

Don't Take It Personally

by Ric Stephens

Nothing is more important to the credibility of a planning commission than providing an objective forum for decision-making. Nothing. And yet this is so easily jeopardized by the mere appearance of partiality, implied bias, and casual informality. In this column I'll discuss four rules I try to follow to ensure that all citizens know they will receive a fair and impartial hearing.

Consider the following two scenarios:

Scenario #1: A group of planning commissioners say things like: "Well, Bob [a local developer], what have you got for us today?" "This is just like Carol's project." "Ted, Alice, and I discussed this, and we think that"

Scenario #2: A group of planning commissioners say things like: "Please state your name and address for the record." "Please excuse me for mispronouncing your name." "Mr. Smith, please restrict your testimony to three minutes, and keep it relevant to the specific item we are considering."

There is nothing disrespectful or rude with either group, and some may argue that informal dialogue is not only appropriate, but desirable – especially for small communities in which everyone knows everyone. This would be true if – and only if – everyone attending the hearing was known to everyone else. Otherwise, anyone not part of the community (or not an "insider") may well believe that the planning commission's decision is influenced more by relationships than by facts and findings.



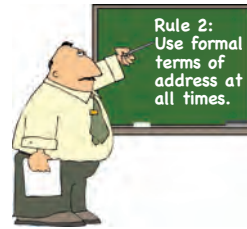
¹ Some entrepreneurial cities may have zones custom-tailored to allow or prohibit specific corporations or organizations, but this is a level of "social engineering" not within the scope of this article.

Way Back When

Although decision-making is an evolutionary process, individual hearing items should be evaluated based on their individual merits. In the first scenario there are references to previous associations, communication, and situations. To many attending the hearing (especially those not familiar with the commissioners or the local planning process) the perception will be that insiders have a leg up in getting what they want.

Whether that's actually true, that's what the perception will likely be. How can anyone view the decision-making as impartial if it has been implied that there is a personal history associated with the participants and/or projects?

Yes, it is natural that as a commissioner you will be more familiar with certain individuals in your community than with others (and may have dealt with them on past projects), but it is important that your comments be made in a neutral context that recognizes the individual nature of the current application.



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Planning commissions often approve or deny specific land use and development applications that will have immediate impacts on the applicant's business. But land use decisions almost always need to be based on uses, not users. Yes, the applicant may represent a very compelling, personal proposal, but the decision must consider any number of potential future property owners, tenants, and/or customers.

As a planning commissioner, you may feel pressure to approve or deny an application because of the specific business or organization involved. But it's

important (though hard at times) to remember that your decision must reflect the appropriateness of the application under your zoning or land development criteria, not your like or dislike of the proposal's current proponents (or opponents).

For example, an application is for an institutional use permit, not for the *Church of Reflexology*; for a drive-through restaurant site plan, not for a *Creamy Crisp & Coffee Cafe*; for a rezoning to a heavy commercial zone, not for a *Cost-Mart*.¹ Remember, once a permit is granted, the current owner can turn around – the very next day – and sell their business to someone else.

Personal Best

Perhaps the best way of all to "depersonalize" the hearing is to, in a way, actually make it feel more personal to you. For example, imagine yourself as the person on the other side of the dais. If you were this person, how would you think and feel about the hearing and the process? Would you feel you were being fairly and impartially treated by the members of the commission.

Clayton Record, one of the most influential community leaders I have ever known, had a very small, framed piece of paper on the wall of his office. In plain letters it had four simple words: "think of the other." ♦

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