

LULA - Leadership Training in Land Use and Community Conflict



By David Kay

Providing a Broader Perspective

Conflict based in competing interests over land use is a routine aspect of the public life of most communities across the entire rural to urban spectrum. These interests collide over decisions about real estate development, planning and zoning, resource extraction, farming and farmland preservation, historic resources, brownfield redevelopment, natural resource protection, forest management and many similar topics.

Despite the prevalence of these kinds of conflicts, many of those involved locally lack a broad perspective on the legal systems they are navigating, the larger community decision-making processes in which they participate, the costs of sticking to “the way things have always been done,” or the options for more constructive approaches to decision making. Most suffice with “learning by doing” in the school of hard knocks.

LULA Curriculum

LULA – the Land Use Leadership Alliance Training – provides current and emerging community leaders with an opportunity to gain a systems perspective on community decision-making about land use issues. Originally developed by Pace University’s Land Use Law Center, LULA’s strength is a curriculum that integrates land-use law, consensus-building skills, and regional stewardship in a highly interactive course experience. LULA contextualizes within a leadership training framework and a land

use topical area many of the approaches and competencies that have long been promoted within the Cooperative Extension and Land Grant University systems under the rubric of “public issues education”.

The primary agenda of the LULA program is to use law and negotiation theory to help local leaders understand that solutions to complex, persistent problems can be reached through authentically collaborative initiatives. LULA asserts that this approach frequently results in better outcomes than those that arise from the typical adversarial processes found in the land use system. The course seeks to build understanding of the potential benefits of collaborative processes on participants’ real world experiences with the traditional processes, and their deep if often only partially articulated awareness of the limitations of those processes. LULA offers local leaders systematic knowledge of a state’s land-use decision-making rules and structures, new tools for negotiation and collaboration, and understanding of how and when the typical land-use decision-making trajectory might be most amenable to innovation involving particular tools or new approaches.

Along with the standardized modules committed to key legal and community decision-making topics, one or more case study and “open component/local resource” time slots are built into each day’s LULA curriculum. These flexible

elements help tailor the curriculum content to the central interests of participants. They may be determined ahead of time by a planning group or emerge during the training itself. The case study also serves as a common point of reference throughout the course.

To increase the effectiveness of each program, LULA is carefully designed to encourage the creation of leadership networks on a regional basis. Definition of the “region” can be creative, but they typically follow administrative and political boundaries and/or naturally integrating features such as watersheds or transportation corridors. What is important for LULA is finding a regional scale that is small enough to activate some sense of shared stake or interdependence and some potential for future networking but is large enough to draw on a variety of local experiences and to foster new relationships.

The LULA Leadership Participation

Roughly modeling the approach to stakeholder identification and analysis that is part of the LULA curriculum, the trainers partner initially with a core planning group in the region and devote significant time and effort into identifying a diverse group of potential participants for each course. With a target of approximately 30 land-use leaders in mind, individuals are invited to submit an application to participate in the program.

Possible nominees are identified based on both personal characteristics and their ability to represent, or be representative of, important stakeholder groups in the region. A recent LULA covering multiple municipalities in a small rural watershed, for example, included one or more elected officials, code enforcement officers, planning board members, college professors, farmers and other landowners, land developers, economic development directors, real estate agents, community activists, lake association members, and environmentalists, among others.

Appropriately for a training, the invitations aim for diversity and balance in perspectives rather than a comprehensive representation of regional stakeholders.

Within important categories of participants, individual training nominees are preferred if they:

- Have some experience, knowledge and engagement in regional land use issues;
- Are respected among several interest groups locally;
- Are likely to remain active in the community;
- Have the ability and willingness to come to all sessions;
- Can represent their perspectives without being disruptive.

Participants are asked to devote four full days to the LULA sessions over approximately two months. The importance of their participation, and the opportunity cost of four full days for a busy group of people, are acknowledged in several ways including the competitive nomination and selection process, the requirement of participation for all four days, a formal graduation ceremony, and a general policy of zero tuition or other cost for participation.

Of course, keeping the cost of participation to zero implies that a key

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preliminary task of the trainers and core-planning group is fundraising. Costs, funding strategies and funding opportunities vary from one location to the next. Tapping into more than one source has often funded programs. Well over a dozen public and private programs and organizations supported LULA programs through 2008. More than one hundred municipalities have passed cosponsoring resolutions.

Conclusion

Attracted to both the philosophy and field successes of the Pace University program, Cornell's Community and Rural Development Institute (CaRDI) saw a new opportunity in early 2008 to help realize its land grant mission by forging a partnership with the Land Use Law Center. The goal of the partnership has been to increase collective capacity to deliver more training on an annual cycle and to adapt the LULA program to take full advantage of the differing and complementary strengths of each institution. Most recently, Albany Law School, another of New York's leading centers of training and scholarship on land-use law, has joined the partnership.

More than thirty LULA programs have now been conducted for leaders in three states (New York, New Jersey and Connecticut), with demand still barely in balance with our ability to respond. LULA is now in the process of being introduced with local trainers to additional states including Utah. As with other successful programs, the heartfelt testimonials, formal course evaluations, and longer term indicators of tangible impact have been encouraging.

Perhaps LULA's most important legacy is the more than 2,000 graduates who are maintained in a network representing the public and private segments of many dozens of communities. While these locally influential land-use leaders still do not see eye to eye on many things, they do share a common experience, vocabulary, and shared set of background assumptions on how the land use system does and might function to better serve community needs. 

Author's Picks for Further Reading

For more information on Pace University and LULA

 www.law.pace.edu/landuse/

 <http://www.landuseleaders.com/>

For more information on CaRDI's land use programming including LULA

 <http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/programs/land-use/index.cfm>

For more information on Cooperative Extension and Public Issues Education

 <http://www.publicissueseducation.net/>

About the Author

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