

# CULTIVATING A PLANNING CULTURE

Congratulations! Your community went through a planning process and developed rules and regulations to implement the plan.

## NOW WHAT?

This is not an unusual question for communities that are just establishing, or reviving, a planning culture. Culture? Yes. Culture can be defined as “the set of shared attitudes, values, goals, and practices that characterizes an institution or organization.”<sup>1</sup> Government, like any other organization, has a business culture. Changing the way a community regulates development is a cultural shift for everyone involved – elected officials, staff, and the general public. The same can be said for communities that begin basing public investment decisions on plans rather than political expediency.

Planning represents a different way of doing business for communities that have not used planning and planning tools before. Creating plans and regulations is an essential step for communities that want to manage growth and target public investment. The administration and enforcement of your new policies may be challenging until a planning culture is established within your government and the broader community.

### Why implementation can be a challenge

The regulation of development by communities that have never done so before represents a major shift because it has implications for the use of real property - the single largest investment most people own. Because the stakes can be high, regulating development and land use can be contentious.

When a community begins to regulate the use of land, it may face resistance even if the planning process, and the development of regulations, had substantial public support. Even those who were supportive of planning and regulation may react negatively when those plans and regulations begin to affect the development of their own property or

that around them. Those who were ambivalent or opposed to the changes may be hostile once new rules and procedures are put in place.

### Preparing the ground

When preparing a garden, you do not simply draw up a planting plan and then wander outside to drop seeds in rows on uncultivated hard ground. You break the ground, prepare the soil, plant the seeds, and nurture the plants. As the plants grow, the cultivation process continues. Indeed, it never really ends.

Cultivating a planning culture is similar to cultivating a garden. If you do not prepare the ground and nurture what you are growing, you may find implementation to be much like dropping seeds on hard earth: not much takes root and frustration and disappointment mount.

An inclusive, community-wide planning and ordinance development process can go a long way toward breaking the hard ground. But the outreach efforts that went into developing these tools should continue.

### Education, participation, and process

The following tips are offered to help you minimize conflict and establish a planning culture within your government and the community as a whole. Education, participation, and process are key.

**Education and accessibility.** Too often communities forget why they embarked upon a planning process in the first place and how the rules and regulations governing development in the community relate to the plans. The 1909 Plan of Chicago was actually distilled into a manual that became part of the curriculum for eighth-grade classes in Chicago public schools.<sup>2</sup> While your community may not go this

far, continuing education about plans, ordinances, their contents, and their application should be a part of your community's plan implementation strategy.

An important component of the outreach process is easy accessibility to all official documents. In the age of the Internet, there is no reason why plans and ordinances should not be made available online. These documents should be easy to find on the local government's Web site. Paper copies should also be available and well-advertised in public offices and the local library.

***Include stakeholders in the development of processes.***

Just as stakeholders should have been included in the development of plans and ordinances, they should be included in the formulation of the processes that will be used to implement the rules and regulations. Doing so not only creates good will but helps public officials see the process through the eyes of the "customers." Decision makers (staff, elected officials, and/or appointed board members) responsible for reviewing development applications should be among the stakeholders. It is important to include the administrators of the process in its creation.

***Make all processes transparent.*** Sunlight is the best disinfectant.<sup>3</sup> The source of this bit of wisdom was U.S. Supreme Court Justice Louis Brandeis, commenting upon the benefits of openness and transparency to prevent corruption and scandal. In planning as in all matters related to public decision making, it is important to avoid even the appearance of impropriety and illegal or unethical behavior.

Processes should be created that ensure fairness for those seeking approvals for development from officials, for the officials themselves, and the general public. These processes should be transparent for everyone involved so as to avoid any appearance of favoritism or impropriety. Just as plans, rules, and regulations should be easily accessible to the public so should the information being considered by the decision makers. The goal is to establish a process that has integrity and that preserves the integrity of the planning tools and the officials responsible for their use.

For example, meetings should be well-advertised and open to the public. Information to be heard at meetings should be made available to the public both in advance of, and after, meetings. Meeting minutes should also be made available to the public as quickly and as accurately as possible. Rules

governing public comments should be clear and applied uniformly.

If a community begins with planning tools, processes, and officials that have integrity and which inspire trust, the new planning culture has a greater chance of taking root. Compromising the integrity of any one of the three - the process, the tools or the officials - may prevent a healthy planning culture from ever becoming well-established.

***Openness is not just a good idea. It's the law.*** As the Mississippi Coalition for the Freedom of Information notes, "The Mississippi Supreme Court has said, 'However inconvenient openness may be to some, it is the legislatively decreed public policy of this state.'" <sup>4</sup> Title 25, Chapter 41 of the Mississippi Code establishes open meeting requirements for public bodies in the state, including local public bodies. The chapter begins with the following legislative declaration.

*"It being essential to the fundamental philosophy of the American constitutional form of representative government and to the maintenance of a democratic society that public business be performed in an open and public manner, and that citizens be advised of and be aware of the performance of public officials and the deliberations and decisions that go into the making of public policy, it is hereby declared to be the policy of the State of Mississippi that the formation and determination of public policy is public business and shall be conducted at open meetings except as otherwise provided herein." <sup>5</sup>*

Specifically, the law applies to "any political subdivision or municipal corporation of the state...which is supported wholly or in part by public funds or expends public funds."<sup>6</sup> Meeting is defined as "an assemblage of members of a public body at which official acts may be taken upon a matter over which the public body has supervision, control, jurisdiction or advisory power; 'meeting' also means any such assemblage through the use of video or teleconference devices."<sup>7</sup>

**Establish standard operating procedure.** It is important for everyone involved to know what to expect from the bodies responsible for development approvals (planning boards, boards of aldermen or supervisors, etc.) and those appearing before them. For this reason, those boards responsible for development approval should establish standard operating procedures and rules.

**Examples of operating procedures abound.** The American Planning Association also offers manuals related to planning commission procedures. Items typically considered by rules of procedure include the following:

- *Governing Statutes and Ordinances*
- *Officers*
- *Meeting Attendance*
- *Meeting Schedule*
- *Meeting Notice*
- *Meeting Agenda*
- *Quorum*
- *Conduct of Meetings*
- *Minutes*
- *Conflicts of Interest*
- *Outside Communications*
- *Committees*
- *Orientation and Training*
- *Reference to Robert's Rules of Order*<sup>8</sup>

Additionally, decision makers should allow themselves the time necessary to review applications ahead of meetings. Applications should be reviewed before, not during, meetings. Detailed application review procedures should be developed for applicants and decision makers alike, including application package contents, deadlines, fees, and instructions for the reviewers that inform how development rules and regulations are to be applied.

**Provide training for decision makers and staff.** Exposure to best practices, and the experiences of others, related to the implementation of plans, rules, and regulations is a very worthwhile investment. Some states make such training for planning board members mandatory. The American Planning Association ([www.planning.org](http://www.planning.org)) is a great source for information about training opportunities, as is the Mississippi Chapter of the American Planning Association ([www.msplanning.org](http://www.msplanning.org)). Consider the provision of training for elected officials, members of planning and zoning boards, and staff charged with the implementation of planning rules and regulations.



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<sup>1</sup> Merriam-Webster's Online Dictionary [www.merriam-webster.com/dictionary/culture](http://www.merriam-webster.com/dictionary/culture)

<sup>2</sup> The Encyclopedia of Chicago The Chicago Plan - [www.encyclopedia.chicagohistory.org/pages/200403.html](http://www.encyclopedia.chicagohistory.org/pages/200403.html); Wacker's Manual [www.encyclopedia.chicagohistory.org/pages/10537.html](http://www.encyclopedia.chicagohistory.org/pages/10537.html)

<sup>3</sup> Louis D. Brandeis. *Other People's Money, and How the Bankers Use It.* (New York: Frederick A. Stokes Co, 1914.) [www.law.louisville.edu/library/collections/brandeis/node/196](http://www.law.louisville.edu/library/collections/brandeis/node/196)

<sup>4</sup> Mississippi Coalition for Freedom of Information Handbook [www.mcfoi.org/handbook.html](http://www.mcfoi.org/handbook.html)

<sup>5</sup> Section 25-41-1 of the Mississippi Code of 1972.

<sup>6</sup> Section 25-41-3 of the Mississippi Code of 1972.

<sup>7</sup> *ibid.*

<sup>8</sup> Steven Sizemore, *Rules of Procedure for Planning Commissions*, The Commissioner-Spring, 2003, American Planning Association. [www.planning.org/thecommissioner/2003/spr.htm](http://www.planning.org/thecommissioner/2003/spr.htm)