



DATE: May 23, 2016

TO: Senate Committee on Transportation

FR: Suzanne M. Schulz, AICP
City of Grand Rapids Managing Director of Design, Development, and Engagement

RE: **OPPOSITION TO SB 955 OF 2016 TO AMEND PA 110 MICHIGAN ZONING ENABLING ACT**

The City of Grand Rapids opposes proposed SB 955 as presented. While this amendment may seem small, if adopted it would have a significant impact on local communities. This bill would make all school property used for a "public school purpose" unzoned property and exempt from a zoning ordinance. "Public school purpose" includes land uses that provide a commercial or financial benefit to the public school – whether the property is owned or leased by the governing board of a public school, or a foundation owned or managed by a governing board of a public school.

Current law states that public schools (e.g. taxpayer supported local K-12 school district and certain public colleges and universities) are not subject to local zoning for school-related purposes; non-school purposes are subject to zoning. This bill would expand the zoning exemption to all public universities, colleges, community colleges, ISDS, etc. and all land uses on any property leased or owned by a public school for uses not related to educational purposes.

The bill would not only allow for billboards on school properties, it would allow for a myriad of other uses that would be exempt from local land use controls purely for the "commercial or financial benefit" of a "public school". Land uses, including commercial, industrial, multi-family, office, and other intense uses not typically associated with schools would be permitted. Given that the vast majority of school-owned properties are located within residential areas this would have serious detrimental effects to many communities as incompatible land uses could be introduced into established neighborhoods.

The zoning exemption proposed in this bill would not provide any opportunity for a public voice – which is particularly critical given the location of lands typically leased or owned by schools. The decision-making authority for the use of land might rest in the hands of a publicly elected school board, however, a foundation owned or managed by a governing board is not comprised of elected officials that are accountable to the community. Allowing the criteria to be "commercial or financial benefit" for the "public school" to be exempt from zoning could easily lead to profiteering at the expense of adjacent property owners, the quality of life of neighbors, and the economic vitality of a community with no accountability.

Finally, the bill definition of "public school property" as property "owned or leased" is very worrisome and problematic. Scenarios such as a public school leasing a parcel of land in a residential area and developing a commercial strip mall to then be sold for financial benefit could easily occur. This is not outside the realm of possibility when all public schools, with or without elected leadership, are exempt from all zoning requirements for non-school related uses. The Committee is strongly urged to reject SB 955.