

*Paul Conner 4/18/16*



**southburlington**  
PLANNING & ZONING

**MEMORANDUM**

**TO: Vermont Senate Natural Resources and Energy Committee**  
**FROM: Paul Conner, Director of Planning & Zoning**  
**SUBJECT: Support for H. 367**  
**DATE: April 18, 2016**

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Thank you for the opportunity to provide input. I support the proposed H. 367.

Last year I testified in support of the bill that passed the House. This year, the Vermont Planners Association is supporting a slightly modified bill that would include an eight-year planning cycle, to match the Regional Planning Commissions' cycle, while retaining the elements that would place emphasis on implementation of plans at the mid-way mark.

Change of time frame for expiry from 5 to 8 years

The development of a Town Plan is a significant undertaking in communities of all sizes. A full town plan update for communities of any size is often a 2-3 year process (and can be more). In the context of a five-year town plan cycle, the practical effect is that a local planning commission must start in on the update within two years of the adoption of the previous plan. That leaves very little time for actual implementation of the Plan. It is a cycle of nearly constant evaluation of the plan with little room for actually executing the objectives and strategies that the community has spent so much time and effort developing.

By moving the plan cycle from 5 years to 8, cities and towns will have much more opportunity to take meaningful action on their town plans.

Interim Consultation / Conformation in with the Regional Planning Commission

The requirement to demonstrate that the municipality is engaged in implementation of the plan at its re-confirmation before the Regional Planning Commissions at the mid-way mark to assure that a local plan is being implemented is a beneficial tool. This tool makes use of an existing requirement that plans be confirmed twice during an eight-year period. It helps to underscore the goal of assuring that plans are intended to be used and is also an opportunity for local and regional planners to coordinate on their efforts.

### Focus on implementation; planning grant funds

A shift from a 5-year to a 8-year plan expiration will open the doors to much more creative energy being dedicated to actual implementation. These could be projects to undertake meaningful community development actions such as performing natural resource analyses in support of regulatory changes, establishing village, neighborhood, or downtown designation, developing capital budgets, and much more. Nearly every town plan in the state is filled with ideas, policies, and strategies for next steps; this timeline shift would open the door to spend more time making these strategies a reality.

A strongly positive net effect of this change will likely be reflected in an refocused demand for the use of Municipal Planning Grant (MPG) funds for the purpose of implementation. This represents a great opportunity to support the use of these funds to take action on specific issues facing each municipality.

### Amendments to plans

H. 367, as proposed, allows for amendments to a plan and creates a distinction between an *amendment* and a *re-adoption*. The bill allows for amendments at any time, but would re-start the plan's clock only with a re-adoption including a full evaluation of continued consistency with state goals). This would allow a community such as South Burlington to amend, for example, its natural resources chapter based on a new study, or its land use chapter based on work in one part of the city without doing a full re-evaluation of the plan until the 8-year cycle is complete.

### The reality of the current 5-year cycle

Under the present law, it is not uncommon for communities to largely (if not fully) re-adopt an existing plan at the 5-year mark for an additional period of time to allow for the completion of a full plan update. South Burlington did this in 2011. There is enough regularity to this kind of request to show a pattern that the 5-year cycle is not working well. The proposed H. 367 would respond to this reality.

### A positive side-effect: the longer view

There is a widespread perception throughout Vermont that Town Plans are "5-year plans." The 5-year expiry of a Plan under Vermont law is translated, by many, to be a 5-year horizon FOR the plan. This can lead to much shorter-term consideration of issues, rather than the longer view that planning tries to espouse. A positive side-effect of shifting plans to a 8-year expiry cycle is to help extend the thinking of Commissioners and residents throughout the state. The longer expiry will encourage the public to think at further into the future.