

Running Planning Commission Meetings

C. Gregory Dale, FAICP; Benjamin A. Herman, FAICP; and Anne F. McBride, FAICP

A

ppropriately run meetings are critical to the work of the planning commissioner. Planning principles must be respected, citizens treated fairly, and the credibility and integrity of the commission protected. They must also embody appropriate ethical principles. Most important, they must be conducted in such a way that good decisions are made and documented.

■ The way in which commissions conduct a meeting may depend on other factors, such as how controversial a matter is or how much is on the agenda. While the same laws and rules apply to everyone, common sense would suggest that a meeting with two people in attendance may have a different tone than a meeting with 200 people. This article is most helpful for running large, contentious meetings.

How do commissioners conduct meetings that have people walking out saying, “They did a nice job of running that meeting”? Given how complicated and controversial zoning decisions can be, how do commissioners run efficient and fair meetings with decisions that legitimately reflect the balancing of private property rights and the public interest that is the essence of good planning and zoning?

To begin we offer several cautions:

- Different states and local jurisdictions have different laws and rules of procedure that set requirements that commissioners may or may not be able to modify. Work with your staff or legal counsel to understand what rules are already in place.
- Depending on your jurisdiction, different types of decisions may have different procedural requirements. For example, the rules that apply to a commission acting in a purely advisory capacity, such as on zoning changes, may be different than when a commission is acting in a final decision-making capacity, such as on final plan approvals.
- This article explains procedures involving applications for development approvals of various kinds. Planning commissioners may have other types of meetings, such as general planning meetings or educational meetings, but when there is an application process involved, requirements for due process apply. Commissioners need to be careful about complying with the different kinds of procedural requirements.



Planning commission meetings should be held in a location that conveys an official governmental setting, such as the city council chambers.

- Many commissions have procedures that are effective, efficient, legally defensible, and have worked well for years. The ideas here may cause you to rethink how you run meetings, or they may provide reassurance that your meeting procedures are in good shape.
- Treat all parties equally. The tips here apply to applicants, proponents, opponents, and neutral parties. While certain matters such as time limits might vary depending on whether one is an applicant or not, the process should not favor one side or another.
- Finally, we suggest a balancing of formality with user-friendliness. On the one hand, these meetings are serious business with real consequences for the community and for citizens. On the other hand, planning commissions are citizen-based boards; the public expects citizen-based boards to be user-friendly. As you think about how to formalize certain procedures, do not lose sight of welcoming people to the process, especially those who might be intimidated by public meetings.

Know Your Job

Probably the single most important thing: It is not your job to hear applications and decide whether you like them or think they are a good idea. Your job is to consider the application, hear fact-based public testimony and comments, and make a determination as to whether relevant standards and policies are met by that application. This means that you must understand what those relevant standards and policies are, and you must structure your meeting to get relevant information. Keep these in mind—standards and facts that are relevant to those standards—and your meetings can be more purposeful. With that core purpose in mind, everything else should fall into place.

The Right Space: Room Layout

Everyone has to work with the space that is available, but think about projecting the right image. This is an official government meeting with an official function. Meeting participants must clearly see that this is official and serious business, not just an informal meeting for chat and discussion. The room should reflect the seriousness of the function. Certain signifiers of formality, such as the local government seal and city, state, and U.S. flags, can help to project a sense of official business. For most communities this simply means using the space that the elected officials use, but for other, especially smaller or rural communities, without good space, more creativity is needed to look official.

Consider how the applicant and public are going to interact with the commission and what that means in terms of space. Specifically, it is important that there be a clear place where applicants and the public will come to speak. Having a formal place, such as a podium with a microphone, is necessary as a way to manage testimony.

First Impressions: Handouts and Sign-in Sheet

Many people who come to a commission meeting are there for the first time with little idea of how the meeting will be run. Their first exposure to the meeting signals how things will be handled. Before or as they enter the room, provide a place to sign in. The sign-in sheet serves several functions. First, it is obviously a record of who attends. Second, it is a notification tool for future events—letting people know that they will be notified of future meetings is a citizen-friendly practice and shows that the commission is going above and beyond legal requirements to keep people informed. Finally, the sign-in sheet can be used as a meeting management tool; attendees indicate whether they intend to speak or not so that the chair can manage the time.

Your job is to consider the application, hear fact-based public testimony and comments, and make a determination as to whether relevant standards and policies are met by that application.

Copies of the meeting agenda and staff reports should also be available for the public at sign-in. We recommend having a meeting guide available that explains how the meetings are conducted. This can be included on the agenda, so that everyone has a basic idea of what to expect.

Meeting Leadership: The Role of the Chair

The chair is critical to running a strong and effective meeting.

The chair's tone should balance the need for firm meeting management with a welcoming attitude. There should be no doubt that the chair is in control of the meeting, and a firm hand must be demonstrated to keep the meeting in control. At the same time, citizens should feel welcome and not intimidated to the point of not speaking up.

This raises a more general question about the role of the chair. Specifically, the commission and the chair should consider the question of whether by agreeing to serve in this leadership position the chair agrees to focus more on running an effective meeting and less on influencing the outcome. Many chairs approach their job as facilitators of fair and effective decision making and deliberately avoid taking substantive positions on matters before them. We urge the chair to go out of his or her way to avoid using the position as a bully pulpit and focus more on following procedures, managing public comment

continued on page 8

well, and deliberating decisions fairly. The “chair as meeting manager” helps greatly in protecting the integrity of the process. Chairs who advocate for pro or con positions do not project the image of a neutral facilitator. The commission should discuss the role of the chair relative to substantive positions and decide how the chair should approach his or her role.

This does not mean that the chair does not get to vote on matters before the commission—he or she will still serve as a full member but should typically focus on ensuring that the meeting is running smoothly rather than actively discussing.

Getting Off on the Right Foot: Opening the Meeting

The meeting opening sets the tone for how it will be conducted.

One way to start the meeting off on the right foot is to say the Pledge of Allegiance. This is a subtle but powerful way to set an official tone and create some sense of commonality and community.

Depending on the size and complexity of the meeting, the chair should explain how the meeting will be run. Anxious citizens will be assured that they have an opportunity to comment and participate.

Finally, provide a clear sense of how the commission will progress through the agenda.

Image and Impression: Comportment and Attentiveness

Be aware of the image the commission projects during a meeting. People pick up on cues that form their impressions of meetings. The following ideas are common-sense courtesy but are worth noting:

- Think about how you dress for a meeting. Most people no longer have the expectation of seeing commissioners in suits, but don't dress too casually.
- Think about body language and eye contact. Meetings can be long and trying, but each person who speaks has the right to expect your attention.
- Avoid side conversations. When commissioner whispers to another commissioner, the audience notices the inattention and naturally wonders what the secret is.

Two Stages of a Meeting: Fact Finding and Deliberation

As a general matter, it is important to distinguish between the fact-finding portion of a meeting and the deliberative stage. During the period of the meeting where the staff, applicant, and other interested parties are presenting comments, the commission should be in a neutral, fact-finding mindset. Clarifying questions by the commission during or after staff, applicant, or citizen com-



© iStockphoto.com/Steve Debenport

Opening a planning commission meeting with the Pledge of Allegiance can set an appropriate formal, as well as communal tone

ments are appropriate, but they should be just that—clarifying questions. Commissioners should avoid stating or taking positions or offering compromises and certainly should not be negotiating at this stage. Commissioners should keep and demonstrate an open mind until the last person has had a chance to comment. It is terribly frustrating for citizens to feel that by the time they had a chance to talk, the commission has made up its mind. As the meeting progresses through staff, applicant, and citizen comment as described below, commissioners should work hard to keep an open mind and to demonstrate an unbiased attitude to the audience. The commission will have a chance for full deliberation and discussion at the appropriate time.

Fact Finding 1: Staff Presentation

For those commissions with professional planning or zoning staff, think carefully about how best to use that staff during the meeting, especially on individual applications. In most communities the staff prepare written reports, and having staff present oral summaries of these reports can be a great way to set the stage for the discussion. The staff presentations should focus on:

- Basic facts about the proposed application, the subject property, and the surrounding area
- Relevant provisions in the land-use regulations, especially the standards that apply to the application
- Relevant planning policies that apply to the application, such as comprehensive plan provisions
- Any recommendations for the planning commission to consider
- Any additional information the commission should seek during the public comment period

Fact Finding 2: Applicant Presentation

Once the staff have presented their reports, typically the applicant presents next. Here, meeting management is important. Many commissions allow applicants to present their application with no time limit in the interest of being thorough. This often results in a multihour parade of experts.

While commissions need a full understanding of the application, it is also important for the chair to set expectations of applicant presentations, including reasonable time limits. Applicants may have a longer presentation, but do not simply turn the meeting over to the applicant.

Make sure that the applicant focuses on things that are relevant to the decision-making process, such as code standards and the community plan; discourage a purely marketing presentation.

It is essential for the commission to ask clarifying questions as needed. Frame those questions within the context of the applicable standards. It is natural to be curious, but the more focused and relevant to the decision questions are, the more efficient the meeting.

How to deal with expert comments? The commission often hears technical presentations dealing with traffic impacts, stormwater management, landscape design, and others. The commission should not be intimidated by technical testimony nor defer to applicant experts just because of their training and credentials. Good experts who are experienced with planning commissions are comfortable communicating in educated lay terms, and commissioners have the right to expect that these experts answer their questions in an understandable and credible way.

Fact Finding 3: Public Comments

Assume there is a large crowd present and that they have strong feelings and opinions. How does the commission manage this portion of the agenda? What keeps it under control? Our suggested tips:

- Most important, no one speaks who is not recognized by the chair, whether it be other commissioners, staff, applicants, or members of the public.
- Require people to come to a podium (or table) to speak. Require them to give their name. Allow no anonymous comments.
- Encourage fact-based comments related to standards. Public comments expressing general opposition without reasons are not especially helpful.
- Encourage explanations of why there is opposition and encourage comments linked to particular standards.
- Set reasonable time limits. Use the sign-in sheet to designate speaking preferences, and explain why there are time limits—ensuring everyone's right to speak.
- Discourage duplicative testimony.
- Encourage group spokespersons and reward such spokespersons with extra time.
- Prohibit vexatious testimony. Personal attacks are unacceptable and should not be tolerated.
- Be helpful, to a limit. When people make baseless or irrelevant comments, the chair should gently ask questions that encourage relevant explanation. Most citizens are not skilled public speakers and simply do not understand the process. People can have important things to say and want to feel their opinion matters. For example, when people say that they think a proposal is a bad idea, ask them why they think that; when they say that traffic is already congested, ask them to explain that further.

Arriving at a Decision: Commission Deliberation

Keep the fact-finding phase separate from the deliberative phase. Up until the last person has spoken, the commission presents an unbiased image. Once that last person has spoken, the commission should enter into the deliberative phase. In some cases this means closing the public hearing portion of the meet-

ing; in other cases it is simply making clear that the commission is moving into the deliberative phase. The chair makes clear that comment period is complete and that the public and applicants must watch quietly, unless the commission requests further clarifications (this occurs only in limited instances).

Depending on the application, the deliberative phase can be very short and simple, or very difficult. It can be messy looking, but it should have a purposeful approach. Some ideas to consider:

- Unless your commission is bound by rules of procedure (such as Robert's Rules of Order) that require a motion to be on the floor before discussion can occur (which we think is a bad idea), allow some time for commissioners to give preliminary reactions and comments about what they heard during the meeting, including what they think is the most relevant and credible information.
- This is a "feeling out" process: the objective is to arrive at least at a majority consensus, and allowing time for commissioners to share impressions is helpful. Consensus may come quickly or more deliberative work may be needed.
- Ensure that all commissioners have a chance to ask questions and express their thoughts. Don't allow one person to dominate—and make sure that person is not you!



© iStockphoto.com/andres balcazar

A well-run meeting anticipates accessibility needs for all attendees.

- This is a deliberation, not negotiation. Keeping the deliberative phase separate from the fact-finding phase helps avoid the tendency to negotiate with the applicant. While it is appropriate to apply a certain amount of problemsolving to the process, the commission's job is to advise or decide. Avoid negotiating deals.
- Keep an open mind, even if you change it. Avoid staking out positions and simply defending your position. The deliberative process can reveal things you missed or that other commissioners heard differently.

continued on page 10

- A unanimous decision is nice but is not necessary. Trying to achieve unanimity can result in unnecessary conflict and a watered-down, unwanted decision. Respect each other, but understand you can agree on some matters and not others.
- Next, one commissioner should frame a motion, supported by findings and proposed conditions, that represents a majority position. This is a commission motion, not your own individual motion.
- Once a motion is on the floor, with findings and proposed conditions, refine the motion if necessary, working within procedural requirements. Don't let parliamentary procedures get in the way of a motion that truly reflects the best of the commission. A skillful chair then brings the discussion to a timely and fair decision. The chair's primary role is to facilitate the process, not to control the outcome.
- Take care with conditions. Most commissions have the ability to add conditions of approval, but do so judiciously. Remember conditions require enforcement so staff resources matter. Avoid "overconditioning" approvals simply to make them appear palatable to opponents.
- Restate the motion clearly prior to voting. Avoid last-minute snafus about exactly what is being voted on.

Conclusion

Meeting management requires skilled commissioners. Your job is to act as fact- and standard-based decision makers or advisers. You must be aware of your conduct and the subtle signals you project. You must be wise, fair, and effective leaders. Commissioners must keep their cool under extreme pressure. But above all, you must treat all participants with respect and genuine care so people walk out of the meeting feeling good about their local government.

This is an excerpt from the forthcoming APA Planners Press book, *Planning Commissioner's Guide*, available April 2013 at APAPlanningBooks.com

Bicycle Planning

A widespread change is under way as a new generation turns to bicycling as a viable transportation mode. Explore how communities prepare for more commuter and recreational bicyclists.

Books

Urban Bikeway Design Guide, 2nd edition
National Association of City Transportation Officials, 2012

Periodicals and Reports

Five Essential Elements of a Bicycle-Friendly Community
Nicole Wynands
Planning, May/June 2012

Websites

Association of Pedestrian and Bicycle Professionals
www.apbp.org

League of American Bicyclists
Bicycle Friendly Community Program
www.bicyclefriendlycommunity.org

Pedestrian and Bicycle Information Center (PBIC)
www.bicyclinginfo.org



Carlynn Thomas

Complete Streets

Barbara McCann and Suzanne Rynne, AICP
PAS Report no. 559

Innovations in Bicycle Transportation

Greg Griffin, AICP
Practicing Planner, September 2011

Ride Then Decide

Sarah Rhodes
Planning, December 2012

Upcoming Audio/Web Conference

Pedestrian and Bicycle Planning
June 5, 2013
4:00–5:00 p.m., ET
www.planning.org/audioconference