

## AGENCY OF COMMERCE & COMMUNITY DEVELOPMENT

### POLICY ON CHANGES TO REGIONAL PLANNING COMMISSION BOUNDARIES

#### A. Town(s) Requesting to Switch from One Existing RPC to Another Existing RPC (Change of Pre-existing RPC Boundaries)

1. The Secretary of the Agency of Commerce & Community Development or his designee will meet informally with representative(s) from the town(s) and the involved regional planning commissions to discuss the situation and hear why the municipality is requesting to switch regions.
2. If a town wishes to proceed, it will present to the Secretary a resolution from its legislative body (or from the voters) requesting that the Secretary approve the proposed switch, and agreeing to share the costs of any needed studies (see paragraphs 4 and 5 below).
3. If the two involved regional commissions agree--through vote of the representatives to the RPCs --that their regions will continue to meet the criteria set out in 24 V.S.A. 4341(a) following the switch, they will recommend to the Secretary that he formally approve the town's request to switch regions.

[24 V.S.A. 4341(a) provides that the Agency's approval of RPC boundaries assure that the RPC is a "logical geographic and coherent socio-economic" planning area, with sufficient funding to satisfy current requirements and to provide a continuing planning program of a scope sufficient for comprehensive and functional area wide planning"]

4. If one (or both) of the RPCs does (do) not agree to the town's request, the Agency, the municipality and the RPCs will mutually agree on an individual or organization to conduct studies to determine if the statutory criteria will be met. If the parties cannot agree, the Secretary will make the selection. Any such studies will include one or more public meeting to receive comments or other evidence relevant to the statutory criteria.
5. The cost of any such studies will be borne by the municipality or municipalities requesting to switch regions.
6. Within thirty days following receipt of the study's findings, the Secretary or his designee will meet with representatives of the municipality and the RPCs (if they so request) to hear any comments they may have on the study's findings.
7. The Secretary, taking into account the study's findings and any comments made at the above-mentioned meeting (or a recommendation of the two RPCs made under paragraph 2. above), will determine whether the statutory criteria set out in 24 V.S.A. 4341(a) have been met. This determination will be made within thirty days following the meeting
8. If the Secretary determines that the statutory criteria have been met, the municipality's request to switch regions will be formally approved and the designated boundaries of the two RPCs will be modified accordingly.

B. Town(s) Requesting to Establish a New Regional Planning Commission

1. The Secretary of the Agency of Commerce & Community Development or his designee will meet informally with representatives from the involved towns and from the regional planning commission(s) to which the towns currently belong to discuss the situation and hear why the towns feel a new RPC is necessary.
2. If the towns wish to pursue creation of a new RPC, they shall present to the Secretary resolutions from the involved towns' legislative bodies or voters requesting that the studies called for under 24 V.S.A. 4341(a) be made, and agreeing to share the costs of the studies (see paragraph 4 below).
3. Following receipt of the above-mentioned resolutions, the Secretary and representatives from the involved municipalities will mutually agree upon an individual or organization to conduct the studies called for under 24 V.S.A. 4341(a).
4. The studies will investigate whether both the newly proposed RPC and the RPC(s) from which the towns would be withdrawing would meet the criteria set out in the statute. Any such studies will include one or more public meetings to receive comments or other evidence relevant to the statutory criteria.
5. The cost of the necessary studies will be borne by the involved municipalit(ies).
6. Within thirty days following receipt of the study's findings, the Secretary or his designee will meet with representatives of the involved municipalities and RPCs (if so requested) to hear any comments they may have on the study's finding.
7. The Secretary, taking into account the study's findings and any comments made at the above-mentioned meeting, will determine whether the statutory criteria set out in 24 V.S.A. 4341(a) would be met after establishment of the proposed RPC. This determination will be made within thirty days of the meeting.
8. The Secretary will not formally approve the establishment of the proposed RPC until he has received evidence that the voters or the legislative body of each of the involved municipalities (those municipalities which submitted resolutions under paragraph 3. above) has agreed to the creation of the new RPC. In the event that not all of the involved municipalities vote favorably within one year of the completion of the studies, the Secretary may reconsider his determination (under paragraph 7 above) that the statutory criteria have been met, and, if necessary, called for additional studies.

Originally adopted c. 1990

Confirmed September 12, 2002, by Gregory G. Brown, Commissioner,

Department of Housing and Community Affairs, Agency of Commerce and Community Development