

ZONING DISTRICTS

City of Montpelier, Vermont

Zoning Districts

CB-1 RIV

CB-2 GB

CIV IND

HDR CEM

City Boundary

Road

Training for Zoning and Planning Board Members: A Discussion About Mandatory vs. Voluntary Programs

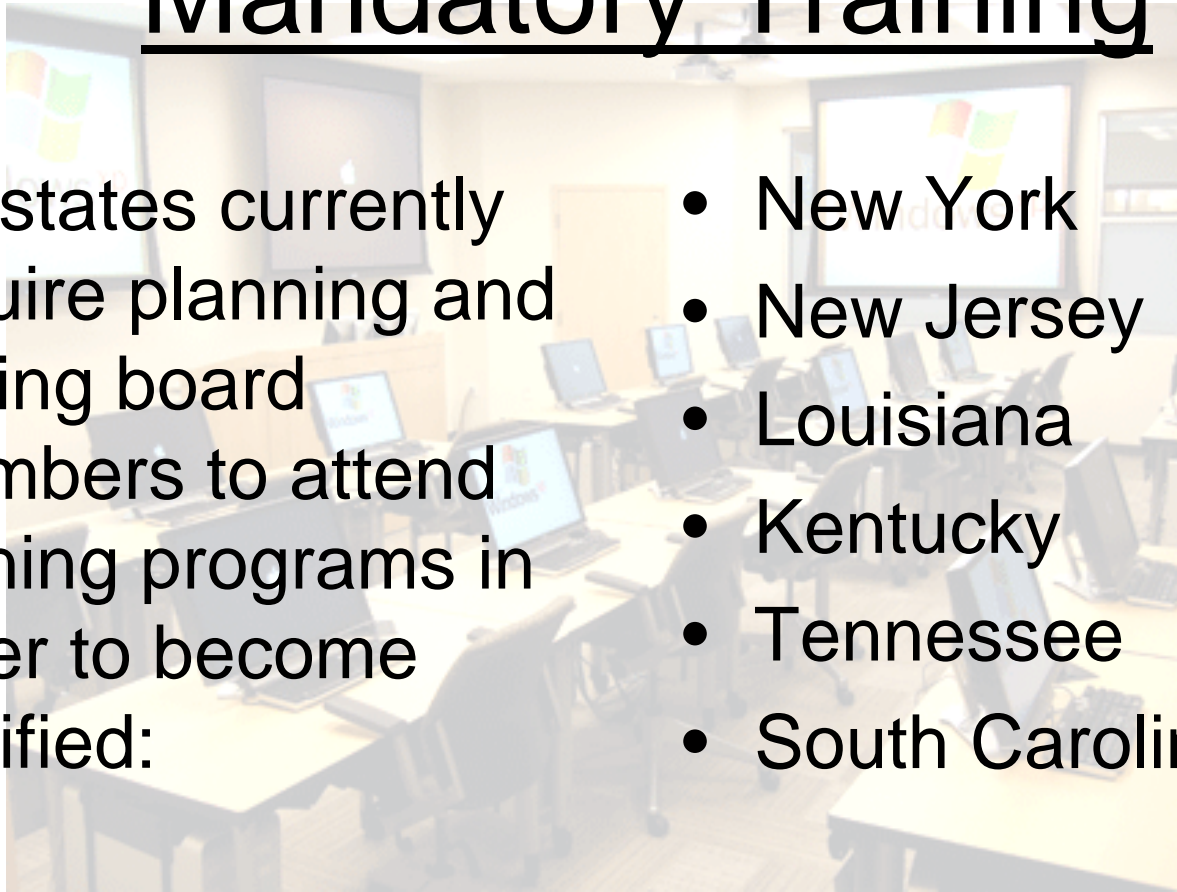
City of Montpelier GIS
Planning and Development
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Mandatory Training

- Six states currently require planning and zoning board members to attend training programs in order to become certified:
- New York
- New Jersey
- Louisiana
- Kentucky
- Tennessee
- South Carolina



Mandatory Training

- South Carolina

- Extensive Requirements
- State Advisory Committee on Educational Requirements for Local Government Planning and Zoning Officials and Employees
- Minimum 6 hours of orientation training
- 3 hours per year mandatory after initial training
- Committee must approve any education offered by a county or municipality
- Local government body responsible for shouldering costs, though may find a sponsor
- **Least feasible option for Vermont**


- Louisiana

- Most sparse of the six states
- Each member must receive 4 hours of training before taking office or within one year thereafter
- Training must be approved by municipal planning commission, parish, or advisory board

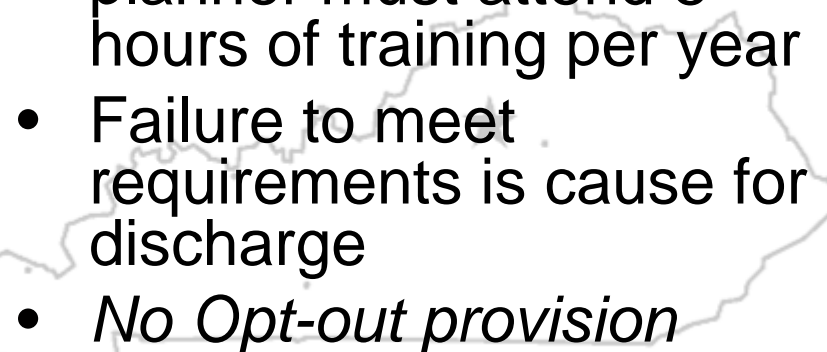


Mandatory Training

- Tennessee

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- Each planning commissioner must train 4 hours within first year after appointment
 - Full time or contract planner must attend 8 hours of training per year
 - Failure to meet requirements is cause for discharge
 - *Opt-out provision*

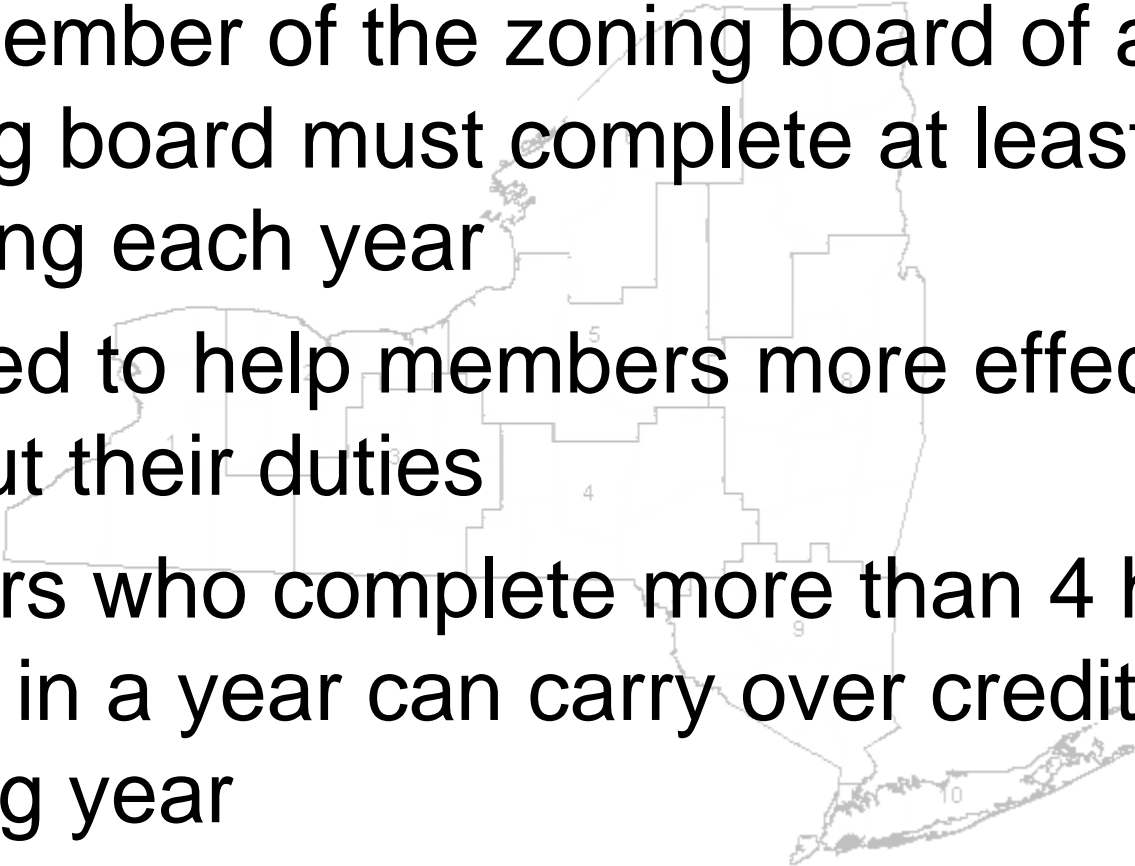
- Kentucky

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- Each planning commissioner must train 4 hours within first year after appointment
 - Full time or contract planner must attend 8 hours of training per year
 - Failure to meet requirements is cause for discharge
 - *No Opt-out provision*

Mandatory Training—New Jersey

- Current and Prospective members must take 5 hours of a basic course in land use law and planning
- Overseen by NJ Department of Community Affairs
- Training Covers 3 areas:
 1. Overview of responsibilities of planning and zoning boards and differences between the two
 2. The municipal master plan
 3. The process of reviewing development applications
- Failure to complete course within time period results in automatic termination
- Failure of a board member to complete the course **DOES NOT** invalidate planning or zoning board actions

Mandatory Training—New York

- Each member of the zoning board of appeals or planning board must complete at least 4 hours of training each year
 - Designed to help members more effectively carry out their duties
 - Members who complete more than 4 hours of training in a year can carry over credits for the following year
 - Legislative body of the municipality is responsible for approving the training
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Mandatory Training—New York

- Any format, including distance learning, electronic media, **on-line courses**, or traditional classroom learning is acceptable
- To be reappointed, a member must have complied with the training required by the city
- *Training may be waived or modified by resolution of the legislative body of the city when, “in the judgment of the legislative body, it is in the best interest of the city to do so.”*
- A decision by one of the boards will not be voided or declared invalid because a member did not comply with the statute

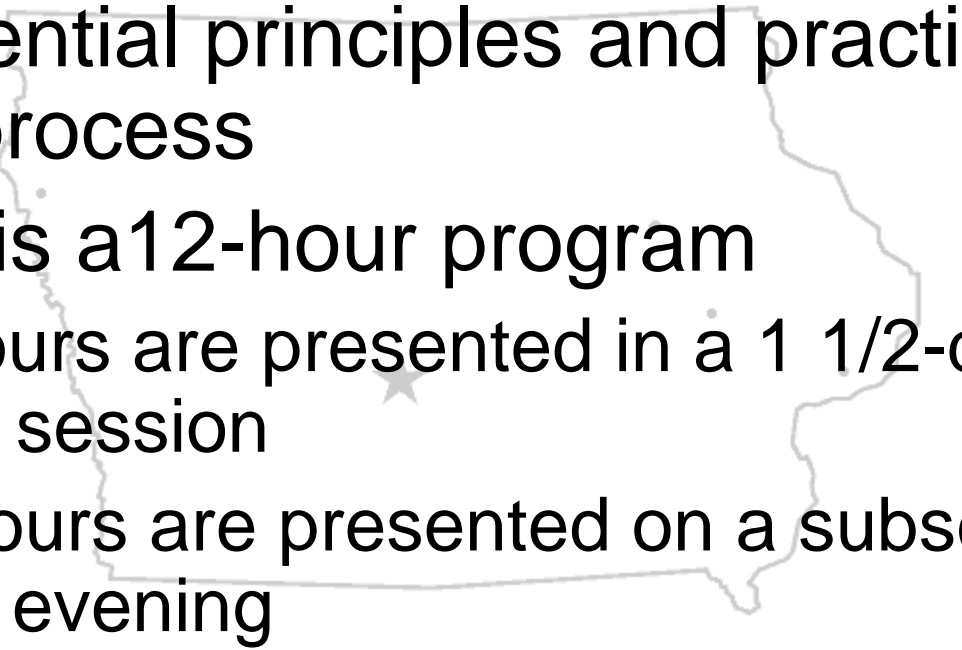
Voluntary Training—Michigan

- The Citizen Planner Program at Michigan State University
- Offers land use education and training to locally appointed and elected planning officials
- Non-credit course series leading to a certificate of completion awarded by Michigan State University Extension (MSUE)
- Offered in classroom setting and online
- Also provides education and training through specialty and regional workshops

Voluntary Training—Michigan

- Advanced training to earn the Master Citizen Planner credential is also available
- Developed to provide advanced skill development and a benchmark for continuing education among Michigan elected and appointed officials, and citizen volunteers
- Involves completing course of seven core sessions, passing an examination, completing a capstone project, and meeting continuing education requirements

Voluntary Training—Iowa

- **Iowa Planning Officials Academy**
 - Provides participants with a thorough grounding in the essential principles and practices of the land use process
 - Academy is a 12-hour program
 - First 9 hours are presented in a 1 1/2-day, Friday-Saturday session
 - Final 3 hours are presented on a subsequent weekday evening
 - Highly interactive, and includes hands-on subdivision and site plan review exercises, checklists, and hearing exercises
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Voluntary Training—lowa

- Program addresses, among other issues:
 1. Roles and responsibilities of the planning and zoning commission, ZBA, and legislative body
 2. Decision-making procedures and development review principles
 3. Meeting management: conducting fair and efficient public meetings
 4. Ethics, conflict of interest, and serving the public interest
 5. Legal foundations of planning and zoning (statutes, court cases, constitutional issues)

Benefits of Certification

- Zoning and Planning Officials who are better trained and able to fulfill their duties
- Possible insurance deduction/reduction like that offered by New York Municipal Insurance Reciprocal (NYMIR)—discussed by Prof. Nolon
 - Feasible because of strength of Vermont League of Cities and Towns Insurance and Risk Assessment
- Possible reduction of lawsuits by having officials more aware of the necessary steps involved in the decision-making process

Is Requiring Certification Feasible?

- **Opt Out** provision would allow municipalities that can't currently afford to participate to defer and then **Opt In** to the program at a later date
- **Online Training** can make training much less expensive and will allow officials to complete their training from virtually any location
 - Could be offered by VLCT's or the Land Use Institute, for example, or from a number of sponsors
- **Carry-over** provision would allow officials to get as much training as possible when time permits