



Regional Planning Commissions Overview

October 21, 2024

**Presented to: County & Regional
Governance Study Committee**

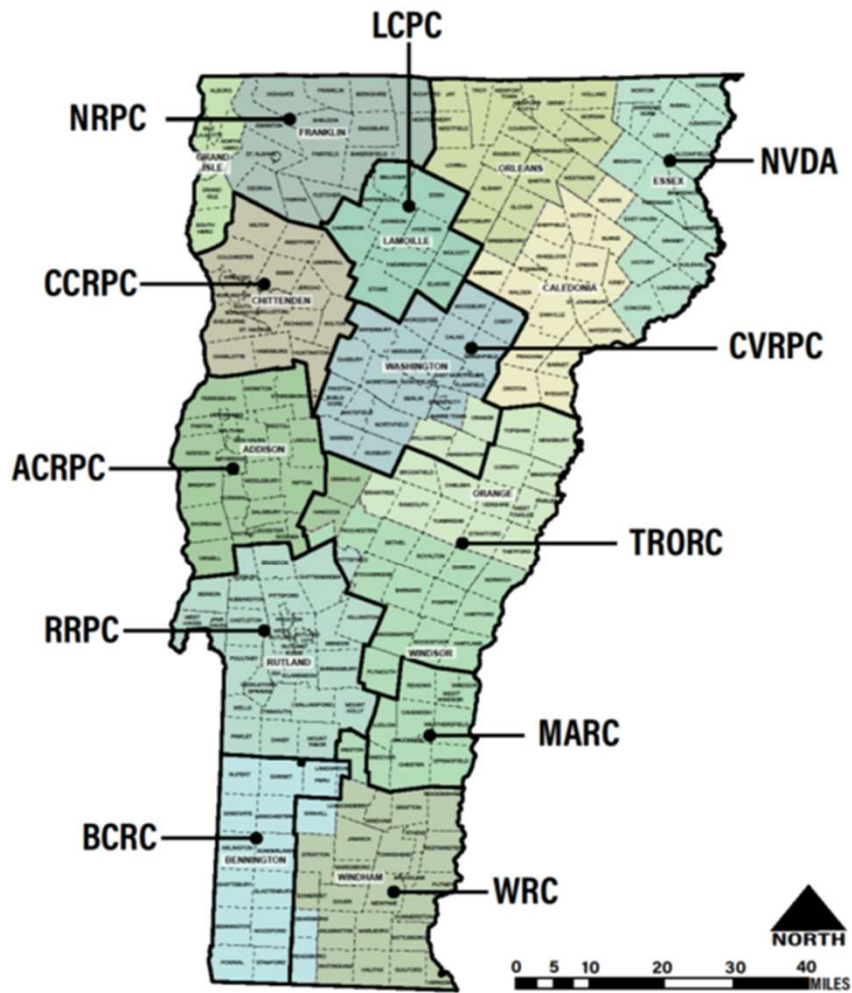
Quick Facts



Vermont has **11** RPCs and more than **125** staff serving all of Vermont's municipalities.



Visit VAPDA.org for more information about each RPC in VT



**STATE OF VERMONT
REGIONAL PLANNING COMMISSIONS**



State Policy and Implementation

RPCs are a critical resource for the state in policy deliberations and implementation.



RPCs are a direct link between municipalities and state government and are often called upon to support policy development and implementation in the areas of land use, housing, energy, transportation, water quality, emergency management, and more.

RPC Directors & senior staff are asked to serve on many state councils, boards, committees, and working groups & are often called upon by state agencies to develop and implement statutorily-mandated programs with our member municipalities.



Regional Planning Commissions (RPCs) strengthen the capability & capacity of municipalities and the State.



In the absence of county government, RPCs play a critical role in connecting communities with federal and state programs.

RPCs are political subdivisions of the State of Vermont, uniquely positioned to **provide broad services** to every Vermont municipality:



TRANSPORTATION PLANNING



LAND USE PLANNING



WATER QUALITY



HAZARD MITIGATION & PREPAREDNESS



AND TECHNICAL ASSISTANCE IN ALL AREAS



HOUSING



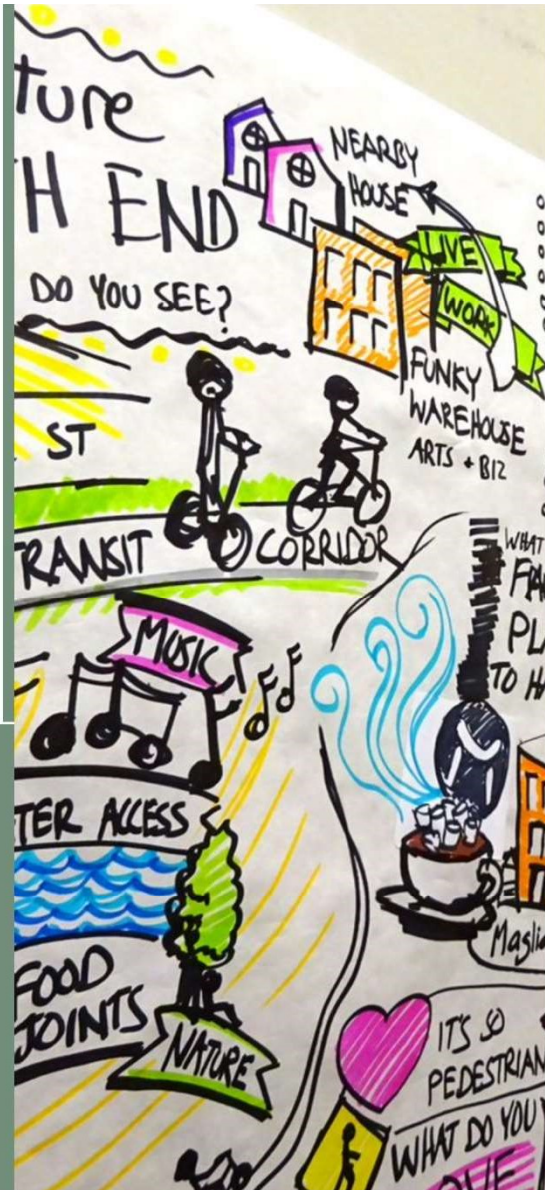
BROWNFIELD ASSESSMENT & REMEDIATION



ECONOMIC DEVELOPMENT



ENERGY PLANNING



Regional Planning

At the regional level, RPCs coordinate community plans with regional plans, and provide key insights for communities through regional studies.



This region-wide perspective enables a broader understanding of the trends and regional dynamics that drive planning and investment decisions.



Brownfields



Communities are able to assess or remediate polluted land with the support of RPCs.

By assessing, remediating, and reinvesting in these properties with the help of RPCs, communities can achieve a variety of **benefits**:

✓ INCREASE
LOCAL
TAX
BASES

✓ EXPAND LOCAL
HOUSING AND
COMMERCIAL
PROPERTY STOCK

✓ IMPROVE
PUBLIC
HEALTH

✓ ENCOURAGE
ECONOMIC
DEVELOPMENT

✓ CREATE
JOBS



Watershed Planning and Project Development

Communities take steps to improve their water quality with assistance from RPCs.

Many of these improvements resulted from RPC assistance in the *Municipal Roads Grants-in-Aid Program* through the Vermont Agency of Transportation.

The **Grants-in-Aid Program** provides funding for municipalities to construct Best Management Practices on municipal roads to implement the state Municipal Road General Permit. Last year, **230** municipalities signed up to participate in the program. This helps municipalities select eligible road segments, identify the Best Management Practices needed for each segment, and prepare project scoring reports ahead of construction.



Economic and Community Development

Communities receive economic development assistance from their Regional Planning Commissions, strengthening local economies.

Strong local economies arise from comprehensive land-use planning and united development efforts. RPCs help build community infrastructure and guide development patterns in order to provide the foundation and public support for private economic development.



Municipal Planning and Implementation

Regional Planning Commissions provide municipalities with planning and bylaw assistance.

Maintaining clear and up-to-date plans and bylaws creates a strong, guiding vision for communities. This clear vision ensures smooth permitting at state and local levels and makes compact settlements possible.



Housing

Regional Planning Commissions provide municipalities with planning and bylaw assistance, and are increasingly supporting infrastructure development such as wastewater systems.

Many of these bylaw efforts support increased densities in our centers. More work is needed to balance the planning and zoning work with the permitting system. Act 181 will help.



Geographic Information System Services



Communities receive mapping services from Regional Planning Commissions, assisting in a variety of municipal operations and plans.

Mapping and data analysis is a key component to planning, enabling a deeper understanding of the various dimensions that RPCs assist communities in.



RPCs provide GIS services to municipalities, state agencies, private entities and non-profits to support their projects, and ensure development and plans are driven by accurate data and sound analysis.



Transportation Planning

RPCs provide municipalities with technical assistance in transportation, including:

- ✓ TRAFFIC COUNTS
- ✓ CULVERT INVENTORIES
- ✓ ROAD EROSION INVENTORIES
- ✓ A VARIETY OF OTHER SUPPORT SERVICES

RPCs help coordinate the **Transportation Planning Initiative (TPI)**, a statewide initiative for public involvement in improvements to Vermont's transportation system and for the development of region-wide transportation plans.



Emergency Preparedness and Disaster Resiliency

With technical assistance from RPCs, municipalities are able to mitigate disasters and improve their emergency preparedness.

RPCs play key roles in the mitigation and preparedness phases of emergency management, as well local liaisons to the State Emergency Operations Center during disasters. Through partnership with Vermont Emergency Management, VTrans, and the Agency of Natural Resources, RPCs assist municipalities by:

✓ PROVIDING STAFF TO THE STATE EMERGENCY OPERATIONS CENTER

✓ SUPPORTING LOCAL EMERGENCY MANAGEMENT DIRECTORS

✓ ASSISTING IN THE DEVELOPMENT OF LOCAL EMERGENCY MANAGEMENT PLANS

✓ UPDATING FLOODPLAIN AND RIVER CORRIDOR BYLAWS AND HAZARD MITIGATION PLANS REQUIRED BY FEMA

✓ ASSISTING MUNICIPALITIES DURING AND AFTER DISASTER EVENTS

✓ ...AND MORE



Energy Conservation and Development

With assistance from RPCs, communities develop comprehensive energy plans.

With a focus on sustainability and affordability, Vermont communities face significant roadblocks and opportunities in the clean energy transition. RPCs can assist communities by helping develop comprehensive local and regional energy plans that integrate land use, transportation, natural resources, and energy project implementation.

RPC Structure

RPCs are created by act of voters or legislative body of each of a number of contiguous municipalities with approval by ACCD.

- All municipalities within a designated region considered members of the RPC.
- Commissions shall contain at least 1 representative appointed by legislative body of each member municipality for term established by charter & bylaws of the RPC.

RPC Structure

- Members serve at the pleasure of the legislative body regardless of RPC bylaws. May also remove their appointee.
- RPC Executive Boards: not less than 5 nor more than 9 members to oversee operations & implement policies.
- RPCs may have other members who may be elected or appointed per bylaws.

RPC Duties (per 24 V.S.A. § 4345^a)

- Promote mutual cooperation within region to facilitate economic development programs for the appropriate development, improvement, protection, and preservation of the region's physical and human resources.
- Advise municipal governing bodies with respect to public financing.
- Provide technical and legal assistance to municipalities in the preparation and maintenance of plans, capacity studies, and bylaws and in related implementation activities.
- Cooperate with the planning, legislative, or executive authorities of neighboring states, regions, counties, or municipalities to promote coordination of planning for, conservation, and development of the region and adjoining or neighboring territory.
- Prepare a regional plan and amendments that are consistent with the goals established in section 4302 of this title, and compatible with approved municipal and adjoining regional plans.

RPC Duties (per 24 V.S.A. § 4345^a)

- Prepare plan implementation guidelines.
- Prepare guidelines with DHCD guidelines for provision of affordable housing.
- Confirm municipal planning efforts.
- Review compatibility of municipal plans.
- Assist municipalities with managing growth of development that has cumulative impacts.
- Review proposed State capital expenditures for compatibility with regional plans.
- Assist municipalities with review of State capital expenditures for compatibility with municipal plans.
- Appear before District Environmental Commissions to aid them in making Act 250 determinations
- Participate in Section 248 proceedings.
- Hold public hearings.
- Appoint joint interregional commissions to negotiate conflicts between plans of two or more regions or municipalities located in different regions.

RPC Duties (per 24 V.S.A. § 4345^a)

- Define “substantial regional impact” to be given due consideration in State regulatory proceedings.
- Assist municipalities with negotiating their plans address projects that may create cross-border substantial regional impacts.
- Study the conservation of energy and the development of renewable energy resources.
- Serve as Clean Water Service Provider.

Optional Powers (per 24 V.S.A. § 4345)

- Develop an inventory of the region's critical facilities (i.e., hospitals, rest homes, fire and safety, correctional, etc.).
- Study and make recommendations on land development, urban renewal, transportation, economic, industrial, commercial, and social development, urban beautification and design improvements, historic and scenic preservation, State capital investment plans, and wetland protection.
- Require information of each municipality and all State agencies available information as it relates to the work of the RPC.
- In performance of its functions, enter upon land with prior approval of owner to make examinations and surveys.
- Retain staff and consultant assistance in carrying out powers and duties.
- Undertake comprehensive planning including preliminary planning, capital investment plans, and engineering studies.
- Carry out, with cooperation of municipalities, economic development programs.

Optional Powers (per 24 V.S.A. § 4345)

- Provide planning, training and development services to local and regional communities in evaluating economic conditions and prepare for economic growth and stability.
- Gather economic and demographic information.
- Assist existing businesses and industry, encourage growth of small business, attract industry and commerce.
- Include in bylaws power to:
 - Acquire and dispose of real property
 - Borrow money and incur debt
 - Act as escrow agent for municipalities
 - Enter into contracts with private and public entities including the state and federal governments to provide regional planning services.
 - Invest funds when not otherwise restricted
- Perform other acts or functions as deemed necessary to fulfill obligations of chapter.

Intermunicipal Service Agreements (per 24 V.S.A. § 4345)

- Authority to amend bylaws specifying process for entering into, method of withdrawal from, and method of terminating service agreements with municipalities.
- Promote cooperative arrangements and coordinate, implement, and administer service agreements among municipalities, including arrangements and action with respect to planning, community development, joint purchasing, intermunicipal services, infrastructure, and related activities; and
- Exercise any power, privilege, or authority, as defined within a service agreement capable of exercise by a municipality as necessary or desirable for dealing with problems of local or regional concern.

Intermunicipal Service Agreements (per 24 V.S.A. § 4345)

- Participation by municipality shall be voluntary.
- A regional planning commission shall not have the following powers under this section:
 - (1) essential legislative functions;
 - (2) taxing authority; or
 - (3) eminent domain.
- Funds provided for regional planning under section 4341a or 4346 of this chapter shall not be used to provide services under a service agreement without prior written authorization from the State agency or other entity providing the funds.
- A commission shall not use municipal funds or grants provided for regional planning services under this chapter to cover the costs of providing services under any service agreement under this section.

(In a nutshell – the only funds that can be used to provide services under service agreements are those provided by the towns or otherwise secured specifically for the purpose of those agreements.)

RPC Funding

- Performance Grants for Regional Planning Service negotiated with Secretary of Commerce & Community Development.
- Majority of revenue sources are tied to contracts with specific scopes of work, guidelines and/or performance measures that are negotiated between all of the state's 11 regional planning commissions and the state agency that manages the funds and/or program in question. Town assessments generally small (about 5 percent total budget).
- Towns also hire RPCs to do work on an individual basis or sometimes as part of an intermunicipal service agreement
- Example: For the 2025 fiscal year, the WRC's total budget of approximately \$2,418,000 million is derived from 56 percent regional project grant funding, 11 percent town technical assistance funding, 28 percent state performance-based contract funding, and 5 percent from town assessments. Of the total budget, \$940,522, about 38 percent, will be expended on grants (brownfields) or consultant services (brownfields, special projects).

RPC Funding Considerations

- Baseline funding through contract with ACCD supports our general operations and is generally stable.
- **Property Transfer Tax formula:** The Municipal and Regional Planning Fund (MRPF) is a key State funding source for planning. The MRPF provides substantial funding to the regional planning commissions, limited funding to municipalities through the Municipal Planning Grant program, as well as funding for the VT Center for Geographic Information (VCGI). Pursuant to 24 V.S.A. § 4306(2), the MRPF “shall be composed of 13 percent* of the revenue from the property transfer tax under 32 V.S.A. chapter 231 and any monies from time to time appropriated to the Fund by the General Assembly or received from any other source, private or public.”

*Was 17%. Act 181 changed percentage to 13%.

RPC Funding Considerations

- Funding through Transportation Planning Initiative via VTrans generally stable, with occasional 2-3% annual increases. (10% non-federal match)
- Emergency Management Planning Grant funding level from 2017 until 2023 and cut 20-30% for 2024. (50% non-federal match)
- Limited-term (often 12-18 months duration) special project funding is important to funding work on legislative and agency priorities but can present a staffing capacity challenge: taking longer to hire in highly-competitive market, thus ramping up to do work takes longer.
- Funding drives work programs rather than our Commissions and Commissioners. Limits capacity to pursue priorities identified by the Commissions.

RPC Funding Considerations

- Limited ability to pursue federal grants with high non-federal match requirement (i.e., FEMA 25%; EDA 50%).
- Indirect rates: Federal Office of Management & Budget rules establish percentage of our indirect costs (rent, energy, health insurance, admin staff, etc.) each program should pay. VTrans is our cognizant agency but other agencies want to review thereby delaying contracts (we can only have one approved rate). We are seeking legislative remedy.
- Unnecessary RFPs: Some state agencies require us to respond to RFPs when not required by funding source to do work we're authorized by statute to do. We are seeking legislative remedy.

RPC Funding Considerations

- Limited ability to pursue federal grants with high non-federal match requirement (i.e., FEMA 25%; EDA 50%).
- Indirect rates: Federal Office of Management & Budget rules establish percentage of our indirect costs (rent, energy, health insurance, admin staff, etc.) each program should pay. VTrans is our cognizant agency but other agencies want to review thereby delaying contracts (we can only have one approved rate). We are seeking legislative remedy.
- Unnecessary RFPs: Some state agencies require us to respond to RFPs when not required by funding source to do work we're authorized by statute to do. We are seeking legislative remedy.

VAPDA External Review

The Vermont Association of Planning and Development Agencies (VAPDA) has partnered with the National Association of Development Organizations (NADO) Research Foundation to complete a statewide evaluation of performance and accountability for Vermont's regional planning commissions. The results of this effort will help to ensure that the statewide network of regional planning commissions (RPCs) serves as a results-oriented, cost-effective and valued-added resource for the State of Vermont and its local communities. The findings will also serve as the RPC study called for in Section 50 of [H.687 \(Act 181\)](#).

Final report anticipated before the end of December.

Summary

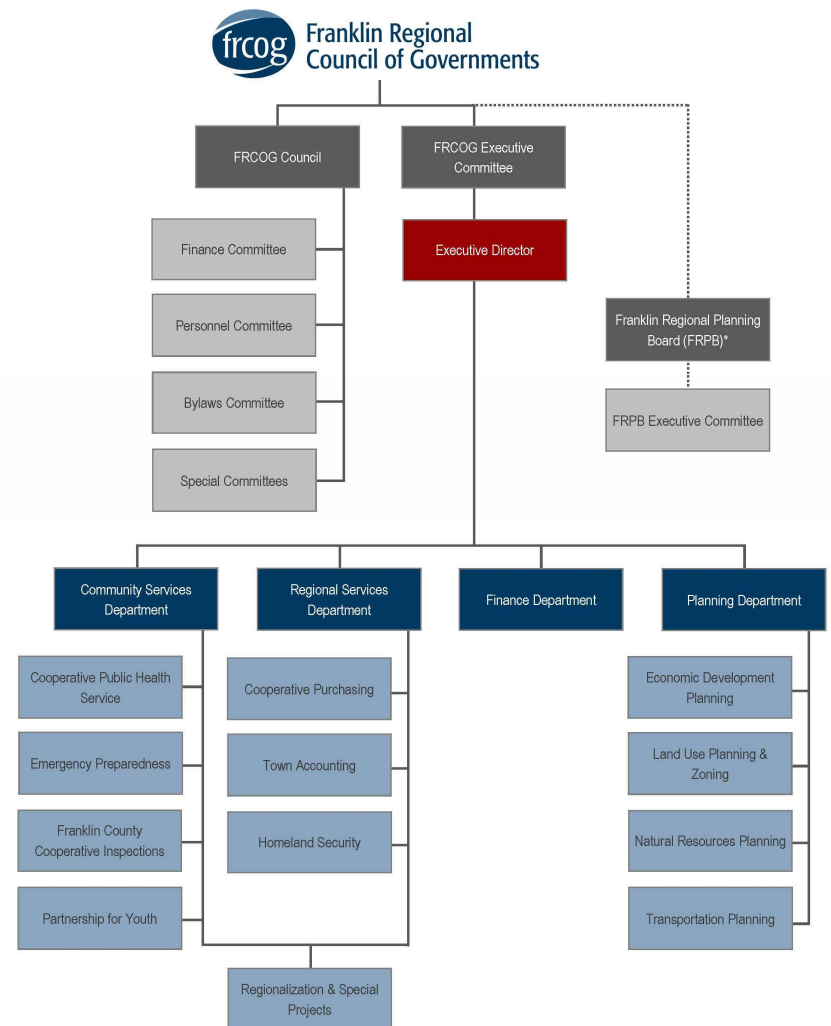
- Focus is on planning, assistance to municipalities, and executing state legislative and agency initiatives.
- Commissioners serve at the pleasure of their legislative bodies but don't have the authority to speak for the municipality as an elected official would.
- We have no governing or governance authority beyond our own commission.
- Application of regional plan policy is interpreted through state permitting functions (Act 250; Section 248).
- Grant-dependent, meaning our work programs are largely externally-driven; significantly limits flexibility and responsiveness to regional and municipally-driven needs.
- Temporary nature of funding limits our ability to grow and retain staffing capacity.

As Compared to County Government

- No elected legislative body and/or elected executive.
- No ability to raise general revenue.
- No ability to enact and enforce laws, policy, regulations, issue permits.

As Compared to Council of Governments

- Board members do not speak authoritatively for towns.
- Members cannot make spending decisions in collaboration with their respective legislative bodies.



*The FRPB is an advisory board to the FRCOG Council and the FRCOG Executive Committee.



**Presented by: Chris Company
Executive Director, Windham Regional
Commission**

For more information, visit:

 VAPDA.org