

**CONFIDENTIAL**

**LEGISLATIVE BILL REVIEW FORM: 2016**

**Bill Number:** H. 367    **Name of Bill:** An act relating to miscellaneous revisions to the municipal plan adoption, amendment, and update process

**Agency/Dept:** Agency of Commerce and Community Development, Department of Housing and Community Development

**Authors of Bill Review:** Chris Cochran, John Adams

**Date of Bill Review:** 4/29/2016

**Related Bills and Key Players:** No related bills, VLCT, Vermont Planners Association, Regional Planning Commissions

**Status of Bill: (check one):**     Upon Introduction     As passed by 1<sup>st</sup> body     As passed by both

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**Recommended Position:**

Support     Oppose     Remain Neutral     Support with modifications identified in #8 below

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**Analysis of Bill**

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**1. Summary of bill and issue is addresses.**    *Describe what the bill is intended to accomplish and why.*

The development of a municipal plan is a significant undertaking in communities of all sizes. Many communities feel the existing 5-year cycle is too short and it leaves little time to implement the plan. The bill addresses this issue by extending the current 5-year municipal plan expiration/re-adoption requirement to 8 years. To assure the plan is implemented, the bill requires municipalities to check in with their RPC twice every 8 years to update them on their progress. Additionally, the bill clarifies that plan amendments are not considered plan re-adoptions, and re-adoption standards are created. The bill also creates standards by which RPCs are to evaluate whether municipalities are working to implement their adopted plans.

**2. Is there a need for this bill?**    *Please explain why or why not.*    Yes. A 2013 Community Planning Survey conducted by DHCD, more than half of all respondents, and 64% of RPC respondents recommended extending municipal plan expiration beyond 5 years. Municipal planning requirements have become much more comprehensive and complex over time. Many planners and volunteer commissions are increasingly frustrated that the 5-year planning cycle leaves them no time to implement the plan.

**3. What are likely to be the fiscal and programmatic implications of this bill for this Department?** No fiscal implications are expected. Programmatically, it will require the update of guidance documents and required outreach and education to Regional Planning Commissions and municipalities. Allowing more time for implementation could help assure the state's planning investments achieve better results.

**4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** Same as above.

**5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? (for example, public, municipalities, organizations, business, regulated entities, etc.)**

Municipalities and Regional Planning Commissions could spend less money and time on municipal plan updates. Regional Planning Commissions will need to update their procedures and guidance documents. Some RPCs may feel this change could weaken local planning efforts (see below).

The additional time may help municipalities do a better job on data collection, analysis, mapping and community engagement. It could also allow additional time for communities to execute the objectives and strategies in outlined in the plan and make more efficient use of limited volunteer time, money, and RPC resources.

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?** VLCT, the Vermont Planners Association and some Regional Planning Commissions for the reasons outlined above.

**6.2 Who else is likely to oppose the proposal and why?** Some Regional Planning Commissions believe that extending the life of municipal plans would result in less local planning. Some also are concerned that this change would lead to reduced financial support for municipal and regional planning.

**7. Rationale for recommendation:** Support.

**8. Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.* We have noted an inconsistency - plans adopted after July 1, 2015 qualify for the 8 years -- but the effective date of the bill is July 1, 2016. We guess that they forgot to change this as the bill started last session.

**9. Gubernatorial appointments to board or commission?**

Secretary/Commissioner has reviewed this document: Noelle MacKay Date 5/2/2016

*Please return this bill review as a Microsoft Word document to [laura.gray@state.vt.us](mailto:laura.gray@state.vt.us) and [Jessica.mishaan@state.vt.us](mailto:Jessica.mishaan@state.vt.us)*