



Michigan State University Extension
Land Use Series

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

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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.

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Sources of Training

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

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

This is a fact sheet developed by experts on the topic(s) covered within MSU Extension. Its intent and use is to assist Michigan communities making public policy decisions on these issues. This work refers to university-based peer reviewed research, when available and conclusive, and based on the parameters of the law as it relates to the topic(s) in Michigan. This document is written for use in Michigan and is based only on Michigan law and statute. One should not assume the concepts and rules for zoning or other regulation by Michigan municipalities and counties apply in other states. In most cases they do not. This is not original research or a study proposing new findings or conclusions.

- 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 include self-imposed training requirements (found in the left column of <http://msue.anr.msu.edu/topic/info/planning> web page).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.

¹ Cullen, 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 #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/about/catalog_of_programs; a brochure about programs and services is also available <http://msue.anr.msu.edu/topic/info/planning>, and Citizen Planner http://msue.anr.msu.edu/program/info/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/>.

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.

Amount of Education

This table presents a recommended amount of continuing education, by position for a municipal planning and zoning program

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	5+ 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:

Curriculum

This table presents a recommended curriculum for continuing education, by year and position and showing training sources for a municipal planning and zoning program

When	Planning Commission member	Zoning Board of Appeals Member	Zoning Administrator
First year	A. Fundamentals: MAP, MTA B. Site Plan Review: MAP, MTA	A. Fundamentals: MAP, MTA B. Site Plan Review: MAP, MTA	A. Citizen Planner: MSUE
First or second year	C. Citizen Planner: MSUE	C. Citizen Planner: MSUE	B. Zoning Administrator Certification: MSUE
Second year	D. New Economy, Placemaking, other initiative offered by your state regional planning agency	Same as planning commission, if anticipating becoming a planning commission member.	D. New Economy, Placemaking, other initiative offered by your state regional planning agency
Second, third, 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.
Third and each year after	F. Local issues and topics: MSUE, MTA, MML, MAP, etc.	Same as planning commission, if anticipating becoming a planning commission member.	F. Local issues and topics: MSUE, MTA, MML, MAP, etc.

Training for the Zoning Administrator

The zoning administrators might be among the most important local officials. They are the front line for new development in a community. How well they do their job has a great effect on the future of their community. However, unlike building inspectors who must pass state exams and take continuing education classes in order to practice, there is no law requiring training for Zoning Administrators.

But there is a Zoning Administrator Certification Program offered by Michigan State University Extension in partnership with the MSU Land Policy Institute every winter/early spring. There are now hundreds of certified zoning administrators working in Michigan. The goal of offering this training is to raise the bar for professionalism and knowledge of the job.

The rigorous training requires a substantial time commitment, which includes completion of eight modules leading to a certificate for those that pass an exam associated with each module. Before one can take the training, they need to have completed the Michigan Citizen Planner, either classroom-based or online, or be AICP (American Institute of Certified Planners)-certified and successfully pass a multiple-choice examination.

Frequently, employment ads for zoning administrator positions include a phrase like “MSU zoning administrator certification required,” “MSU zoning administrator certification preferred,” or “MSU zoning administrator certification must be obtained within one year of hire.” It is a reflection of the importance of training in planning and zoning as an effective risk management strategy, and Michigan training recommendations.

The program also provides techniques for doing zoning administration in ways that reduce legal risks to the Zoning Administrator and their community. Topics include:

- Job Description, Responsibilities and Basic Ethics
- Legal Issues
- Reviewing Applications: Common Procedures and Use of Forms
- Reviewing Plot Plans and Site Plans
- Inspections and Violations
- Preparing Files, Reports and Record Keeping
- Interactions with other Professionals and Agencies, and Departmental Duties
- Customer Service and Counter Behavior

Some governments have set up a clever means to attract certified zoning administrators, or bring new-hires up to that level. First, a newly-hired zoning administrator is expected to become certified within the first year of employment (if the certification was not already achieved).

Also, communities have set up the following system for new hires to pay for the certification training so it is relatively cost-neutral for the local government. The training is estimated to cost about \$1,000 (registration fees, motel, travel costs combined)

First, the communities decided on, or used a previously established annual salary for their zoning administrator. For this composite example (and to keep math simple), let’s say it is a smaller township with a part-time zoning administrator. So the salary is \$10,000 a year.

If someone is hired who already has zoning administrator certification, they are paid the full \$10,000 (like seen in the second year budget, below). If someone is hired who does not have the certification, then they are paid less. In the example here, they are paid \$1,000 less per year. So the first year budget shows a \$9,000 salary.

First year budget

A simplistic budget for the first year of a zoning administrator salary what is described in the text.

Budget line number	Line item	Amount
1	Zoning Administrator Salary	\$9,000.00
2	Benefits	\$3,150.00
3	Training (registration and fees)	\$400.00
4	Zoning Administrator Certification Training (registration, fees, lodging)	\$1,150.00
	TOTAL	\$13,750.00

The same two-tear pay scale for those who have and do not have certification and the difference equaling the cost of getting the certification training can also work with larger communities and full time zoning administrators.

The expectation is the new hire will attend and obtain the certification. The savings from the lower salary is put toward that training cost. If the certification is not obtained, the salary is not increased. At the start of the second year, if the certification is obtained, the salary is increased to the original rate of \$10,000 per year. So the second year annual budget for the position is:

Second year budget

A simplistic budget for the second year of a zoning administrator salary to illustrate what is described in the text.

Budget line number	Line item	Amount
1	Zoning Administrator Salary	\$10,000.00
2	Benefits	\$3,500.00
3	Training (registration and fees)	\$250.00
4	Zoning Administrator Certification Training (registration, fees, lodging)	\$0.00
	TOTAL	\$13,750.00

Authors

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