

SCPEAC

2021 ANNUAL REPORT

PRESENTED TO:

The President of the South Carolina Senate
The Speaker of the South Carolina House of Representatives

BY: THE SOUTH CAROLINA PLANNING EDUCATION ADVISORY COMMITTEE

SOUTH CAROLINA



PLANNING EDUCATION ADVISORY COMMITTEE

Committee Members:

Phillip L. Lindler,
Chairman
Representing SCAC
Term Expires: 2023

Stephen G. Riley
Representing MASC
Term expires: 2017

Wayne Shuler
Representing SCAPA
Term expires: 2018

DATE: December 20, 2021

TO: The Honorable Thomas C. Alexander
President of the Senate

The Honorable James H. Lucas
Speaker of the House of Representatives

FROM: Phillip L. Lindler, Chairman

RE: Annual Report of the South Carolina Planning Education
Advisory Committee

In 2003, the Legislature established Educational Requirements for Local Government Planning or Zoning Officials or Employees and established a five-member Advisory Committee to compile and distribute a list of approved orientation and continuing education courses to satisfy the requirements of the statute and to determine categories of persons that are eligible for exemption from these educational requirements. The Advisory Committee elected to operate under the title of the South Carolina Planning Education Advisory Committee.

Please accept this as the 2021 Annual Report of the South Carolina Planning Education Advisory Committee pursuant to Section 6-29-1330(D)(3) of the Code of Laws of South Carolina.

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Introduction

Article 9 of Title 6, Chapter 29 of the South Carolina Code of Laws establishes Educational Requirements for Local Government Planning and Zoning Officials or Employees. These provisions apply to all members of locally-appointed Planning Commissions, Boards of Zoning Appeals, Architectural Review Boards and all professional employees engaged in planning and zoning activities.

Unless expressly exempted, each locally appointed official and professional employee must attend a minimum of six hours of orientation training in certain subjects and annually attend no fewer than three hours of continuing education in any of the subjects determined by the State Advisory Committee.

The subjects for the education may include, but not be limited to, land use planning; zoning; floodplain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; administrative law; economic development; housing; public buildings; building construction; land subdivision; and powers and duties of the planning commission, board of zoning appeals, or board of architectural review.

An appointed official or professional employee who has one or more of the following qualifications is exempt from the educational requirements:

- (1) certification by the American Institute of Certified Planners;
- (2) a masters or doctorate degree in planning from an accredited college or university;
- (3) a masters or doctorate degree or specialized training or experience in a field related to planning as determined by the advisory committee; or
- (4) a license to practice law in South Carolina.

An appointed official is subject to removal from office or suspension or dismissal from employment if he fails to complete the requisite number of hours of orientation training and continuing education within the time allotted by State Code, or fails to file the certification form and documentation required by State Code.

It is the responsibility of the local governing body to track and file with the local clerk the proper certification forms for their individual planning or zoning officials or employees.

All municipalities and counties were required to come into compliance by January 1, 2007. Newly appointed Board and Commission members and newly hired staff members must receive their orientation training within one year of their start date. A minimum of three hours of continuing education is required, each year, for all board, commission and staff members.

Section 6-29-1330 of the Code establishes an Advisory Committee composed of five members appointed by the Governor. The Code provides that the members shall include: a planner recommended by the South Carolina Chapter of the American Planning Association; a municipal official or employee recommended by the Municipal Association of South Carolina; a county official or employee recommended by the South Carolina Association of Counties; a representative recommended by the University of South Carolina's Institute for Public Service and Policy Research; and, a representative recommended by Clemson University's Department of Planning and Landscape Architecture.

This Committee, operating as the South Carolina Planning Education Advisory Committee (SCPEAC), is charged with:

- compiling and distributing a list of approved orientation and continuing education programs that satisfy the educational requirements in Section 6-29-1340;
- determining categories of persons with advanced degrees, training, or experience, that are eligible for exemption from the educational requirements in Section 6-29-1340; and
- making an annual report to the President Pro Tempore of the Senate and Speaker of the House of Representatives.

This 2021 Annual Report includes those elements set forth in Section 6-29-1330(D)(3) of the Code. Specifically, this annual report provides a detailed account of the advisory committee's:

- (a) activities;
- (b) expenses;
- (c) fees collected; and
- (d) determinations concerning approved education programs and categories of exemption.

Committee Member Information

Phillip L. Lindler, AICP

Planning Director
Greenwood County
528 Monument Street, Rm B-03
Greenwood, SC 29646
Phone: 864-942-8636
Email: plindler@greenwoodsc.gov
Represents: South Carolina Association of Counties
Served Since: 2013
Term Expires: June 26, 2023
Position: Chairman

Wayne Shuler, AICP

Director of Planning and Zoning
City of West Columbia
200 N. 12th Street
P. O. Box 4044
West Columbia, SC 29171-4044
Phone: (803) 939-3186
E-mail: wshuler@westcolumbiasc.gov
Represents: SC Chapter, American Planning Association
Served Since: 2014
Term expires: June 30, 2018
Position: Vice-Chairman

Stephen G. Riley, ICMA-CM

Retired
15 Hospital Center Commons, Suite 200C
Hilton Head Island, SC 29926
Phone: 843-384-9139
E-mail: steve.riley.b2plus@gmail.com
Represents: Municipal Association of South Carolina
Served Since: 2004
Term Expires: June 30, 2017
Position: Committee Member

University of South Carolina Representation

Pending Confirmation from the Governor

Clemson University Representation

Pending Confirmation from the Governor

Activities

A quarterly schedule of meetings was established, as provided for under Section 6-29-1330(F) of the Code. The members have committed to conducting at least the first scheduled meeting of each year in person; however the February 8, 2021 meeting was conducted virtually due to COVID-19 protocols. Typically this meeting is held at the offices of the Municipal Association of South Carolina (MASC). The November 8 quarterly meeting was conducted via conference call. Due to lack of agenda items, the May 10 and August 9 meetings were cancelled.

A quarterly schedule of meetings has been approved for 2022. The first meeting will be conducted at the offices of the MASC on Monday, February 14, 2022. The remaining meetings are scheduled to be conducted by conference call.

Every effort has and will continue to be made to facilitate public participation in these conference call meetings by posting of the meeting on our website and the State Register. Opportunities to “sit in” on the meetings were provided at the Greenwood office of the Chairman. The conference call phone number is provided in the posted notices such that any interested party may participate by phone. As noted above, two such meetings were held in 2021 and only the applicants themselves participated in the conference calls.

At the first meeting of 2021, Phillip Lindler was elected Chairman and Wayne Shuler was elected to the position of Vice-Chairman.

To date, the Committee is waiting to hear from the Governor’s office on the confirmation of four outstanding reappointments or appointments to the Committee. In the fall of 2020, the Municipal Association began looking into the status of all outstanding confirmations. In May of 2021, the Municipal Association reported to the committee chairman that their attempts with the Governor’s Office to confirm the reappointments and appointments to the Committee were unsuccessful. The Municipal Association will continue to encourage the Governor’s Office to make the necessary appointments and reappointments for the committee to continue operation.

Member Steven Riley announced his intent to step down from the Committee due to his retirement from the Town of Hilton Head Island in 2020.

Member Cliff Ellis announced his resignation from the Committee due to his retirement from Clemson University in 2021.

The Committee continues to receive support from the General Assembly Legislative Services Agency staff. The Committee Chairman works with the Agency to maintain this resource as new applications are approved.

In response to the circumstances surrounding the COVID-19 pandemic, the Committee provided guidance regarding the requirements for Orientation and Continuing Education Training. The guidance from the Committee coincided with the release of their on-demand Orientation Training from MASC. The online model from MASC provides the six-hour mandatory Orientation Training; breaking it into six 1-hour sessions. To ensure engagement, the participants are required to take quizzes upon completion of each training module. The South Carolina Association of Counties (SCAC) has developed similar on-demand training, and hopes to have a finished product soon. Providing online options eliminates the need for in-person training to satisfy the Orientation Training requirements.

As part of the same guidance, the requirements that the Continuing Education Training be conducted in a classroom or group setting and in the presence of a Coordinator were lifted. The Committee further advised that the training could be conducted in a virtual or on-demand format, and must provide a method for confirming participation.

The Committee undertook updating all application forms and the website information to incorporate these changes to the methods of delivery of the Orientation and Continuing Education training.

Due in part to the COVID-19 pandemic, fewer applications were received and approved for specific program offerings by local governments; as noted below in the Determinations subsection. The “consent agenda” process continues to work well for these types of applications.

Expenses

Postage, copying, and printing costs have been minimal and have been absorbed by the members’ sponsoring organizations or employers. Increased use of electronic applications and email distribution of agendas has contributed to keeping such costs to a minimum.

Costs for travel to meetings of the Committee have been borne by the individual members or their employers. No costs for overnight stays or meals have been incurred.

The Committee website is maintained by the South Carolina Legislative Printing, Information and Technology Systems Department at no cost to the Committee. The domain name, www.scpeac.org, was maintained because of the ease in relaying the information to those who inquire. The annual cost for maintaining this domain name is \$11.96 and is absorbed by the Chairman’s employer, the Town of Hilton Head Island.

Meeting space for the annual on-site meeting of the Committee is being donated by the Municipal Association of South Carolina. Limited refreshments are made available; in the same manner as is done with other groups that use their facilities.

Costs associated with telephone conference call meetings are absorbed by the Chairman’s employer, the County of Greenwood. Limited administrative support is also provided by Greenwood County.

Fees Collected

No fees have been collected.

Section 6-29-1330(G) of the Code provides for the imposition of a nominal fee to each entity applying for approval of an orientation or continuing education program. The Committee has chosen not to impose such a fee at this time.

Determinations Concerning Approved Education Programs and Categories of Exemptions

Approval was given to the City of Tega Cay/Town of Fort Mill, *Regional Transportation Initiatives and TIA Process* as a Continuing Education Course 2021-01.

Approval was given to the City of Rock Hill, *Research Rock Hill Genealogy/Oral History Workshop* as a Continuing Education Course 2021-02.

Approval was given to the City of North Charleston, *ZBA and Planning Commission Training/Update* as a Continuing Education Course 2021-03.

Approval was given to Dorchester County, *Local Government Boards of Zoning Appeals: Basic BZA Issues and Special Topics* as a Continuing Education Course 2021-04.

Approval was given to the City of Clemson, *Tri-County Planning Issues* as a Continuing Education Course 2021-05.

Approval was given to Aiken County, *Local Government Planning in the US and SC – History, Authority and Practice* as a Continuing Education Course 2021-06.

Approval was given to the Town of Clover, *Conservation/Cluster Subdivisions* as a Continuing Education Course 2021-07.

Approval was given to the City of Tega Cay/Town of Fort Mill, *Economic Development County v. Municipality* as a Continuing Education Course 2021-08.

Approval was given to Aiken County, *Tools of the Trade: Comprehensive Planning, Zoning and Subdivision Regulations* as a Continuing Education Course 2021-09.

Approval was given to Aiken County, *Comprehensive Plan Implementation: Case Studies* as a Continuing Education Course 2021-10.