

THE PLANNING UNIVERSE

a Quick Tour. by Michael Chandler



Board of Zoning Appeals or Adjustment

When a zoning ordinance is adopted, most states' zoning enabling laws require that a board of zoning appeals or adjustment be created. The board functions as a safety valve through which land owners can seek relief from strict application of a zoning ordinance. In addition, the board functions to give assurance that zoning procedures are applied fairly, are interpreted properly by staff, and do not cause or produce excessive hardships on property owners. In communities in some states, a single board exercises the responsibilities of both the planning commission and zoning board.

The Local Governing Body

Your mayor and local legislative body, whether it be a city or town council, or board of county commissioners, are key players in the planning universe. Indeed, a responsibility for setting the planning process in motion rests with the local governing body. In most states, the process begins with the governing body and/or mayor appointing the planning commission.

The comprehensive plan, which is typically produced by the commission, cannot go into effect without being adopted by the governing body. Similarly, the local governing body has final say on



the adoption of zoning ordinances, subdivision ordinances, and other regulations designed to implement the comprehensive plan. In some states, the governing body also makes the final decision on development approvals.

Planning commissions need to keep the mayor and governing body well informed of planning initiatives, as elected officials generally like to know what's going on and frown upon surprises.

The Law

Planning is a structured process governed by legal principles, statutes, and codes. A planning commission works within the framework of its state's enabling law, for this defines a commission's range of substantive duties and responsibilities, as well as the procedural requirements it must follow.

Any consideration of the planning universe must also recognize the strong influence that federal laws and regulations — and the financial assistance funneled to local governments pursuant to these laws and regulations — have on the local planning process.

Obviously at the center of the planning universe! Planning commissions often have two distinct functions. The first involves preparation and revision of the community's comprehensive (or municipal) plan and local land use regulations, such as the zoning or subdivision code. This role is typically advisory to the local governing body, with the planning board forwarding a recommended plan (or ordinance) to the governing body for consideration.

Citizens

For planning commissioners who have just concluded a prolonged or heated public hearing, the happy, smiling citizens illustrated above must appear as a cruel joke or a scene that could only take place in outer space! Perhaps, however, the citizens have just returned from a dynamic and exciting workshop helping to envision the community's future!

Citizens are an essential (perhaps the most essential) element of the planning

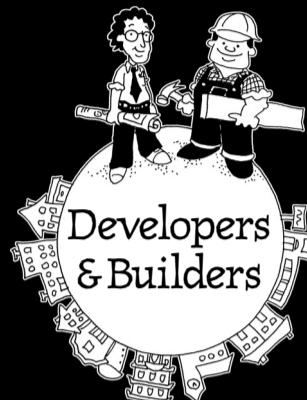
universe, and one that planners must reckon with if the planning process is to have any long-term value. A challenge facing many localities is deciding how best to include citizens in the planning process. A multitude of strategies, each with particular strengths, are possible. If planning is to succeed, however, the question will not be whether citizens should be involved in planning for the future, but how to get them involved.



Planning Staff

Many towns, cities, and counties employ a local planner or planning staff to manage, in partnership with the planning commission, the local planning effort.

It is important that the planning commission and planning staff agree on ways to foster a mutually beneficial work relationship. Clarity regarding roles, duties, and expectations should be viewed as a top priority. While the planning commission typically focuses on the "bigger picture" associated with policy, direction, and goal setting, the chief responsibility of planning staff involves providing technical assistance and guidance — and managing the planning office's many functions on a day-to-day basis. This requires communication and coordination. As a result, it is not surprising that planning staff are frequently found whizzing through all corners of the planning universe.



Developers & Builders

Developers and builders often transform land from one use to another. In doing so, they are acting to satisfy a perceived community demand for a service or product in a manner that produces a profit. The market dynamic is representative of our free enterprise system and is critical to sustaining our society. The planning challenge lies in deciding how best to integrate the market with the needs of the larger society.

Much can be learned from developers who realize that markets and market demand do not exist in isolation from one another or from the larger society. Developers can pinpoint regulations and policies which may sound great in principle, but are impossible to achieve in the real world. By recognizing the valuable role developers and builders play in the planning universe, and reaching out to gain their insights, planning commissioners can enhance the quality of the regulatory process.



Financial Institutions

Lending institutions constitute a pervasive force in the planning universe, but one often unseen or unnoticed by planning commissioners. Virtually all land development requires the involvement of financial institutions, through loans or guarantees. Local zoning ordinances and subdivision platting standards, in turn, are taken into account by financial institutions when loan decisions are made. It is essential that planners not only make sure that lending institutions are cognizant of all relevant local plans and ordinances, but also seek the input of local bankers when formulating important land use recommendations. Not surprisingly, many planning commissions include a member with ties to the financial community.

Other Local Boards

The community planning process can generate a large number of impacts. For example, the decision to convert agricultural land to a residential use pattern will likely affect a community's educational system, as well as the local transportation, water, sewer, police, fire, and emergency service systems. One strategy for dealing with possible impacts involves the use of an internal review process (co-ordinated by the municipal manager or planning director) wherein relevant local boards and commissions, as well as other local government departments, would review proposed plans and planning projects for possible impact. This style of internal communication helps minimize "unforeseen" planning consequences.

The Planning Commission



The second, and often most time-consuming, function involves review of development proposals, such as site plans and subdivision plats. In some states the planning commission makes the final decision on these, subject to possible court review. In other states, the planning commission recommends a decision that the local governing body can modify. With both long and short range planning responsibilities, the planning commission can justifiably claim to be the hub of the planning universe!



Neighboring Cities

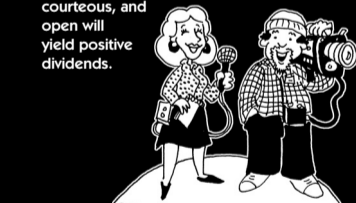


Neighboring Towns

Each community does not live in its own universe isolated from neighboring towns and cities. Local land use decisions can have impacts outside a jurisdiction's own boundaries. Inclusion of a regional assessment or impact strategy section in local plans — to ensure that neighboring communities' plans are consistent with each other — is becoming a more common practice. County and regional planning commissions are also vital in seeing that cities, towns, and villages work together to solve shared planning problems.

The Media

For years, planners were advised that the media should be held at arms length. This attitude is giving way, fortunately, to a new way of thinking. Rather than viewing the media as an obstacle to be avoided, planning commissions are beginning to realize that the media — in all its various forms — represents a direct link to the larger community. Accordingly, efforts aimed at increasing the knowledge and perspective media representatives have of planning and the planning process are being initiated. Working with the media in a manner that is respectful, courteous, and open will yield positive dividends.



OBSERVATIONS

Each Role is Vital

Even in the process of rewriting or developing new ordinances, the Town Council is still the policy maker. The Planning Board functions like a technical consultant to the Council recommending effective ways to accomplish the general community goals requested by the Council.... The recommendations may be creative and far reaching. They may be more complex or technically innovative than the Council ever imagined. But, it is the Council that makes the final decision with whatever political considerations it deems appropriate. Each role is vital to a smoothly functioning community. But they are separate.

— Pamela Plumb, "Town Councils and Planning Boards: A Challenging Relationship" (PCJ #9, March/April 1993).

Less Vocal Constituencies

Newly worry that developers or landowners will be shy about voicing their opinions about planning policies or programs. Planning affects them directly and they make it their business to follow what you are doing. But there may be other less vocal constituencies in your community equally as deserving of attention.... Before you make significant decisions, broaden the range of people you inform and involve.

— Elaine Cogan, "What Your PMQ (Public Meeting Quotient)?" (PCJ #31, Summer 1998)

Think Regionally

Today's businesses seek out locally-cooperative, globally-competitive regions for expansion or relocation. There is an intimate connection between regional economic development, regional land use planning, efficient local government, local quality of life, and corporate competitiveness in the global economy.

— Mayor William A. Johnson, Jr., "Metropolitan Pressure Points" (PCJ #31, Fall 1998)

Follow the Rules

Failure to adopt and follow formal, fair, and coherent procedures erodes public confidence in planning. Rules of procedure assure that all members of the body are treated equally, and that all are free to participate fully in the discussion. Parliamentary procedure seeks to provide for both efficient and effective decision-making and both open and full debate of issues.

— David J. Allor, "The Commission Will Come to Order" (PCJ #20, Fall 1995)

Guardian of the Public Environment

When the first official, permanent and local American planning commission was created at Hartford, Connecticut in 1907, the aesthetic purposes of community planning — realizing an inspiring good order in the public environment while protecting the positive qualities of both the natural environment and the cultural heritage — were clearly dominant forces in the emerging community planning movement.... The modern American planning commission is the guardian of the public physical environment.

— Laurence C. Gerckens, "Community Aesthetics and Planning" (PCJ #7, November/December 1992)

One Planning Commissioner

I'm familiar with a rural county where strong leadership came from a planning commissioner. He did not hold grandiose ideas, and there was no specific project that he promoted. But he was a constant presence, a calming influence, and a fair and honest dealer. Through his perseverance, his willingness to share his knowledge, and his ability to teach other volunteers... he created an environment for the county to deal with serious conflicts and major changes to its economic structure in a productive way.

— Eileen Hennessy, "Finding Community Leaders" (PCJ #18, Spring 1995).

Behind the Scenes

Planning commissioners may well be unaware of the amount of time that staff spends in dealing with major or controversial requests. Staff may have met and talked numerous times with neighbors and the applicant to resolve the issues. In essence, staff often "lives and breathes" these requests for months at a time.

— Carolyn L. Braun, "Planning from Different Perspectives" (PCJ #24, Fall 1996)

Providing Leadership

All of a commissioner's time can be spent stamping out brushfires and processing standard reviews. But it is worth recalling that citizen planning commissioners were put in that position not to execute administrative chores for city council, but to provide insights into the problems and potential of the community, and to provide leadership in the solution of problems before they arise.

— Laurence C. Gerckens, "Community Leadership & the Cincinnati Planning Commission" (PCJ #18, Spring 1995).

Know Your Role

Are you making a recommendation to a city council? Are you making a final decision? What are the limits of your authority? Understand your role in the planning process and who you are responsible to. The mayor or council who appointed you? Your neighbors? The general plan? It's like suddenly coming on stage in the middle of a play to act out a role: if you don't know your part, and how it fits with everyone else's, you'll be an embarrassed failure.

— Steven R. Burt, "Being a Planning Commissioner" (PCJ #24, Fall 1996)

How 'bout callin' some 922onk-a-dunkin' tonight?

Love ta, but I've got my Plannin'nk meetin'.



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