

June 27, 2012

Bringing
Knowledge
to Life!

*“Thirty seven million
acres is all the Michigan
we will ever have.”*

Former Governor
William G. Milliken

Michigan State University
Extension,
Greening Michigan Institute,
Land Use Team

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Training, continuing education is best strategy for planning and zoning risk management

The expectation for a government official to know their job, and perform their job accordingly is basic. But often when volunteers are appointed to their local planning commission or zoning board of appeals that practice does not always happen.

And the lack of training and continuing education by those volunteers can be problematic. Having a training and continuing education program can be viewed as the most important and effective way for local governments to avoid lawsuits in planning and zoning issues. If one is a building inspector, tax assessor, or police officer, training is mandated. But many volunteers making decisions about economic development and a community's future, which can easily run afoul of someone's private property rights, and other constitutional issues, are not required to have any training in Michigan.

Sources of Training

There are many training opportunities for local planning and zoning officials in Michigan. Common sources of training include:

- Michigan Association of Planning
- MSU Extension Government and Public Policy Team including Citizen Planner
- Michigan Association of Townships
- Michigan Municipal League

We have more training opportunities in Michigan than most states have. But Michigan also has one of the lowest participation rates. One study done by MSU AgBioResearch suggests that just more than 50 percent of local planning and zoning officials have attended any training at all.

Yet, research done in the western part of the United States shows that initial training and continuing education in planning and zoning is one of the most effective risk management strategies a local government can employ.

That is why MSU Extension's sample ordinance to create a planning commission, joint planning commission ordinance/agreement, planning commission bylaws, and zoning board of appeals rules of procedure

Author:

Kurt H. Schindler, LAND USE EDUCATOR
MSU EXTENSION GREENING MICHIGAN INSTITUTE
Phone: (231)882-0026
Fax: (231)882-9605
E-mail: SCHINDL9@anr.msu.edu
overland mail:

MSU Extension, Benzie County
448 Court Place
Beulah, Michigan 49617-9518

include self-imposed training requirements(found in the “pamphlets” section of web page <http://lu.msue.msu.edu/index.html>).¹

Recommendations for Education Curriculum

Continuing education for staff and appointed officials of planning commissions and zoning board of appeals is the most important and effective way for local governments to avoid lawsuits in planning and zoning issues. But the question becomes how much continuing education is necessary and on what topics?

The following recommendations are intended to provide a starting point for your community’s discussion. A community will want to balance these recommendations against what the local budget can afford and the relative amount of risk a community is willing to expose itself to.

Recommendation #1: Who Should Attend Education

Every staff person (professional planner, zoning administrator) and members of a planning commission, and members and alternate members of a zoning board of appeals should attend training in planning and zoning.

At a minimum, the quorum of the planning commission and zoning board of appeal should have received the training. If the legislative body (township board, city council, village council, or county board of commissioners) reviews special use permits or site plans, they should also attend continuing education programs on planning and zoning.

It is important that a “critical mass” (quorum or majority) have the background and training to be able to effectively do their jobs and to mentor new members who have not yet had training. Best

practice would be for planning commission bylaws and zoning board of appeals rules of procedure to indicate that a member is not able to be reappointed if he or she has not received training.

Recommendation #2: Sources

Any one individual should try to obtain education on planning and zoning from more than one source. In Michigan there are several different common sources of planning and zoning education; it’s important that sources of training be credible, and not sponsored or created by special interests. Some of the common sources of training are:

- Michigan State University Extension: contact your regional Land Use Educator at http://msue.anr.msu.edu/programs/land_use_education_services/; a brochure about programs and services is also available http://lu.msue.msu.edu/pamphlet/LandUsePR_pamphlet.pdf, and Citizen Planner http://msue.anr.msu.edu/programs/michigan_citizen_planner/.
- Michigan Association of Planning, chapter of the American Planning Association: 219 South Main – Suite 300, Ann Arbor, MI 48104; (734)913-2000. <http://www.planningmi.org/default.asp>
- Michigan Municipal League: 1675 Green Road, Ann Arbor MI, 48105; (734)662-3246 or (800)653-2483. <http://www.mml.org/home.html>
- Michigan Townships Association: 512 Westshire Dr., Lansing, MI 48917; (517)321-6467. <http://www.michigantownships.org/default.asp>
- One of the 14 State Regional Planning Agencies: click on “Michigan Planning Regions” at web page <http://www.miregions.com/>.

¹Cullen, Anne and Patricia E. Norris, Wayne R. Beyea, Christine Geith, Gerald Rhead; *Research Report* “Expanding Education and Training Opportunities for Michigan Local Government Land Use Planning Officials”; Michigan Agricultural Experiment Station, Michigan State University; RR-574; April 2006.

Recommendation #3: Amount of Education

The following recommendations as to how much training is intended to provide a starting point for your community's discussion on this issue. The number of hours, or days are not based on any

particular data other than this author's thoughts. A community will want to balance these recommendations against what the local budget can afford and the relative amount of risk a community is willing to expose itself to.

Position	First-year training requirement	Second-year and all following year training requirements
Member of the planning commission	16 to 22 hours	6 to 8 hours per year
Member of the zoning board of appeals	16 to 22 hours	6 to 8 hours per year
Planner	3 to 5 days	3 to 5 days per year
Zoning administrator	3 days	3 days per year
Individual doing both planning and zoning administration	6 to 8 days	6 to 8 days per year

Recommendation #4: Curriculum

The following recommendations on curriculum is intended to provide a starting point for your community's discussion on this issue. The curriculum is based on what programs exist in the state and are regularly offered, as well as the author's belief that after the basis the community

and individual members know what topics for training would most useful and would fit local needs. A community will want to balance these recommendations against what the local budget can afford and the relative amount of risk a community is willing to expose itself to.

The following is a recommended curriculum:

When	Planning Commission member	Zoning Board of Appeals Member	Zoning Administrator
1 st year	A. Fundamentals/MAP, MTA	A. Fundamentals/MAP, MTA	A. Citizen Planner/MSUE
	B. Site Plan Review/MAP, MTA	B. Site Plan Review/MAP, MTA	
1 st year or 2 nd year	C. Citizen Planner/MSUE	C. Citizen Planner/MSUE	B. Zoning Administrator Certificate/MSUE
2 nd year	D. New Economy, Placemaking other initiatives offered by your state regional planning agency	Same as planning commission, if anticipating becoming a planning commission member.	D. New Economy, Placemaking other initiatives offered by your state regional planning agency
2 nd year, 3 rd and each year after	E. Hot Topics (statewide updates, law changes)/MSUE, MTA, MML, MAP, etc.	D. Hot Topics (statewide updates, law changes)/MSUE, MTA, MML, MAP, etc.	E. Hot Topics (statewide updates, law changes)/MSUE, MTA, MML, MAP, etc.
3 rd and each year after	F. Local Issues & Topics/MSUE, MTA, MML, MAP, etc.	Same as planning commission, if anticipating becoming a planning commission member.	F. Local Issues & Topics/MSUE, MTA, MML, MAP, etc.