

Topic: Local Boards; Local Governance
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State: New York
Jurisdiction Type: State
Municipality: N/A
Year (adopted, written, etc.): 2006
Community Type - applicable to: Urban; Suburban; Rural
Title: State of New York Training Requirements
for Zoning Board & Planning Board
Members
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Abstract

This Bill requires land use training zoning board and planning board members in New York State.

Resource

7985

2005-2006 Regular Sessions

I N A S S E M B L Y

May 3, 2005

Introduced by M. of A. GALEF, FIELDS, LAVELLE, MENG, ERRIGO, FINCH --
Multi-Sponsored by -- M. of A. JOHN, KARBEN, STEPHENS, WEISENBERG --read once and
referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to promoting
Training opportunities for municipal planning and zoning officials

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings. The legislature finds that training in municipal
planning and zoning is readily available from a variety of sources on-line and through
traditional formats at no cost to municipalities or members of local boards. Municipal
zoning boards of appeals, planning boards and planning commissions make major

decisions relating to real property within their respective jurisdictions. An improper decision by such board or commission may cause financial hardship to a property owner or to property owners near the property which is the subject of such decision. Well-considered and timely decisions by a municipal board or commission which are equitable and in accordance with the law attract promoters of quality community development, including residential, commercial, industrial and other projects. Sound land use decisions result in fewer lawsuits and hence, lower costs for municipal liability insurance. Further, the legislature finds and declares that trained municipal planning and zoning officials are essential to community health and vitality, and it is with this purpose and intent that this section is enacted.

S 2. The general municipal law is amended by adding a new section 72-s
To read as follows:

S 72-S. PROMOTING TRAINING OPPORTUNITIES FOR MUNICIPAL PLANNING AND ZONING OFFICIALS. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, EACH MEMBER OF A MUNICIPAL PLANNING BOARD OR COMMISSION, EXCEPT IN MUNICIPALITIES WHICH ARE CITIES HAVING A POPULATION OVER ONE MILLION, AND EACH MEMBER OF A ZONING BOARD OF APPEALS SHALL COMPLETE, AT

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

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1 A MINIMUM, FOUR HOURS OF TRAINING EACH YEAR DESIGNED TO ENABLE SUCH MEMBERS TO MORE EFFECTIVELY CARRY OUT THEIR DUTIES. SUCH TRAINING SHALL BE APPROVED BY THE MUNICIPALITY AND MAY INCLUDE, BUT NOT BE LIMITED TO, TRAINING PROVIDED BY A MUNICIPALITY, REGIONAL OR COUNTY PLANNING OFFICE OR COMMISSION, COUNTY PLANNING FEDERATION, STATE AGENCY, STATE ASSOCIATION, COLLEGE OR OTHER SIMILAR ENTITY. TRAINING MAY BE PROVIDED IN A VARIETY OF FORMATS, INCLUDING BUT NOT LIMITED TO, ELECTRONIC MEDIA, VIDEO, DISTANCE LEARNING AND TRADITIONAL CLASSROOM TRAINING.

2. TO BE ELIGIBLE FOR REAPPOINTMENT TO SUCH BOARD OR COMMISSION, SUCH MEMBER SHALL HAVE COMPLETED THE TRAINING OPPORTUNITIES PROMOTED BY THE MUNICIPALITY PURSUANT TO THIS SECTION.

3. A MUNICIPALITY MAY WAIVE OR ADJUST, FOR GOOD CAUSE SHOWN, THE TRAINING OPPORTUNITIES REQUIRED BY THIS SECTION FOR AN INDIVIDUAL OR INDIVIDUALS.

4. NO DECISION OF A PLANNING BOARD, PLANNING COMMISSION, ZONING BOARD OF APPEALS, COUNTY PLANNING BOARD OR COMMISSION SHALL BE VOIDED OR DECLARED INVALID BECAUSE OF A FAILURE TO COMPLY WITH THE PROVISIONS OF THIS SECTION.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.