expectation of privacy in their property against drone surveillance and that a governmental entity seeking to conduct drone surveillance must obtain a warrant or satisfy a traditional exception to the warrant requirement.

The Court noted that the Fourth Amendment requires persons to establish both a legitimate expectation of privacy and that society is prepared to recognize that expectation as reasonable. In its analysis, the Court noted that even though the FAA has adopted regulations re: the operation of drones, the existence of those regulations does not dictate whether a person retains a legitimate expectation of privacy. The Court also distinguished privacy concerns re: drones and those related to planes and helicopters.

The Court also commented that the Michigan Legislature has expressed concern re: the use of drones by prohibiting the use of a drone to "capture photographs... of an individual in a manner that would invade the individual's reasonable expectation of privacy." MCL 259.322(3).

Long Lake Township v Maxon, No. 349230, March 18, 2021.

This column highlights a recent judicial decision or Michigan Municipal League Legal Defense Fund case that impacts municipalities. The information in this column should not be considered a legal opinion or constitute legal advice.



Unfortunately, the COVID-19 pandemic has forced many changes in the workplace: working from home, Zoom meetings, social distancing when returning. All of this while you still need to provide communication to your staff and residents. During this time, Abilita-MML's endorsed communications technology consulting partner—may be able to help. They can advise on your remote options for voice, chat, and video collaboration with co-workers. In addition, they will find ways to reduce your telecom spending while freeing up staff time.

If you need help with short or long term transitions, reach out to Abilita to see how they can help you.

mml@abilita.com

abilita.com

888.910.2004

Successful Housing Millages

By Rick Haglund

YES! PROP C for affordable housing

Residents of two Michigan locales are digging into their own pockets to help relieve a growing, critical shortage of affordable housing that threatens to widen the economic divide in those communities. Last November, voters in the City of Ann Arbor and Kalamazoo County approved millage issues that, combined, will raise nearly \$200 million to build housing units for a range of residents, from the homeless to middle-income working families in those locales.

"We're targeting a wide range of people to get back on their feet," said Mary Balkema, Kalamazoo County's housing director. The two successful millage issues have garnered national media attention, including a story in the *Washington Post* that noted the two locales are among just a few local governments nationwide that fund affordable housing with property taxes. Most affordable housing is financed from a variety of state and federal programs, including tax credits for developers.

But those sources alone are not fulfilling the need for affordable housing, which has skyrocketed in recent years because of escalating home values, zoning restrictions, rising construction costs, builders targeting affluent buyers, and other issues. The Ann Arbor Housing Commission has more than 7,000 people on its housing waitlists, including one list that includes the homeless and domestic violence survivors. "And we easily receive over 1,000 requests every year for housing from people not on our waitlist," said Jennifer Hall, the commission's executive director. This is happening in a wealthy community, home to the University of Michigan, where the median household income for a family of four is \$106,600.

Ann Arbor's Housing Millage

Ann Arbor's housing millage request, known as Proposal C, was overwhelmingly passed with nearly three-quarters of city voters saying "yes" to the proposal for a 1 mill levy over the next 20 years. That's expected to raise \$6.5 million in the first year, or \$130 million for affordable housing over the life of the millage. But Hall said it could be considerably more, taking into consideration the likely growth of the city's tax base over the period. The housing millage will boost the taxes of homes with a taxable value of \$250,000 by \$250.

Ann Arbor plans to use revenue from the millage to build about 1,500 units of housing, rehab existing housing, and provide related support services, including physical and mental health, daily living skills, job skills, and youth programs. Those earning between zero and 60 percent of median household income can qualify for housing assistance.

The housing commission acts as a co-developer with a private sector development team that includes an architect, engineering firm, and general contractor. It plans to build several hundred units of housing over the next two years. In addition to the housing millage, the city will continue making its annual appropriation of about \$880,000 into the city's affordable housing fund. Plus, Ann Arbor is able to use a small portion of a millage that supports services for the Washtenaw County Sheriff's Department for affordable housing because the city does not utilize the sheriff's department, Hall said. Millage funds are already being put to use. The Ann Arbor City Council in June agreed to allocate \$1.5 million to local nonprofit Avalon Housing to help it construct a total of 86 apartments in two projects in the city.

Essential Workers Can't Afford Ann Arbor

In addition to reducing Ann Arbor's growing affordable housing shortage, officials say their millage spending is aimed at creating a community that is more economically and racially equitable. During city council deliberations in July on placing the housing millage request before voters, Mayor Christopher Taylor said he hoped the proposal would "fundamentally change our community in a way that is well and good and will be for the benefit of everyone."

Currently, many of Ann Arbor's essential services workers, such as firefighters, social and health care workers, preschool teachers, and restaurant workers can't afford to live in the city, according to a recent SmithGroup study. For every three people who live and work in Ann Arbor, 10 more live elsewhere and commute to the city.

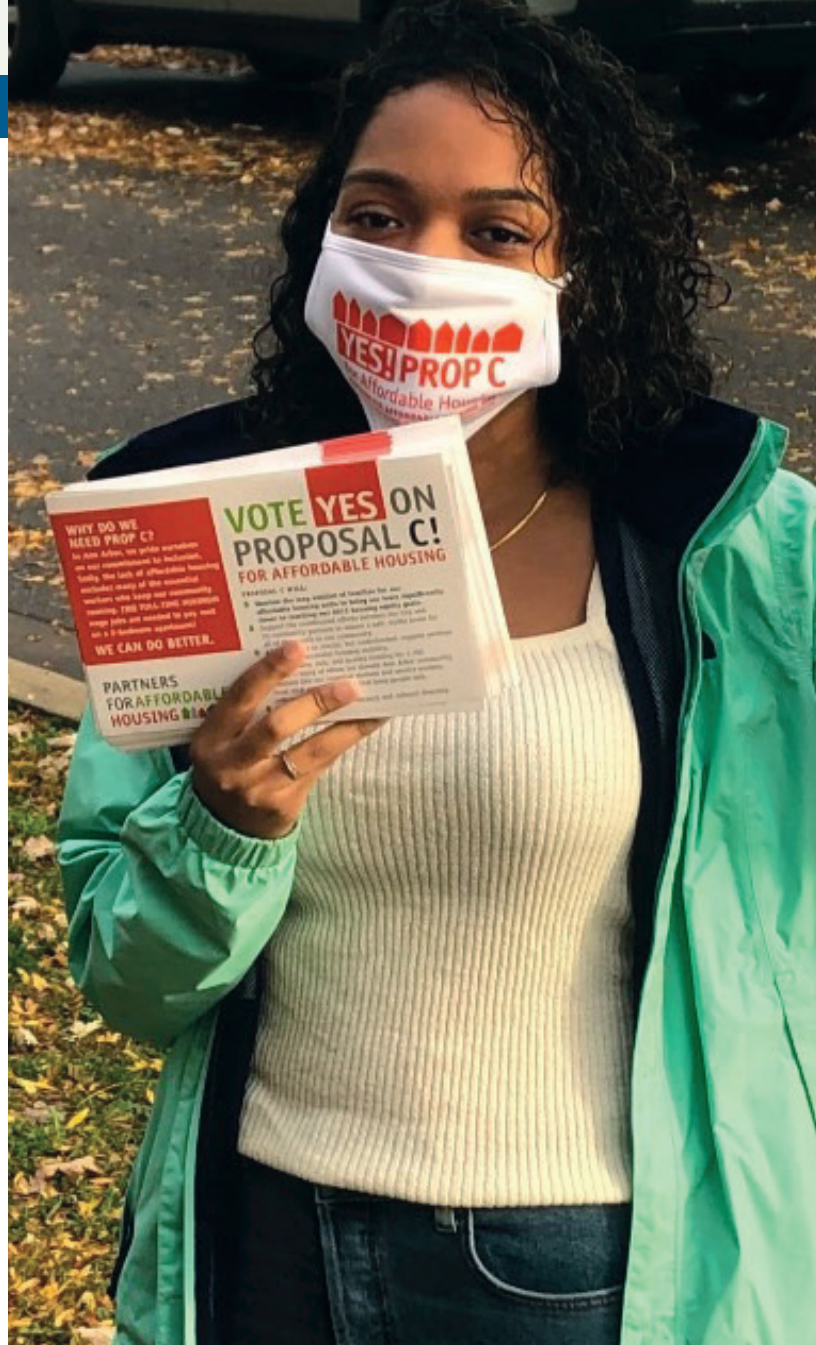
The lack of affordable housing is a major reason why many Ann Arbor workers don't live there, the study suggested. A family of four with 60 percent of median family income paying 30 percent of that income for housing could afford \$1,523 a month in monthly housing costs. But the average rent for a two-bedroom apartment in Ann Arbor is \$1,750 a month, the study said. The median sale price for a home in Ann Arbor was \$415,000 in April, according to the National Association of Realtors. That's nearly double the statewide median price.

More affordable and safer housing can have a variety of positive environmental and health impacts, including less pollution from commuting and eliminating lead paint in homes, said Jeff Gearhart, research director of Ann Arbor's Ecology Center, one of more than two dozen community groups that supported the housing millage. "These issues are just inextricably linked in terms of how we produce healthier people and healthier communities," Gearhart told *Concentrate*, a local media outlet.

Kalamazoo County

Kalamazoo County's housing millage was more contentious than Ann Arbor's, having passed by a slim 51 percent to 49 percent margin. It passed primarily because of strong support in the City of Kalamazoo. The 0.75 mill, eight-year levy is estimated to raise about \$7.1 million in the first year, or more than \$56 million over eight years. It replaces a 0.1 mill tax, approved by voters in 2015 that raised about \$800,000 a year for affordable housing.

The new tax will be used primarily to fund the rehabilitation of single-family homes, build new multifamily housing units, help prevent property tax foreclosures and reduce homelessness. "Homelessness is a countywide challenge that impacts every corner of our community," said county board chair Tracy Hall. Those earning up to 120 percent of area household income of \$54,511 will qualify for affordable housing support and related services, Balkema said.



A canvasser for Ann Arbor's Proposal C.

Kalamazoo County, with a population of 265,000, has an affordable housing shortage of about 6,000 units. The new millage will allow the county to "touch 300 to 400 families" a year, Balkema said, acknowledging the millage will fall short of eliminating the housing shortage. But local officials believe the county's investment in affordable housing will have a spinoff effect, growing the tax base and bolstering the economy. "You cannot invest \$50 million in the tax base and not see growth," Balkema said. The county has contracted with the Upjohn Institute for Employment Research to develop a countywide housing plan and will begin collecting the housing tax in December. [m](#)

Rick Haglund is a freelance writer. You may contact him at 248.761.4594 or haglund.rick@gmail.com.

Balancing Short-Term Rentals & Long-Term Housing

By Yarrow Brown

Short-term rentals are important to the economy of northern Michigan, and especially so for many communities in Northwest Michigan. We have an abundance of natural beauty that attracts people to the area, yet many rural communities lack tourist lodging options. Converting homes to short-term rentals for vacationers to use for a long weekend or a week at a time is a great way to bring visitors and the resulting economic impact to our area. The visitors who come to our communities and stay in a vacation rental will spend money at local businesses and may even relocate to the area someday. Yet, it is also important to understand the balance needed between keeping houses available for family, students, and the local year-round workforce. And it's imperative for the local unit of government to be able to make the decisions on how they want to manage short-term rentals based on their communities' needs and housing goals.

Each short-term rental created is one less home in our community to house teachers, families with kids in local schools, and year-round residents who will run for local office, volunteer with local organizations, and shop at local businesses. There are many factors in our economy that are making housing harder and harder to afford. In this case, the competing demand for short-term rentals drives up prices and removes homes from the local housing stock. This is happening at the same time demand for housing is on the rise.

In Northwest Michigan, housing demand is estimated to be 15,000 plus units each year. That includes 4,660 homeowner-occupied and 10,880 rental units. That is the estimated demand every year for the next four years. While demand for year-round homes is increasing, so is the market for short-term rentals. In the 12 months from late 2019 to late 2020 it was estimated that East Jordan saw a 41 percent increase in short-term rentals. The estimate for Boyne City was more than 180 percent. This growth is not unique to municipalities in Charlevoix County and is also very similar, if not higher, in Grand Traverse and Leelanau counties, and rising in other communities quite rapidly.

Implications of a short supply of housing means that local businesses have serious challenges recruiting new employees from outside the area, and people who want to move to a

home that better suits their changing needs are not able to do so. Even more difficult in this market, renters are having a harder time finding a first home that they can afford. In addition, businesses that provide services to year-round residents have fewer customers. Ensuring a balance between permanent year-round housing and short-term rentals is important for the long-term growth of our economy.



Grand Haven Mayor Robert Monetza and Grand Haven City Manager Patrick McGinnis testifying against HB 4722.

Airbnb Effect

According to an article in *Forbes*, the 'Airbnb effect' is to some extent remarkably similar to gentrification. It slowly increases the value of an area to the detriment of the local residents, many of whom are pushed out due to financial constraints. Research conducted by the *Harvard Business Review* across the U.S. found that Airbnb is having a detrimental impact on housing stock as it encourages landlords to move their properties out from the long-term rental and for-sale markets and into the short-term rental market.


We are also seeing corporations—instead of individuals—buying up real estate for short-term rentals and outcompeting local residents. According to an article in *Bridge* (8/2019) city leaders in Grand Haven surveyed property owners and occupants about short-term rentals and found that, in general, residents supported the positive impact they have on the local economy. But they also wanted them thoughtfully placed in neighborhoods.



The natural beauty of Boyne City, Charlevoix, and Petoskey makes northern lower Michigan a tourist destination. However, vacation rentals and second homes are taking housing stock away from families, students, and the local year-round workforce.

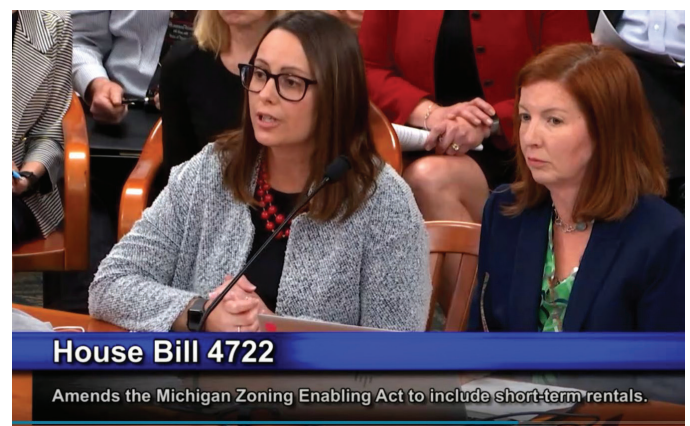
Workforce Housing

One option for communities to encourage year-round workforce housing is to consider a deed restriction program for year-round occupancy. Housing North partnered with the City of Charlevoix to pilot a deed restriction program. The city has only 38 percent of its residents stay year-round and has set a goal to increase this to 50 percent. Through this program, Housing North holds five deed restrictions and is looking to expand the program to the City of Petoskey in Emmet County. Housing North staff are responsible for stewarding the deed restriction annually and work with the City of Charlevoix to encourage more residents to join the program. Currently, we can only accept donations but are working towards a plan where funding could be available to incentivize the program through rental rehabilitation programs and/ or purchasing the restrictions based on a percentage of home value.

This is just one tool to address short-term rental conversion. We encourage communities in Northwest Michigan and throughout the state to research the impact short-term rentals can have on the year-round work force and come up with a balanced approach when deciding on a zoning ordinance or regulating short-term rentals. Zoning changes can help regulate and address this impact on our year-round housing while recognizing the need for short-term rentals within reason. We encourage communities to work with their constituents to determine their housing goals, and how short-term rentals are impacting their community. They should also carefully consult their legal counsel to learn what zoning changes communities can adopt that create a balance of housing needs and make sure to include time for all sides to provide input on the issue. 

For more information about housing matters, please contact Steve Schnell, Charlevoix County Housing Ready Program Director for Housing North, at 231.330.7070 or steve@housingnorth.org; or Yarow Brown, executive director, at 231.335.1685 or yarow@housingnorth.org or visit www.housingnorth.org.

Workforce housing is a term that is increasingly used by planners, government, and organizations concerned with housing policy or advocacy. It is gaining cachet with realtors, developers and lenders. Workforce housing can refer to any form of housing, including ownership of single or multi-family homes, as well as occupation of rental units. Workforce housing is generally understood to mean affordable housing for households with earned income that is insufficient to secure quality housing in reasonable proximity to the workplace.



MML Legislative Associate Jennifer Rigterink and Ferndale Mayor Melanie Piana testifying against HB 4722.

Sources:

<https://www.forbes.com/sites/garybarker/2020/02/21/the-airbnb-effect-on-housing-and-rent/?sh=25e72a7a2226>

<https://www.bridgemi.com/michigan-government/short-term-rental-advocates-foes-work-toward-deal-laws-michigan>
<https://www.bridgemi.com/michigan-government/short-term-rental-advocates-foes-work-toward-deal-laws-michigan>

Doing the Biggest Little Thing: Code Reform for Better Places

By Richard Murphy

Earlier this year, we released our second *Enabling Better Places* guide with our partners at the Congress for New Urbanism (CNU) and MEDC's Redevelopment Ready Communities program (RRC). These two guides provide a strategy for communities of all sizes to examine their zoning and development codes, find and remove common barriers to good placemaking, and get better development as a result.

We've built these resources with our membership in mind, and with thanks to the front-line staff from communities around the state who informed the process with their experience. We know a lot of you are working against your own aging zoning ordinances to approve good projects, but don't have the budget or staff capacity to leap into a broad rewrite. Our work here in Michigan has distilled the experience of CNU's national network of code writers into actions that are small enough to achieve on no budget, but significant enough to make a difference in how development is supporting placemaking goals, and has set the mold for the CNU Project for Code Reform as they have engaged in other states. The guides are available at <https://www.cnu.org/michigan>; some of the key lessons follow.

"More Like This" And Using What Already Works

The first guide, released in 2018, focuses on our beloved traditional main streets and the adjacent neighborhoods, and the ways that zoning codes often prohibit infill development that matches the existing pattern of the neighborhood. The newer guide looks at aging commercial corridors and shopping centers, and the potential to tame, evolve, and transform them into places that offer experiences more like those main streets and neighborhoods.

In each case, the code reform process is intended to help you reinforce, build on, and replicate the places that are already working well in your community, and to do so at the scale that's already working. (There is an exception: some of our communities were built entirely in the automobile era and might not have a traditional main street to build on—but might want one. The suburban guide provides strategies for identifying appropriate corridors to begin evolving in that direction, but a full transformation will likely require a more large-scale planning and coding process.)

"Do the Biggest Little Thing"

The code reform guides are specifically *not* intended for communities that are ready to undertake a full rewrite of their code. Instead, they strive to help you "do the biggest little thing," to identify and implement those targeted changes in your code that will have the largest return on your effort—and to have confidence that a targeted, incremental approach can get a lot done. (Most codes will still likely benefit from that broader update, but you don't have to wait until the stars align for that process to get things done!)

Removing Code Is as Important as Adding Code

Often a software developer will find that the way to fix a problem or speed up performance in their programs is to delete bad code or simplify overly complex code. The same is true for zoning: many of our codes have decades of edits layered atop one another, leading to confusion or conflicting requirements, and that overgrowth needs to be pruned back. The simplification of use tables mentioned earlier is a good place to look for this kind of streamlining.

In other cases, we've written codes for some "ideal" condition that local markets can't support and need to scale our code expectations to result in good, real development, rather than holding out for that someday-maybe perfect project. This is particularly the case for earlier waves of form-based codes—including some that I've personally worked on—which overshot their target with too many requirements.


Requiring multi-story development in weak markets is one common culprit: filling that gap in your main street with a really good single-story building is probably better than waiting decades for that unicorn developer to come along. Requiring mixed-uses in every building is another common issue that can make investments stall at the financing step or result in ghost storefronts haunting the ground floor of a residential building. Yes, absolutely require retail frontages on your primary main street frontage, but also recognize that demand for retail square footage is limited and consider allowing 100-percent residential buildings on other frontages in your downtown.

Know Your Tools, Use the Right Ones

Code reform isn't just about zoning, but about making sure you're regulating things at the appropriate level and under a suitable code. If your zoning code covers an issue that's already being addressed in the relevant building codes (like the minimum square footage of a studio apartment), health codes (cottage food production), or State of Michigan licensing processes (massage therapist qualifications), consider whether there's really a need to also cover it in zoning, or whether you're setting residents and businesses up for headaches as they try to navigate multiple regulations of the same issue.

Also consider whether your codes are being used as well as they could be to support your desired development outcomes. If a developer is working on the adaptive reuse of a building in your downtown, applying the Michigan Rehabilitation Code for Existing Buildings may be a better fit for the architecture they've inherited than trying to review their plans under the new-construction-oriented Building Code or Residential Code. If an infill project is proposed on an existing parking lot, you likely don't need to require the onsite stormwater detention that greenfield construction would, removing that demand from the site. (You may still need the developer to provide stormwater quality improvements, even if no net impervious surface is added; review your MS4 permit for specifics.)

References:

- Download the Project for Code Reform guides at <https://www.cnu.org/michigan>
- Introduction to Code Reform video series: <https://tinyurl.com/MichCodeReform>
- For more information on applying this work in Michigan, contact Program Manager Richard Murphy at the League, rmurphy@mml.org, or City Planner Christina Anderson in Kalamazoo, andersonc@kalamazoo-city.org, both faculty in CNU's Project for Code Reform
- Development of the guides was supported by funding from MEDC's RRC program; you may consult your regional RRC planner to discuss how these guides can support your community's efforts to reach or maintain an RRC designation. 

Richard Murphy is a policy research labs program manager for the League. You may contact him at 734.669.6329 or rmurphy@mml.org.



At Shifman Fournier, we believe that there are firms that practice law and then there are firms that truly understand the process of resolution of government challenges and policy implementation, specifically for labor and employment clients. It is our pleasure to provide our clients with well-grounded advice and in-depth knowledge of the factors that go into quality representation.



An unparalleled and unique group of diverse backgrounds to represent the interests of local governments.

31600 Telegraph Road, Suite 100 • Bingham Farms, MI 48025
(248) 594-8700 • shifmanfournier.com

Attorneys

A HERITAGE OF DISTINCTION
A LEGACY OF SUCCESS

John J. Gillooly • Municipal Law

jgillooly@garanlucow.com • 313.446.5501

GARAN LUCOW MILLER P.C.
ATTORNEYS & COUNSELORS

MICHIGAN – DETROIT • TROY • ANN ARBOR • GRAND BLANC
GRAND RAPIDS • PORT HURON • TRAVERSE CITY
INDIANA – MERRILLVILLE

1.800.875.1530 | WWW.GARANLUCOW.COM

PROUDLY SUPPORTING MICHIGAN COMMUNITIES
Offering Municipal and Public Entity Law Services

FOSTER SWIFT
FOSTER SWIFT COLLINS & SMITH PC ATTORNEYS

FOSTERSWIFT.COM | 616.726.2200

Communications Technology

Dedicated to the public sector.

We provide solutions purpose-built to serve the diverse needs of local government.

verizon

Engineers & Engineering

ABONMARCHE

BUILDING COMMUNITIES FROM THE GROUND UP

abonmarche.com

ANDERSON, ECKSTEIN & WESTRICK, INC.
CIVIL ENGINEERS - SURVEYORS - ARCHITECTS

51301 Schoenherr Road, Shelby Township, MI 48315
586.726.1234 | www.aewinc.com

“Engineering Strong Communities”

B R i

Beckett&Raeder

734.663.2622 | www.bria2.com
Ann Arbor • Petoskey • Traverse City

Engineers & Engineering

**SERVICING AND INVESTING
IN YOUR COMMUNITY**



www.fveng.com

FLEIS&VANDENBRINK
DESIGN. BUILD. OPERATE.

**HENNESSEY
ENGINEERS**

DETROIT
985 E. Jefferson Ave., Suite 200
Detroit, MI 48207
313.638.1306

DOWNRIVER
13500 Reeck Road
Southgate, MI 48195
734.759.1600

www.hengineers.com



Financial Services

plante moran



Make the mark.

Learn why governmental organizations have trusted Plante Moran for more than 70 years.

Stacey Reeves | stacey.reeves@plantemoran.com

Municipal Consulting

B R i

Beckett&Raeder

734.663.2622 | www.bria2.com
Ann Arbor • Petoskey • Traverse City



Planning & Zoning

 **Carlisle | Wortman**
ASSOCIATES, INC.

CWAPLAN.COM
734-662-2200

PLANNING & ZONING/CODE ENFORCEMENT
ADMINISTRATION/PARKS & RECREATION/TRAINING

 **MCKENNA**
Communities for real life.

**PLANNING
DESIGN
BUILDING**

NORTHVILLE (HQ)
DETROIT • GRAND RAPIDS • KALAMAZOO
888.226.4326 • MCKA.COM

B R i

Beckett&Raeder

734.663.2622 | www.bria2.com
Ann Arbor • Petoskey • Traverse City



williams&works
engineers | surveyors | planners

williams-works.com

(616) 224 -1500

Water & Wastewater

 **F&V operations**
and resource management

www.fv-operations.com | 888.773.8806

Water & Wastewater Operations
Plant Optimization | Operator Training



ServeMlCity

Act now. Shape the future.



Reverse the Decline. Invest in the Future.

Our communities are being offered an extraordinary opportunity to build back better, together. With additional support and resources, some of the most catalytic, transformational, and surprising opportunities may have the opportunity to be realized.



20%
of Michigan communities returned federal stimulus in 2020

CARES ACT

The Michigan Municipal League leveraged \$100,000 for \$33 million

\$100K

\$33
MILLION

AMERICAN RESCUE PLAN



STATE OF MICHIGAN
\$6.4
BILLION



MICHIGAN LOCAL GOVERNMENT
\$4.4
BILLION

Additional funding \$1 trillion

GOAL

CATALYTIC, TRANSFORMATIONAL OPPORTUNITIES

- 1 SHORT-TERM TECHNICAL ASSISTANCE
- 2 LONG-TERM STRATEGIC ASSISTANCE
- 3 COMMUNICATION ASSISTANCE



- Don't leave money on the table
- Develop partnerships with business, NPOs, philanthropy
- Rebuild trust
- Pivot to a positive narrative

For information on how you can partner on the ServeMlCity effort, contact Helen D. Johnson, president, Michigan Municipal League Foundation, **734.669.6336** or **hjohnson@mml.org**

General Law Villages

Q. Do all villages have a fiscal year beginning March 1?

A. The General Law Village Act (MCL 69.7a) provides that general law villages have a March-February fiscal year. However, it also allows the fiscal year to be changed by ordinance. We have a sample ordinance in our files—request it at info@mml.org.

Q. We are a general law village. How do we change the clerk and treasurers' position from elected to appointed?

A. The General Law Village Act permits the council to change the position of clerk and/or treasurer from elected to appointed. (MCL 62.1) The proposed ordinance requires adoption by a vote of two-thirds of the council. It cannot take effect for 45 days following adoption, during which time a petition signed by 10 percent of the registered voters can force a referendum on the issue. Request sample ordinances at info@mml.org.

Q. A citizen's group has filed a valid referendum petition on an ordinance council wanted to adopt. Do we have to hold a special election, or can we have the referendum on the next regular election ballot?

A. The General Law Village Act allows for referendums on these four types of ordinances: reducing the number of trustees from six to four; changing the clerk's position from elected to appointed; changing the treasurer's position from elected to appointed; and assigning duties of other officials to a manager. The language for all such ordinance referendums states "that if a petition signed by not less than 10 percent of the registered electors of the village is filed with the village clerk within the 45-day period, the ordinance shall not become effective until after the ordinance is approved at an election held on the question." It does not state that a special election must be called. However, if one is held for another purpose, it must be on that ballot.

Q. There is a group in our community advocating village disincorporation. What should we do?

A. A number of Michigan general law villages have dealt with this issue, including Roscommon, Lennon, Otter Lake, New Haven, Fruitport, and Sand Lake. There was an attempt in Richland in 2001, and more recently, Richland had ballot proposals on disincorporation in 2016. These attempts at disincorporation were all unsuccessful. Sections 74.18(a)-74.22 of the General Law Village Act outline the disincorporation process.

Q. Currently the council gets paid per meeting. How do we change to a monthly pay period?

A. You will need to amend your ordinance to specify a monthly pay period. Section 64.21 of the GLV Act states that the president and each trustee shall receive compensation only as provided for by ordinance. The ordinance shall specify how the compensation is determined and how it is paid.

Q. One of our trustees submitted a letter of resignation asking that it not take effect until the end of the month. Did I read somewhere that the General Law Act will not allow a village official to resign at a later date?

A. The General Law Village Act says that a resignation is to be presented to the president and becomes effective upon receipt by the president (MCL 62.10). If it is the president wishing to resign, the resignation is submitted to the clerk. This change was made in 2020, in order to clarify some of the issues other villages have had.

Q. Is there a "rule of thumb" for a fund balance amount?

A. Operating fund balances should be maintained at levels sufficient to absorb unpredictable revenue shortfalls and to insure desired cash flow levels. Local officials must balance financial stability against an excessive fund balance. You should adopt a policy regardless of the amount that you decide is necessary. A typical policy is one to three months operating expenditures or five to twenty percent of annual budgeted expenditures. Request sample fund balance policies at info@mml.org.

Q. Can a trustee call a meeting? Would it be a closed session?

A. According to section 65.4 of the General Law Village Act, the president or three members of council can call a special meeting. A closed session can only be called for specific criteria, which are enumerated in the Open Meetings Act.

Q. What are the qualifications for holding office?

A. A candidate must be a qualified elector (i.e. a resident who is eligible to register to vote) who is not in default to the village.

The League's Information Service provides member officials with answers to questions on a vast array of municipal topics. Call 1.800.653.2483 or email info@mml.org.



A State Affiliate of ICMA

By Rebecca Fleury

Michigan Municipal Executives

MME President Rebecca Fleury



It is my honor to serve as the Michigan Municipal Executives (MME) President for 2021. MME is comprised of over 200 members serving as chief administrative officer, senior staff, manager in transition, retiree, or emerging leaders in their home communities. As our mission statement indicates, “We work to provide members’ professional development, support their personal growth, and promote the municipal executive profession in Michigan. In service to its members and their communities, MME seeks to enhance management excellence, continuous improvement, and high ethical standards.” We help create places people want to live by leading a team of professionals who are committed to improving everyday lives. We tackle the unpredictable and we do it in service to our communities.

MME members serve in the fastest growing form of government in the U.S. today, the council-manager form. This form is used by more cities, villages, townships, and counties than any other. It’s a system of local government that combines the strong political leadership of elected officials (the governing body) with the strong managerial experience of an appointed local government manager. The governing body is commonly known as the commission/council/board. The council-manager form establishes a representative system where all power is concentrated in the elected council, and where the council hires a professionally trained manager to oversee the delivery of public services.

The council-manager form, sometimes referred to as the city manager form, was born in the early 20th century in response to corruption and patronage that plagued many cities. The form was designed to “professionalize” local government and resembles the structure of a corporation or a nonprofit. In a city, for instance, the city commission acts much like a board of directors: similar to how a board would hire an experienced CEO to run a private sector organization, the council hires a professionally trained manager to run the day-to-day operations of the city. (The position of mayor can be compared to the chair of the board.) The commission/council/board, which includes the mayor, oversees the

actions of the professional manager, and ensures that policies are implemented to the community’s satisfaction. The council may decide to replace the manager at any time with a majority vote.

As a little background on myself, I am in my sixth year of serving in Battle Creek as its city manager and I am in my twenty-second year in local government. I have been married to my high school sweetheart, Matt, for 32 years. Our favorite things to do are camping, cycling, and spending time with family and friends. We have two adult children, both graduates of Michigan universities, a wonderful daughter-in-law, and our first grandchild, Julian.

My primary goal this year as MME president is implementing our strategic plan. It provides an MME road map for the next couple of years. A great deal of input and work went into the strategic plan and I thank immediate past president, John Shay, for his leadership in guiding the strategic planning process, as well as the MME board for their support and for approving the plan.

The strategic plan included updating the mission statement, aligning committees to the mission, aligning committee services, and the establishment of three task forces. Those include: 1) Listserv Community Guidelines; 2) Role of Regional Groups; and 3) Staff Support Opportunities.

Our revised mission statement reflects the updated core components of MME: 1) foster professional development; 2) support personal growth; and 3) promote the municipal executive profession in Michigan. The strategic plan and revised MME committee structure is organized around these three core purposes with equal emphasis in order to accelerate impact beyond professional development.

MME committees include: 1) Professional Development; 2) Ethics; 3) Member Success; 4) Early Career Outreach; 5) Advocacy, and 6) Experience. Each aligns with the stages of careers as CAOs (i.e. from pipeline to entry, mid-career, late career, and retirement).



We are ready for the unexpected, so you can experience the best.



The strategic plan also lays out parameters for discussion on each of the three task forces. These were derived from survey data as well as focus groups, input from regional groups and interviews with committee chairs and the board. They are as follows:

Listserv Community Guidelines

- Develop a set of guidelines (vs. standards);
- Research best practices;
- Develop procedures for implementation; and
- Make recommendations to the MME board.

Regional Groups


- Look at region size/resources needed/operating standards;
- Take advantage of proximity to build relationships with colleges, students, municipal employees, and members; and
- Deliver services developed by statewide committees.

Staff Support Opportunities

- Logistical support for committees and regional groups;
- Project management support and reporting;
- Committee workload; and
- Identify services supported by members vs. MML.

As a whole, the strategic plan will help MME grow as an organization and provide support to our members to help us serve and support our elected officials and communities.

Calendar year 2021 still finds us in the COVID-19 pandemic and I applaud all of you for continuing to serve your cities, villages, townships, and counties, and provide municipal services under challenging circumstances.

For more information about our organization, our strategic plan, and task force work, visit mme.org. 

Rebecca Fleury is Battle Creek's City Manager and 2020-21 Michigan Municipal Executives President. You may contact her at 269.966.3378 or RLFleury@battlecreekmi.gov.

MME Mission Statement

We work to provide members' professional development, support their personal growth, and promote the municipal executive profession in Michigan. In service to its members and their communities, MME seeks to enhance management excellence, continuous improvement, and high ethical standards.



Michigan communities have a 22-person planning department.

You can, too.

"They're always available to provide advice on most planning or zoning issues and their advice is based on 35 years of experience in numerous communities throughout Michigan."

R. Brent Savidant, planning director, City of Troy



Carlisle | Wortman
ASSOCIATES, INC.

CWAPLAN.COM

734.662.2200



michigan municipal league

1675 Green Road
Ann Arbor, MI 48105

THANK YOU to the communities who entered exciting projects
into our **2021 Community Excellence Award** program.
We look forward to watching you flourish.

