

From: Lee

Sent: Monday, November 18, 2024 12:06 PM

To: City Clerk <cityclerk@grand-rapids.mi.us>

Cc: Bliss, Rosalynn <rbliss@grand-rapids.mi.us>; Ysasi, Milinda <mysasi@grand-rapids.mi.us>

Subject: GR Master Plan Input - Concerns Regarding Tree Protections and other items

[Stop. Think. Read. This is an external email. Please use caution when clicking on the links and opening attachments in unsolicited email.]

Mayor and Commissioner,

I am writing to offer a perspective on the Bridge to Our Future community master plan update.

I first want to applaud the efforts to explore additional density and options to improve housing affordability in our community. I think the drafters of this plan seriously listened at community sessions and offered a number of tools that will be productive going forward. I could certainly nitpick at details, but that's beside the point. What matters is that, on the whole, our approach to building our community includes increased density, more options for housing, and relaxing some restrictions to allow for new housing models.

That said, I did want to write about some of my concerns in relation to sustainability, trees, and ultimately Green Grand Rapids. Unfortunately, it appears that Green Grand Rapids is missing and/or wasn't included as part of the review process. What little is included in this plan tied to sustainability and environmental initiatives is weakly worded and lacking in imagination. Considering all of our City's sustainability initiatives, urban forestry, parks and recreation, transportation issues, etc. I'm dismayed that findings in Green Grand Rapids were not more fully incorporated into this plan.

Indeed, Green Grand Rapids wasn't even reviewed during the plan scoping process - despite being an amendment to the City's 2002 master plan... and it shows. I think this plan takes it for granted that a number of sustainability and environmental initiatives are inherent to City programs. Yet, this is the master plan and it needs to set some better guidance and/or more directly incorporate findings and objectives from other plans (green grand rapids, parks master plan, etc.).

This is a fairly nuanced view, built on my experience in this issue. However, one prescient example of this issue is recent legal challenges to tree protections in Michigan.

Over the last several years, there have been successful challenges in State and Federal court to tree ordinances in Canton Township, Michigan. These court cases made fourth amendment claims against Canton Township's tree protection ordinance, both as written and as applied.

Ultimately, Canton Township failed to demonstrate that their approach was reasonable. From this, a number of lessons have been learned about the application and defense of tree protection ordinances.

Why is this important? Grand Rapids adopted a tree protection ordinance based on goals and objectives outlined in Green Grand Rapids. This ordinance was co-developed by the Planning Commission and the Urban Forestry Committee. One of the key recommendations coming out of Canton's experience, is that such ordinances need to be housed within the local planning framework in order to improve their defensibility. As written, the Bridge to our Future is vague on the topic of tree protection requirements/ordinances (Green Grand Rapids was specific). This may weaken Grand Rapids' position in regards to its tree protection/preservation requirements in the zoning ordinance, should it be challenged.

I'm linking a recent (published yesterday) paper on this topic: <https://www.tandfonline.com/doi/full/10.1080/01944363.2024.2404970>

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All the best,
Lee

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