

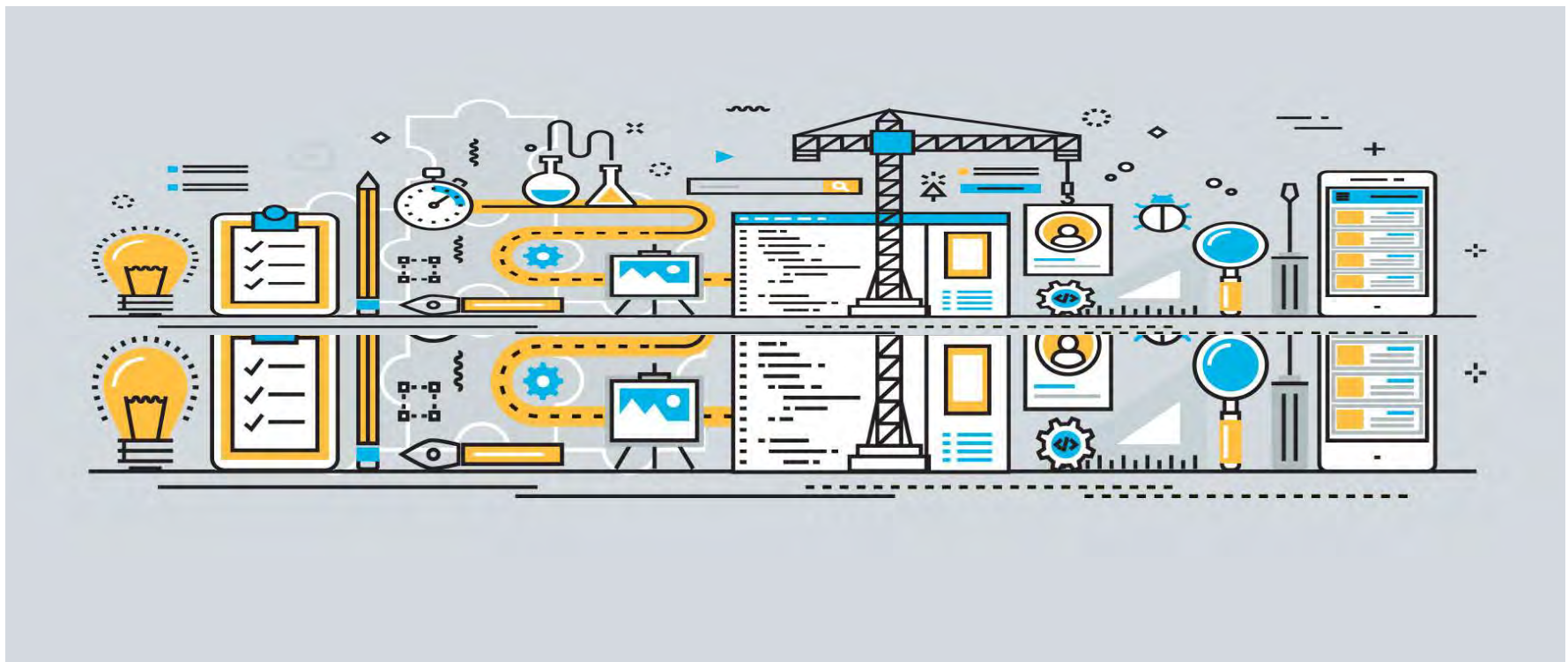
# ROLES IN PLANNING AND EFFECTIVE PUBLIC PROCESSES

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# Planning is complicated



# Planning Involves a Range of Participants

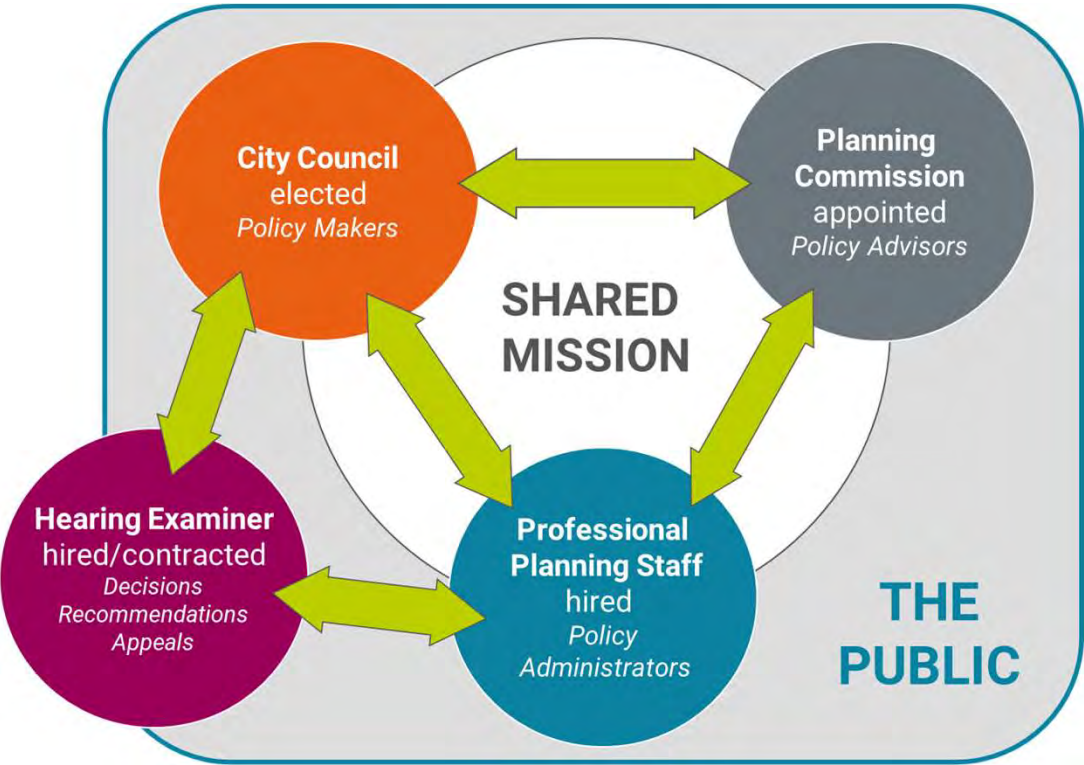
- Elected officials
- Planning Commission
- Staff
- Hearing examiner
- Other appointed bodies
- General public
- Other interested or affected parties (environmentalists, developers, agencies, tribes, media, utilities, courts, districts [transit, school, water, sewer, fire], etc.)





# Roles and Responsibilities

# Roles and Responsibilities in the Planning Process



# Elected Officials – Commissioners, Council, and Mayor Policy Makers

- Key leaders and decision makers on policy, adopting comprehensive plan policies and development regulations
- Makes final decision on some quasi-judicial permit applications
- Make final decisions on funding decisions for operating and infrastructure funding programs
- Communicate vision to residents, Planning Commission, and staff
- Appoints planning commissioners



# Planning Commission Policy Advisors

- Established on the belief that community residents can objectively review and recommend regulations without political influence
- Provides recommendations to Council/Commissioners on policy, regulations, standards, and plans
- In some communities, make quasi-judicial decisions or recommendations

RCW 35.63.080



# Effective Planning Commissioners

## Tips for the Planning Commission

- Attend and participate
- Be prepared by reviewing materials in advance
- Communicate well with Council/Commissioners; accept differing views
- Use staff expertise and defer to technical judgement
- Encourage public involvement and keep an open mind
- Listen respectfully and patiently
- Focus on the decision criteria
- Focus on persuading and not arguing





# Effective Planning Commissioner Chairperson

## Tips for the Planning Commission Chair

- Run meetings efficiently and keep them on track
- Know and enforce the rules of procedure to ensure everyone can contribute
- Make people comfortable and encourage open expression of concerns
- Treat people fairly and equally, making no exceptions for VIPs or intimidators



# Commissioners/Council Obligations to Planning Commission

- Respect and support the Planning Commission's role
- Appoint committed residents to the Planning Commission
- Carefully review the recommendations, taking the time to understand the record and rationales
- Agree with the Commission when you possible, explain disagreements when necessary
- Provide regular two-way feedback and meet jointly at least once a year.
- Provide direction, scope, and resources for the Commission's work program



# Hearing Examiner

- Typically involved in quasi-judicial activities (appeals, subdivisions)
- Professional hired/contracted to make permit recommendations or decisions based on the decisional criteria supported by an adequate record (not emotion, persuasion, or politics)
- Reduces local government liability by ensuring consistent and legally defensible decisions
- Allows local legislative/advisory bodies to concentrate on policy-making (legislative) activities



# Planning Staff's Many Roles



Conductor



Messenger



Enforcer



Guide



Researcher



# Planning Staff's Obligations

- Present thorough, objective analysis, reasonable alternatives, and professional recommendations based on facts and best practices
- Implement adopted policies and development regulations
- Notify the public
- Provide responsive, complete, and timely answers to questions
- Provide a solid record to the decisions makers, that includes:
  - application materials and supporting documentation,
  - relevant facts and decision criteria,
  - project history,
  - public comment
  - agency communication,
  - SEPA determination, and
  - findings that support the reasons for approval or denial.



# Planning Staff's Obligations to Planning Commission

- Present the Planning Commission's recommendation to the City Council or Commissioners, even if staff disagrees, while offering alternative recommendations if needed.
- Respect and support the Planning Commission's advisory role and the Council or Commissioners' decision-making authority, acknowledging their right to differ from staff and Commission recommendations



# Council/Commissioners Obligations to Staff

- Give deference to staff's technical judgments and provide necessary support
- Rely on the staff to administer and enforce adopted policies and regulations – don't "micro-manage"
- Align workload priorities and schedule expectations with available resources
- Address concerns about staff decisions or performance privately, not publicly

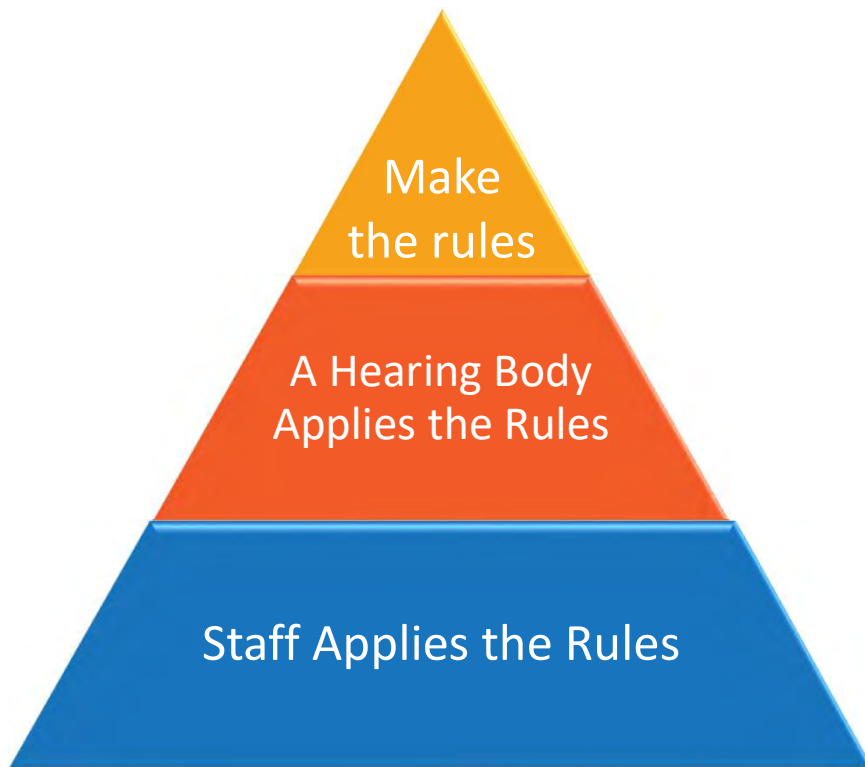




# Steps in the Planning Process



# Land Use Planning Decisions

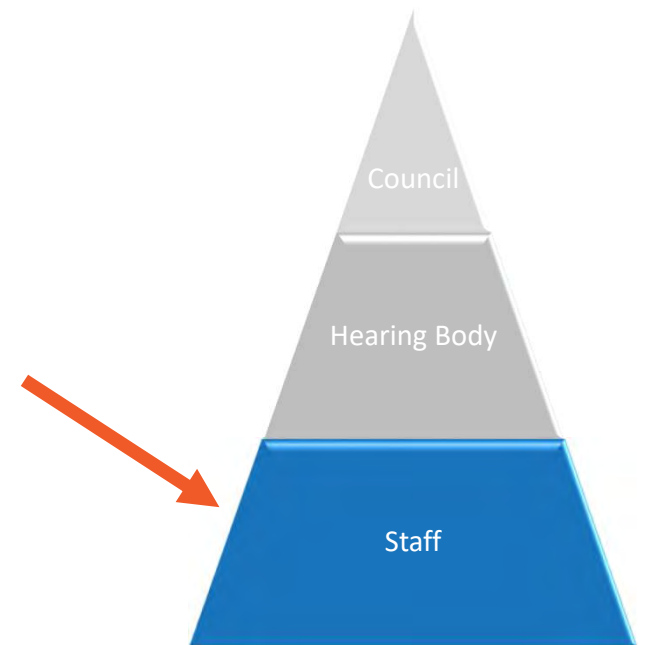


- **Legislative (Long Range Planning)** – Elected officials adopt policies and development regulations; Planning Commission makes recommendations (**Making the rules**)
- **Quasi-Judicial (Current Planning)** – A board or individual reviews and makes recommendations or decisions on permit applications (**Acting as a judge**)
- **Administrative (Current Planning)** – Staff reviews land development applications (**Applying the rules**)



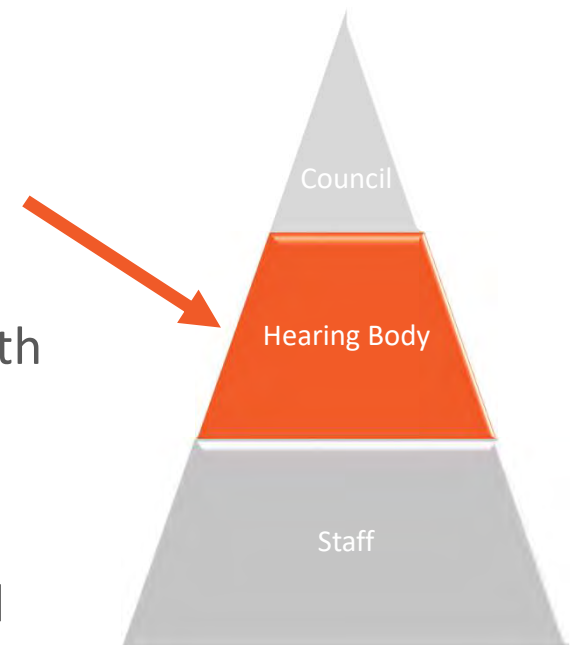
# Typical Steps in the Administrative Process

- A project is applied for
- Complete application determination
- Professional review by staff or planning consultant
- Review may include:
  - No public notice (like a building permit)
  - Public notice
  - Environmental review (SEPA)
- Staff decision
- Decision may be appealed to the Hearing Examiner by parties of record
- The Hearing Examiner decision may be appealed to Superior Court



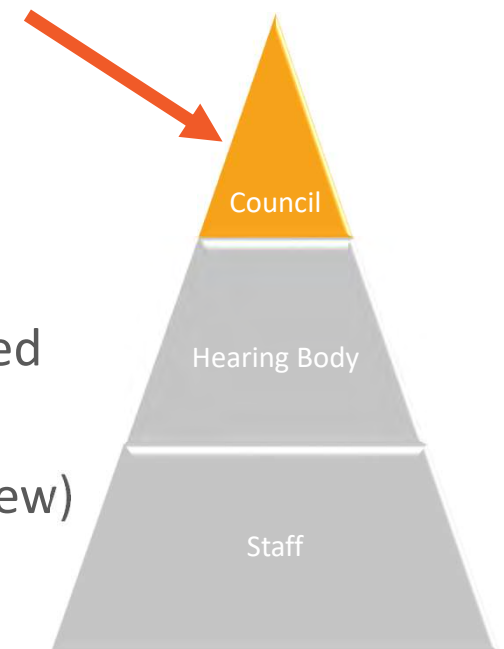
# Typical Steps in the Quasi-Judicial Process

- A project is applied for
- Complete application determination
- Professional review by staff or planning consultant
- Environmental review (SEPA), if required
- Public notice
- Staff report documenting consistency or inconsistency with Comp Plan, City Code, or other regulations
- Notice of public hearing
- Hearing Examiner hearing, recommendation or decision
- For recommendations, Council/Commissioner review and decision in a closed record hearing
- Decision may be appealed to Superior Court by parties of record



# Typical Steps in the Legislative Process

- Amendment to a plan or regulation proposed
- Professional review by staff or planning consultant
- Environmental review (SEPA) and Commerce 60 day review
- Public involvement
- Planning Commission hearing and recommendation to elected officials
- Council/Commissioner review (may include more public review)
- Council/Commissioner decision and adoption
- Decision may be appealed to Growth Management Hearings Board by parties of record



# Essential Steps in the Planning Processes

## Public Participation is Essential

“Each county and city that is required or chooses to plan...shall establish and broadly disseminate to the public a **public participation program** identifying procedures providing for **early and continuous public participation** in the development and amendment of comprehensive land use plans and development regulations implementing such plans.

RCW 36.70A.140 (GMA)





# **PUBLIC HEARINGS**

# General Public

- **Long-term residents** can provide detailed and historical community knowledge
- **The business community** can identify regulations and policies which may sound great in principle, but might be difficult to achieve



## General Public, cont'd.

- The **environmental community** can identify potential impacts to critical areas and natural resource lands and options for mitigation
- **Developers** can be a sounding board to help local government better understand markets, market demand, and permit processes
- **The media** offers a direct communication link to the larger community
- The public have **different perspectives** of what constitutes the big picture or public interest





# Tips for Managing Public Hearings

- May require that all speakers sign in, giving their name, address, agenda item, and position (opponent, proponent, etc.)
- May organize speakers logically (i.e. proponents, opponents, adjacent owners, etc.)
- May set time limits or restrict repetitive testimony
- Be consistent at all public hearings



# When Listening at Public Hearings

## Help people through the public hearing process.

Be respectful and patient:

- With those uncomfortable with public speaking
- With those who are angry or perpetually challenging city government
- With other members who may not agree with you or understand your perspective



# Discussion, Evaluation & Deliberation

Decision making bodies should:

- Discuss reasons for approval or disapproval based on criteria, acknowledging differing perspectives.
- Determine positions or reach a consensus for action, without seeking new evidence (though arguments and comments may be allowed)
- Ensure motions to approve or disapprove instruct staff to prepare draft findings and conclusions that document the reasons
- Present the discussion at the next regular meeting for final approval and passage by the board.





**Thank you!**



Washington State  
Department of  
**Commerce**

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