WISCONSIN LANDSCAPES



Perfecting the Places We Live to Protect the Places We Don't Volume 7, Number 2 Summer 2003

THE ANTI-SMART GROWTH 'BACKLASH': A REALITY CHECK

We hear a lot of gloom-and-doom talk these days about the Comprehensive Planning Law (a.k.a. the "Smart Growth" Law).

It's time for a reality check. The truth is: the law's broad alliance of state-level advocates remains resolute, the extremist opposition - though vocal - is small and marginal, and Wisconsin is ahead of schedule on local comprehensive planning efforts.

Wisconsin is ahead of schedule on local comprehensive planning efforts.

The worries of some Smart Growth advocates are understandable. Every few weeks it seems, there is word of some opposition advance: some towns pulled out of Clark County's planning effort, and additional towns are threatening to do the same in Portage County; Langlade County rejected the planning grant it had won, and Ozaukee County formally called for repeal of the law.

Amidst the din of bad news, however, it is sometimes hard to hear the good. For example, after rejecting its Comprehensive Planning Grant, Langlade County announced it would do its comprehensive plan without a grant, and Ozaukee County, after calling for the Comprehensive Planning Law's repeal, guietly withdrew the suggestion. Meanwhile, across the state, multijurisdictional efforts in Lincoln, Dane, Waukesha, Brown, Winnebago, and other counties are chugging along.

And it is also true that the enemies of comprehensive planning and Smart Growth have been active in the Legislature, trying to slash planning grants or repeal the Comprehensive Planning Law.

Yet against this push, the influential bi-partisan coalition that got the Comprehensive Planning Law passed in 1999 remains steadfast: at recent meetings, the Realtors, the Builders, the Counties (Continued on page 3)

WHY SMART GROWTH IS GOOD FOR VIBRANT COMMUNITIES

If I leave 1000 Friends' office and step out onto State Street, I can see men and women in suits rushing about, students in shorts and T-shirts riding bikes and roller-blading, all sorts of people chatting or reading at curbside cafes, and street musicians strumming in front of guitar cases. The view down State Street is the quintessential vibrant street. Many communities in Wisconsin have scenes such as State Street - whether it's Milwaukee's Eastside, the pedestrian mall in Wausau,

Bayfield or downtown La Crosse.

What makes these places work? Does a vibrant community have to have an arts district? Sidewalk cafes? Outdoor sum- TIME, VISION, AND mer concerts? Bike paths? Pedestrian malls? A dot-com economy? There are _

BULDING A VIBRANT COMMUNITY TAKES A BIT OF ARTISTRY.

hundreds of elements of urban form and design that might contribute to the energy of a community.

Building a vibrant community is not a case of simply picking five or six attributes, adding money, and stirring. It takes time, vision, and a bit of artistry. Sometimes it's planned and scheduled. Sometimes it happens more organically. It invariably involves a mixture of government action, private investment, and community involvement.

Clearly, it can be very challenging - and even frustrating - to define and develop the individual characteristics that make a community vibrant. Yet, the recent work of Carnegie Mellon Economist Richard Florida helps set some of these goals, and Wisconsin's Smart Growth law is an ideal tool to develop them.

In his recent book, The Rise of the Creative Class, Florida describes the 'creative class' - artists, engineers, teachers, government workers, architects, information technology people, doctors, lawyers and others, and he describes some of the main attributes that his research indicates they look for in the places they work and the communities in which they live.

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Wisconsin Landscapes

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Pam Felt Ezra Meyer Alexis Wolff ** Meet the new interns on page 7

DIRECTORS' COLUMN: A NEW ERA

Dear Friends,

Planned obsolescence gets a bad rap. It's the idea that companies should build things like washing machines and television sets with the idea that they'll wear out or become unfashionable before they have to, just so people will buy new ones. While planned obsolescence probably is a bad idea for consumers, it's not such a terrible thing for executive directors.

I resigned as executive director of 1000 Friends, Inc. officially in April when I became the Mayor of Madison, but I had been gone since mid-February when I took a full time leave of absence to campaign. I'll bet you haven't noticed the difference. Lisa MacKinnon has done a remarkable job as acting executive director and chief lobbyist. Ward Lyles has done stellar work as our transportation policy analyst. Rebecca Bearjar has kept the office organized, Deb Nemeth is building our development muscle and Hal Cohen is spearheading our Smart Growth efforts across the state. And now my co-director, Andrea Dearlove, who worked tirelessly to set us up for success while both she and I were absent, has returned from maternity leave to take over the helm. I can't think of any better group to leave this organization to. And they are all supported by the finest boards of directors I've ever had the privilege to serve with, led by presidents Arlen Christenson and Juli Aulik.

To be direct, I love this organization. I love everything about it: the quality of life and the places we fight for, the policies we design, and the board, staff and members I got to work with since 1997 when we started.

I realized early on that the best way to show my affection for all that was to make myself obsolete. I knew that one way or another I wouldn't be around forever, and if I wanted the organization to outlive me, I had to give it away to other people. So I recruited board members and hired staff who were smarter than I was. (There were those who have suggested that this was too low a standard, but that's another debate.) The result is an organization that is much more about ideas, principles and a way of doing business than it is about one strong personality. And I couldn't be happier to be unneeded.

I'll stick around as a member of the board and I'll offer my two cents when asked. And I will renew my memberships on the first asking – as should you!

Finally, I want to thank everyone – the members, the board and most especially the people who shared my work every day for the last six years. It was meaningful. It was fun. And you know what? It'll last.

Sincerely, Dave Cieslewicz Dave Cieslewicz

WELCOME NEW MEMBERS: THANKS FOR YOUR SUPPORT!

Member numbers follow each name.

Friends Fellowship (\$250 - \$499) Herbert H. Kohl Charities, Inc, #2593

Friends (\$100 - \$249) Anne M. Klein , #2590 Basic Memberships (\$35 - \$99) St. Francis House, #2595 Anna M. Biermeier, #2594 Lawrence & Doris Novy, #2592 Eric Roell, #2597 William H. Rudolph, #2596 Ralph & Esther Scott, #2593

THE ANTI-SMART GROWTH 'BACKLASH': A REALITY CHECK

(Continued from page 1)

Association, the Towns Association, the Alliance of Cities, the Farm Bureau, and (of course) 1000 Friends all affirmed their support for the law. The state's agencies and Governor Doyle also remain strong allies, as do the environmental, conservationist, and land conservancy communities.

Many newspapers also seem decidedly downbeat on planning issues. In the Gannett papers (which include dailies in Wausau, Wisconsin Rapids, Green Bay, Stevens Point, and elsewhere), as well as in many papers up north, comprehensive planning and Smart Growth are not infrequently alleged to be on their deathbeds. And their opinion pages feature diatribes about property rights, home-rule, "Big Brother," and the coming UN takeover.

But this sort of reportage misses the real story: comprehensive planning is generally ahead of schedule, taking place under amicable circumstances, and producing sound results. For better or worse, steady, thoughtful, inclusive planning processes make for ho-hum news copy, especially when compared to alarmists spouting off about black helicopters. (Although, the editorial tide appears to be turning: the Milwaukee *Journal-Sentinel* reported in May, "Smart Growth quietly moving along, Planning mostly on pace," and in June the Eau Claire *Leader-Telegram* published an editorial strongly supporting Smart Growth.)

Consider: Wisconsin has about 1,600 municipalities that are mandated to plan under the Comprehensive Planning Law. The law has been in effect since 2000, which means that we are in year three. Plans are mandatory by 2010, year ten. This means that if we are to meet the target date, planning should be underway in approximately 30 percent of Wisconsin.

As of now, 77 plans have been completed. An additional 502 local governments have been awarded planning grants through 2003, and our colleagues in various state agencies estimate that another 200 or so non-grant-funded planning efforts are underway. To date, therefore – even if a handful of towns drop out of grant-funded planning programs – nearly 50 percent of affected municipalities are either done with their comprehensive plans or busy at work on them, well above the 30 percent target for year three.

As for the rest of the gloom-and-doom? Yes, there is an organized opposition to Wisconsin's Comprehensive Planning Law, and to the ideals of Smart Growth. But according to our colleagues at the Towns Association, the critics are a small group that travels from town to town,

county to county, making the same spiel over and over ("property rights; home rule; the DNR; the UN ..."). If just a couple of them were to misplace their pens, the volume of extremist anti-planning literature would drop to near nothing. And while their message is well received in certain west-central counties such as Clark, Rusk, and Taylor, it is largely ignored elsewhere. In fact, nearby Barron County completed and approved its comprehensive plan with little fanfare and with bright hopes for the future.

Of course, the Smart Growth battles are far from won. The truth is that the Comprehensive Planning Law has become a lightning rod for any discontent that anyone, anywhere has with land use or local governance in Wisconsin: shoreland zoning, lakes classification, extraterritorial zoning powers, exclusive agricultural zoning, the relationship between towns and counties - the list goes on. To be sure, the Comprehensive Planning Law did not create any of these, but it does require people to think about them and deal with them in a meaningful way, and many people do not like doing that. In addition, critics are deliberately spreading misinformation that confuses these already-complicated land-use issues, in order to play on people's fears. As Jerry Deschane of the Wisconsin Builders Association puts it, "Smart Growth is taking the blame for everything that is wrong with land use in Wisconsin. That blame is undeserved."

So I say: Enough gloom-and-doom. The existence of opposition need not put Smart Growth on the defensive. The loud voices of a few extremists do not outweigh the millions of Wisconsinites who support planning for their communities' futures. The media's craving for shrill controversy does not mean that the real story is not elsewhere.

Now is the time to support comprehensive planning – loudly and proudly – particularly at the local level. Network with allies in your community and around the state. Write a letter to the editor of your local paper, or submit a guest op-ed. Call 1000 Friends or one of the many groups with whom we work and ask about advice, support, or like-minded local citizens. Attend meetings and hearings, get appointed to committees, run for town or county boards. The key is for *you* to get out there and make yourself heard.

Nothing worth fighting for ever came easy.

- by Hal Cohen, Planning Director

WHY SMART GROWTH IS GOOD FOR VIBRANT COMMUNITIES



A COMMUNITY THAT FOSTERS INDIVIDUAL ACTIVITY AND CREATIVITY, AND PROVIDES A LOT OF OPTIONS FOR WORK, PLEASURE AND MOVING AROUND, IS GOING TO BE A VIBRANT PLACE WHERE PEOPLE WANT TO LIVE. (Continued from page 1)

Florida's research finds an overwhelming desire among professionals to live in a place where individuals can easily 'plug and play.' People want to participate, not merely observe. For example, symphonies, opera houses and majestic theaters are wonderful focal points for the arts, but local

coffee shops, art galleries, and music venues are equally essential for a dynamic arts scene. Instead of investing millions in massive stadiums or arenas for professional sports, open space and parks that can be used for biking, running, and playing ball should be higher priorities. Unique existing businesses such as locally owned stores and restaurants create distinct characteristics better than look-alike chain developments do. New neighborhoods and retrofitted old neighborhoods should be walkable, bikeable and transit-friendly – not just auto-oriented.

The bottom line in Florida's research is that a community that fosters individual activity and creativity, and provides a lot of options for work, pleasure and moving around, is going to be a vibrant place where people want to live. (For more information, including how Wisconsin communities rank on Florida's 'creativity index,' visit www.creativeclass.org.)

Although Wisconsin's Comprehensive Planning Law is relatively new, communities throughout the state have been employing the principles and goals it promotes for years to build vibrant communities. Spearheaded by the Wisconsin Main Street Program in communities such as Sheboygan Falls, Richland Center, Watertown, downtown revitalization is underway in cities and villages statewide.



DOWNTOWN REVITALIZATION IS UNDERWAY IN CITIES AND VILLAGES STATEWIDE. (For more information on the Wisconsin Main Street Program, visit the Department of Commerce's website: commerce.state.wi.us/ CD/CD-bdd.html)

The Comprehensive Planning Law requires communities to address nine elements in their comprehensive plans. The majority of these elements are directly related to

building vibrant communities, including: housing, transportation, utilities and community facilities, agricultural, cultural and natural resources, economic development, and land use. Beyond the nine elements that must be included in the comprehensive plans, there are also 14 goals that communities are encouraged to strive for. All of these goals serve as building blocks for vibrant communities, but a few are worth particular mention:

- Build community identity by revitalizing main streets and enforcing design standards.
- Encouragement of neighborhood designs that support a range of transportation choices.
- Preserve cultural, historic and archaeological sites.
- Provide an adequate supply of affordable housing for individuals of all income levels throughout each community.
- Plan and develop land uses that create or preserve varied and unique urban and rural communities.
- And, provide an integrated, efficient, and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependent and disabled citizens.

Over the next five to ten years, as more and more comprehensive plans are developed and implemented under the Comprehensive Planning Law, we will find that there are more and more places like Brady Street in Milwaukee, State Street in Madison and Pearl Street in La Crosse – places where we can actively participate in the vibrancy of our communities.

- by Ward Lyles, Transportation Analyst

OPEN SPACE AND PARKS THAT CAN BE USED FOR BIKING, RUNNING, AND PLAYING BALL SHOULD BE HIGHER PRIORITIES.



Images courtesy of the Environmental Law and Policy Center, 2002

Wisconsin Landscapes

Summer, 2003

LEGISLATION UPDATE: THE 2003-2004 BIENNIAL BUDGET

Next Step: The Governor's Desk

The Joint Finance Committee voted 12-4 (along party lines) to pass its version of the budget on June 4. The Committee made significant cuts to all of our core programs, including the Stewardship Fund, Comprehensive Planning Grants and Transportation programs. The State Senate and Assembly then took up the budget and made very few changes to the Joint Finance Committee's version. The next stop for the budget bill is the Governor's desk.

The following is a synopsis of the Joint Finance Committee's, Senate's and Assembly's combined actions on a number of our key legislative agenda items, as well as proposed goals for action:

The Stewardship Fund

The Joint Finance Committee (JFC) cut \$245 million that's a 40% cut. The Committee also approved a motion that would require the DNR to sell off up to \$40 million worth of previously acquired state land in the next two years. Finally, the Committee voted to reduce the Joint Finance Review threshold for DNR purchases to \$0. These cuts mean that instead of sharing up to \$60 million per year for land purchases, the DNR, non-profit conservation groups, and local governments will have the ability to make purchases worth a *total* of only \$25 million between 2003 and 2005.

<u>1000 Friends' goal:</u> These cuts will have devastating consequences for conservation in the state. Land conservation is often a fleeting opportunity. If we lose the chance to protect land from development, it's gone forever — we can't make more land once the state's budget woes have been resolved. We are working with our many partners on this issue to restore the Stewardship Fund to its current funding level of \$60 million per year.

Comprehensive Planning Grants

The Joint Finance Committee voted to partially preserve funding for the state's Comprehensive Planning Grants Program, but cut the program by 33% by eliminating \$1 million annually that came from the state's Transportation Fund for transportation planning grants. While Joint Finance's action allows communities across the state to continue to move forward with the comprehensive planning that is vital to their efficient growth and economic development, the cuts to transportation planning funds is a significant loss.

<u>1000 Friends' goal:</u> In the three years of its existence, the planning grants program has been enormously successful and highly competitive, awarding money for plan-

ning to those communities that demonstrate a solid public participation process and a focus on multi-jurisdictional cooperation. It has been oversubscribed since its inception and promises to continue to draw many more applicants than it can support even at its current funding level of \$3 million annually. At a time when local governments are being asked to tighten their belts and become more efficient, we need to make sure we maintain every incentive for them to do so. The comprehensive planning law requires communities to address transportation issues as a part of their planning process. The \$1 million transportation planning grants money was allocated for this process, but because of the way the budget is written, it is unlikely that the Governor will be able to restore the transportation money that was cut. We are working to prevent further cuts to the comprehensive planning grants program by emphasizing the followina:

- The program is currently oversubscribed and will continue to be popular with communities that are starting their comprehensive planning processes.
- Over 500 communities across the state are putting together comprehensive plans — with a focus on public participation and multi-jurisdictional cooperation – through the assistance of these grants.
- 3) Planning has the potential to create efficiencies and reduce local government spending over the long-term.

Transportation

Throughout this budget process, members of the Legislature have said repeatedly that everybody will have to share the burden of funding cuts. Yet, the transportation budget, particularly when it comes to road building, has been given immunity with this proposal. No substantial funding cuts are included, rather future funding is *increased*.

Major Highway Projects, Maintenance and Repair

The **Governor's budget** reduced spending on Major Highway Projects and Rehabilitation, but increased Maintenance by 2.5% to account for inflation.

The Joint Finance Committee budget returns Major Highway Projects and Rehabilitation to 2003 levels. Meanwhile, the inflationary increase of Maintenance is eliminated. Beyond these changes, the package also increases the 2004-05 base funding level for Major Highway Projects by \$50 million, meaning that for 2005-07 and beyond Major Highway Projects will be funded by \$50 million annually more than the current level. Furthermore, the Senate reduced the general fund transfer of sales and use tax on new motor vehicles to the transportation fund from 20% to 10%.

(Continued on next page)





LEGISLATION UPDATE: THE 2003-2004 BIENNIAL BUDGET

(Continued from previous page)

Local Transportation Aids

The **Governor's budget** increased local transportation aids. In particular, General Transportation Aids, which every county and municipality receives for local road construction and maintenance, were increased by 2.5% to keep up with inflation. Transit Aids, used to help cover operating costs for transit programs, were also increased at 2.5% to keep up with inflation.

The **Joint Finance Committee budget** freezes General Transportation Aids and Transit Aids at 2003 levels, meaning that the state share for filling potholes and fueling buses will be lower than in the Governor's budget. This change will likely result in property tax increases, since local governments will have to make up the difference. According to the Wisconsin Alliance of Cities, property taxes and shared revenue, which is funded by sales taxes and income taxes, already cover more than 70% of local transportation costs.

Transit and a Balanced Transportation System

Although as much as 20% of Wisconsin's population does not drive, including children and many disabled and elderly persons, the Wisconsin Department of Transportation historically has not prioritized meeting the needs of *all* Wisconsin's citizens. Total funding for multimodal grants and activities in 2002 was \$35 million dollars out of a \$2,300 million dollar budget, or just 1.5%.

The **Joint Finance Committee budget** goes further than simply perpetuating the existing pattern of neglecting nonautomobile modes. It deletes funding for discretionary Surface Transportation Grants, which are used to provide other modes of transportation beyond the singleoccupancy automobile. It deletes funding for multimodal transportation studies, which are related to the development of new transportation facilities that accommodate more than one mode. It also deletes funding for comprehensive planning grants, which help communities to plan for future development and growth, including the growth of their transportation infrastructure. All told, these highly destructive deletions create a savings of less than \$10 million dollars over the next biennium – less than 0.2% of the total transportation budget. Additionally, the Senate deleted a newly-created appropriation for a "commuter rail transit system development grant program."

This package does not help solve the \$3.2 billion fiscal crisis; instead, it exacerbates it. This plan not only spares the \$4 billion biennial transportation budget from substantial cuts, it actually sets up a mechanism to raid future General Purpose funding, which is used for schools, local governments, health care and other state programs, in order to fund increased road building.

<u>1000 Friends' goal:</u> We are working to restore the Local Transportation and Transit Aids increases. We are working to make Rehabilitation and Maintenance a funding priority rather than an afterthought, and to return Major Highway Projects spending to more equitable, fiscally responsible levels. We are also working to ensure that multimodal transportation funding is restored. Finally we are continuing to work for a better design of the Marquette Interchange that meets safety and mobility needs but does not compromise the economic and cultural health of the city, the region and its residents.

> by Lisa MacKinnon, Policy Director with Transportation Analyst, Ward Lyles

WHAT YOU CAN DO NOW:

- Call the Governor's office to encourage his continued support of the programs that 1000 Friends of Wisconsin values, and to veto those portions of the budget that damage these programs. You can reach the Governor by phone at (608) 266-1212 or by email at www.wisgov.state.wi.us
- Write opinion editorials or letters to the editor of your local newspaper to show your support for these
 programs and to illustrate the shortsighted nature of the Legislature's actions on Stewardship, comprehensive planning, transportation and other programs.

Please contact Lisa MacKinnon at (608) 663-9049 or Lmac@1kfriends.org if you need more information in order to effectively support these programs.

WELCOME SUMMER INTERNS AND VOLUNTEERS

We'd like to welcome this summer's interns. Interns have provided great research in the past and are a key component of our ongoing educational outreach and policy work. For their efforts, they get exposure to what we do, as well as a chance to research and write briefing papers and articles. Expect to see some of their writing in this newsletter before too long.

Scott Allen: Scott is an engineering student at UW-Madison where he will be a senior next year. He will be working with Ward and Lisa on transportation issues – particularly second-generation freeways and labor and transportation connections.

Dave Askuvich: Dave will be entering the Urban and Regional Planning Department (URPL) at UW-Madison this Fall. His project will be looking at how transportation access affects access to jobs, health care, etc. in both rural and urban areas.

Heidi Baumgartner: Heidi is a graduate student in Conservation Biology and Sustainable Development at the Gaylord Nelson Institute for Environmental Studies at UW-Madison. She's working with the National Association of County and City Health Officials in Washington, D.C. this summer and will be doing research on the public health connections to land use and transportation. Andrea Good: Andrea is currently volunteering with a host of environmental non-profits, including River Alliance of Wisconsin and Natural Heritage Land Trust. She will be working with Rebecca to centralize 1000 Friends' office resources, as well as create a bibliography/anthology of 1000 Friends' publications.

Kate Knavel: Kate graduated from UW Law School this May and will be in her second year at URPL this fall. Her projects will include reviewing comprehensive plans with Hal and researching the economics of freight transportation with Ward.

Olivia Parry: Olivia will also be entering her second year of URPL. In addition to researching land use economics of rural areas, she will be working with Hal to review comprehensive plans.

Kate Strom-Hiorns: Kate graduated from URPL this May, and will be working with Ward and Lisa to research rural transit, as well as transportation planning and community sensitive design. This is Kate's second summer interning at 1000 Friends.

If you would like to contact any of the interns – to ask questions about their research or offer any assistance – please feel free to contact our office at (608) 259-1000.

****IMPORTANT****IMPORTANT****IMPORTANT****IMPORTANT****IMPORTANT****

BALLOT FOR ELECTION OF INC. BOARD MEMBERS

Please vote for 1000 Friends of Wisconsin, Inc. Nominees for Inc. Board Members

1000 Friends of Wisconsin, Inc. Bylaws § 4.02 requires that directors be elected by the members at each annual meeting of members. This section also provides that the Board may by resolution provide that election of directors shall be conducted by mail. Because the Board of Directors exercised its authority under Bylaws § 3.04 to refrain from holding an annual meeting of the members in 2003, the Inc. Board, at our April 9, 2003 board meeting, passed a resolution authorizing the election of Inc. Directors to be conducted by mail via a ballot included in this newsletter. The resolution also amended the Bylaws to require that directors shall be elected by a plurality, which is defined in Bylaws § 4.02 to mean "each member may vote for as many candidates as there are positions available, and the individuals with the largest number of votes, up to the number of directors to be chosen, are elected." The directors of the Inc. Board of Directors have been nominated for renewal of their three-year terms. There are enough positions on the Inc. Board for all nominees.

Renewal of three-year terms for the following Inc. Board members was moved, seconded and approved unanimously by the nominating committee. Please cast your vote for up to three nominees:

Walter John Chilsen

Gaurie Rodman

Roger Shanks

Please detach your marked ballot and return to 1000 Friends of Wisconsin in the enclosed envelope. Thank you for voting!

INTERNS ARE A KEY COMPONENT OF OUR ONGOING EDUCATIONAL OUTREACH AND POLICY WORK.

IMPORTANT

PLEASE DETACH

YOUR MARKED

BALLOT AND RE-

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WISCONSIN LANDSCAPES



A LITTLE EXTRA HELP FROM OUR FRIENDS...

Please consider enclosing an extra gift with your ballot. As you can see from our newsletter, we have been working overtime to defend critically important programs - the Stewardship Fund, the Smart Growth law, and 1000 FRIENDS comprehensive planning grants. We are helping communities all over the state with Smart Growth planning ef-**OF WISCONSIN** forts, and breaking new ground on transportation issues. We sure could use a little extra help from our friends!

Yes, I want to help! Enclose	sed is my extra contribution of:	\$100	\$50	\$25	other (\$)	
Please use my extra contr	ibution to support:						
1000 Friends of Wisconsin, Inc. (advocacy, not tax-deductible)							
The Land Use Institute (research & education, tax-deductible as allowed by law)							
Contact Information:							
Name							
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Email (please add me to the 1000 Friends email network)

(Please send ballot, form and check to: 1000 Friends of Wisconsin, 16 N. Carroll St., Suite. 810, Madison, WI 53703).