

# Practical Tips for Citizen Planners

by Carolyn Braun, AICP

The job of a planning commissioner is an important one in most communities. It takes a lot of time and patience. There is much to learn. You will need to study and review the comprehensive plan, the zoning ordinance, and perhaps other planning-related documents. You will deal with emotional residents. People may challenge you. You will need to make difficult decisions. But here you are, a recently appointed commissioner and your job is about to begin.

## 1. Getting Started

If you are just thinking about applying to be a planning commissioner, you'll want to visit with the planning director and the chair of the commission. Ask about the date, time, and number of meetings. Ask how long the meetings typically last. Ask if there are other meetings you'll need to attend. It's also a good idea to attend commission meetings so you can see what they entail. Then decide if you are willing to spend the time it will take to do the job.

If you have just been appointed, you may also have time to attend a commission meeting before your official term begins. Again, it is a good way to get a feel for your new job.

Before your first commission meeting, you should meet with the planning staff and with the chair of the commission. If the staff doesn't call you, call them and make an appointment to visit. They will provide you with copies of the various documents you need such as the comprehensive plan and zoning ordinance. Hopefully, they also will give you copies of American Planning Association and *Planning Commissioners Journal* publications for planning commissioners – or show you where they are kept in the planning department offices.

It is especially important that you review the comprehensive plan and zoning ordinance. You will regularly be referring to these documents when you review development applications and other requests.

You can also ask the staff, when they

have the time, to give you a tour of the community, highlighting recent planning actions. Because of its visual nature, a tour gives you a lot of information in a relatively short period of time and will help you understand the context of citizen requests.

Finally, you can do research on your own. It is helpful to know what the surrounding communities are planning and the issues they are facing.

## 2. Getting Ready for the Commission Meeting

*Do your homework.* Plan to spend a few hours before each meeting reviewing your planning commission packet. If you have questions, or need more information, contact your planning staff. If you wait until the meeting, the staff may not be able to provide what you need.

*You also want to visit the site.* This is the quickest and best way to understand a request. Before you go, contact staff. In some communities, site visits are organized by staff and planning commis-

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### Online Comments

"I schedule a face-to-face orientation session with new members, like you would with new employees. I explain what the planning commission does, the types of cases, planning basics, and how a hearing is run. I give them a copy of the comp plan and ordinances; the PCJ's Welcome to the Commission publication; a current calendar; and the previous planning commission hearings. We cover topics like ex parte contact/communication and conflicts of interest. I try to make the session as interactive as possible and answer any questions.

Finally, I introduce them to the staff, get their name, address, phone number and email address, and give

them the contact information for the other members. The whole orientation can take two to three hours, but it is well worth the time."

– Michael Hershman, AICP, Senior Planner, Lamar County, MS

"Tour the city with new commissioners; then make them commit to visiting each site that is under consideration, regardless of how many times they drive past it. Walk them through the process of a site visit. Discuss 'ex parte' contacts."

– Wayne Oldroyd, Director of Community Development, City of Maryland Heights, MO

"No city or community is an island – you are part of a region. Don't be afraid to take lessons learned or ideas from other communities and see if they can be applied

to your community. Become acquainted with planning commissioners in other cities and talk to each other. Share ideas."

– Cheri Bush Soileau, PMP, AICP, Dallas, TX

"Keep in mind the community's vision for its future as you make your decisions. In addition to the comprehensive plan and zoning code, read the subdivision code, neighborhood plans, and downtown plan, if applicable to your jurisdiction. Finally – and this may be the most important, but most difficult tip – develop a thick skin and maintain your sense of humor!"

– Laurie Marston, Planning Consultant, Highland Park, IL (also past member of Evanston Planning Commission)

"I have served as both citizen planner (and chair), and professional planner. New commissioners should take the time to listen, learn about issues, and build relationships – then listen some more before jumping in and trying to change the world. Have an open mind; as the '7 Habits' [of Highly Effective People] teaches us, seek first to understand. Spend time talking with fellow planning commissioners and staff. Consider which questions and issues are well suited for public discussion, and which may be better raised in private."

– Lee Krohn, AICP, Planning Director, Town of Manchester, VT

### ... Practical Tips

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sioners go as a group; they are also publicly noticed since a quorum of the commission may be there.

Because of concerns about “ex parte” contacts (that is, private discussions outside of the context of the public hearing), site visits need to be done with care. In fact, a number of planning commissions have guidelines for site visits.<sup>1</sup>

If you are visiting a site on your own, be careful when talking to anyone at the site. Don't make any promises and don't get into a debate. Simply explain to anyone present that it is best if they attend the commission's public meeting or provide written comments prior to the meeting. In some communities, anything you hear needs to be disclosed at the meeting so that everyone can act on full information.

In some cities or counties, especially those covering a large geographic area, staff may also videotape the site and make the video available to view in advance of the meeting. This can be particularly helpful when several requests are being heard at one meeting, making it difficult and time-consuming for commissioners to visit all of them before the meeting. Having said this, it is still preferable, whenever possible, to visit the sites yourself.

### 3. The Meeting

*To make this work for both you and the community, take the job seriously.* That means arriving on time and attending all meetings. If you must miss a meeting, let the staff and commission chair know as far in advance of the meeting as possible.

This is particularly important when there are citizen requests on the agenda and a quorum of members must be present to take action.

*Show respect when addressing fellow commissioners* (“Commissioner Johnson”), the audience (“Ms. Smith” or “Mr. Olson”), and Chairman (“Chairman Nelson”). Always address the chair before speaking. When speaking to staff, show that same respect. Don't assume that the staff is always wrong and the citizen is always right (and don't assume the converse, either). Planning cases are not a matter of who is wrong and who is right. It is more important to make decisions based on the best information available and be fair.

Agree or disagree in a respectful manner. You can expect applicants, as well as those opposing an application, to often be emotional. Their request or opinion is very important to them, especially when it involves their property or neighborhood.

You need to control your emotions in response. When someone is emotional, repeat or summarize what was said. Narrow down the issues. Focus on issues that the planning commission can address. Don't promise anything and don't try to answer questions without having the information at hand. Realize that you can't please everyone – nor should you be trying to.

Don't do things to disrupt the meeting. Don't have side discussions with the person next to you. Don't make personal attacks, faces, whisper, or exhibit body language that show displeasure. All of these behaviors can reflect badly on the commission and the community.

Remember that most commissions represent a variety of views. As such, decisions may not always be unanimous. That's okay. Don't feel you have to compromise. Sometimes the commission can broker a win-win situation for everyone, but compromise is not always the right answer.

### 4. Making a Decision

The most important part in making a good decision is to keep an open mind and be fair. Decisions will be upheld if you work through them using due process. Applicants are entitled to a fair hearing. You need, at the start of a hearing, to declare any potential conflicts of interest, even if it is only a perceived conflict. This generally means recusing yourself from participating in the hearing and deliberation on that application.

During hearings on an application it is essential that commissioners listen to the evidence, weigh it carefully, and give everyone a reasonable opportunity to be heard. Remember, your decisions will not be upheld if they are unreasonable, arbitrary, or capricious.

Decisions must be made on factual evidence and based on what your code or ordinance does or does not allow. Be careful in the weight you give to petitions submitted to you in support or opposition to a project. There is often no way to know what information was given to signers to encourage them to sign the petition.

Likewise, do not be unduly swayed by a show of hands in the audience (and

<sup>1</sup> For more on site visits, see Greg Dale's article, “Site Visits: Necessary, But Tricky” in *Taking a Closer Look: Ethics & the Planning Commission*; [www.plannersweb.com/ethics.html](http://www.plannersweb.com/ethics.html).



certainly, don't ask to see a show of hands!) Again, your job is to be guided by the criteria in your regulations, not by popular opinion.

Resist the temptation to redesign the applicant's request. Your job is to review and identify concerns; it is the applicant's job to design the site to meet the requirements of your zoning or land development regulations. If you need more information, ask for it and don't feel compelled to make an immediate decision. On the other hand, don't unreasonably delay a decision simply because it is going to be a difficult one to make. Review proposals based on their merits, not simply on what the developer states is best in order to make a profit.

In many states, the planning commission is not the final decision-maker on development applications (and in almost all states, does not have final say on rezoning requests). Instead, planning commissions in these states typically provide recommended decisions to the governing body.

While governing bodies usually give weight to the commission's recommendation, don't be offended if they do not accept or follow your position. Your ultimate goal is to make the best decision possible – based on clear, solid findings of fact, in conformance with your adopted regulations – and doing so in a manner that allows you to maintain the respect of the community.<sup>2</sup>

<sup>2</sup> If, however, the governing body regularly rejects your recommendations, or gives them little respect, this may be a symptom of a deeper problem. For ideas on how to deal with this, see Michael Chandler's "The Planning Commission As Independent Advisor," in *PCJ* #23 ([www.plannersweb.com/wfiles/w365.html](http://www.plannersweb.com/wfiles/w365.html)), and "Linking Elected Officials With Planning," in *PCJ* #48 ([www.plannersweb.com/wfiles/w139.html](http://www.plannersweb.com/wfiles/w139.html)).

## 5. Ways to Improve

Planning commissions are often responsible for developing policies and strategies to help guide and manage growth. That means dealing with change. As such, it will benefit you to continually learn about your community and how it is evolving.

- Pay attention to what other boards and commissions in your municipality (and in neighboring places) are working on.
- Routinely meet with your elected officials.
- Follow the activities of your county and, to the extent possible, follow state issues and trends.
- Follow up on past approvals. Did they turn out how you thought they would? Is there anything that you would do differently? Is there anything that the code allowed or didn't allow that should be changed?

• Network with other commissioners by attending seminars and conferences.

Over time, you will become more and more adept in making decisions.

## 6. Have Fun

Don't let your role as a planning commissioner affect your relationship with others – both on and outside of the commission. Your role can be stressful, yet it is a very important position. Your decisions will help to determine land uses and land development patterns for years to come. Do the best you can and then enjoy the fruits of your labor. ♦

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## What Planning Staff Can Do

by Joyce Allgaier, AICP

A new planning commissioner has an opportunity to make local government work even better – and the professional planner has a key role in making it happen.

1. Once the commissioner is appointed, make a personal phone call within a couple of days to welcome and establish a strong staff-commissioner connection, the basis for respect and an effective working relationship.

2. Invite new commissioners to a sit-down orientation in the city or county offices, where you can introduce all planning staff who will come in contact with them at meetings or who will be providing staff reports. Let them know you are all there to assist them and answer questions. Provide a Planning Commissioner's handbook if you have one.

3. Discuss with new commissioners their role and responsibilities, along with that of the chairperson, staff, governing body, municipal attorney, etc. Remind new commissioners that their job is not to decide how to fix road potholes or change parking meter fees, but to focus on land use planning issues.

4. Provide copies of and an introduction to the codes, plans, and other documents that the planning commission uses and relies on.

5. Inform new commissioners of how commission meetings are run. Help them feel comfortable with the public processes they will be involved in: taking testimony, decision-making, findings of fact, motions, and so on.

6. Have your city (or county) attorney join the orientation to cover legal issues, such as ex parte communications, open meeting laws, findings of fact, and liability protections for commissioners.

7. Always thank your commissioners at every meeting for their commitment to community, their perspectives, and their time – and try to provide refreshments at meetings as well!

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