

Public Participation

Packet Synopsis

Public participation is a crucial element in developing a community's comprehensive land use plan. However, it is possibly the greatest challenge in the comprehensive plan process. Good citizen participation can bring out concerns and issues not always apparent to the professional planner or the public official, gives representation to diverse interests and helps the community "buy into" the plan. In other words, if the citizenry has been part of its creation, there is "ownership."

An additional benefit is that good citizen input, properly documented, gives significant legal support to the plan when it is officially adopted. Plans that reflect the vision and wishes of the community through citizen participation will generally be upheld, if legal challenge is brought against any element of a comprehensive plan.

The contents of this packet were selected on the basis of clarity and germaneness to the topic. They include:

Public Participation in Planning, Newsletter #6, Arizona Department of Commerce, Community Planning Assistance Program. Asks the whys, wheres, whens, hows and whats for **public participation** with good brief answers. A handy table outlines 10 basic steps in the comprehensive planning process and assigns responsibilities for implementing these steps.

Preparing a Local Plan: A Guidebook, Georgia Department of Community Affairs, Office of Coordinated Planning, October 1990. Makes the case for publicity – informing the public and keeping them informed - and the importance of publicity in getting **public participation**. In Minnesota, there is no statutory requirement for public hearings in developing comprehensive plans except as noted in the accompanying legal notes.

"Visions of Things to Come", *Planning*, American Planning Association, Chicago, May 1993. Addresses creating a community's future vision and the need for **public participation** in this important activity. It presents case histories illustrating some *visioning* approaches.

"Dreaming the Future: Community Vision Planning", *Planning Commissioners Journal*, Burlington, VT, Summer 1993. Focuses on a small community (a town of 800), and yet it is applicable to larger communities. Identifies "shared perceptions" and the community's "positive qualities" as seen by its citizens and deemed essential for developing a successful plan, which could only be achieved by citizen participation. The final section "Some Observations" gives very good advice.

"Community Visioning: A Tool for Managing Change", *PAS Memo*, American Planning Association, Chicago, July 1996. The visioning process is where **public participation** is essential. And if the public visioning process is seen as successful by participants, these

people are good candidates to staff the subcommittees and study groups that are set up to create the substance of the comprehensive plan. Briefly presented herein are both large, medium and small community examples.

“Involving All of the Community”, *Planning Commissioners Journal*, Burlington, VT Number 24, Fall 1996. Makes the point that getting people to participate requires some planning and some work. It presents three steps: organizing the effort; recruitment; the first meeting. It also gives a suggested list for developing a community interest and occupational profile. The reverse-side article – “Getting Power by Giving It Away” – is a good primer on organizing specific interest groups to tackle specific issues, topics or parts of the comprehensive plan.

Growing Smarter: Public Participation Program, City of Gilbert, AZ. Discusses establishing timelines for the **public participation**. In this example, it has been mandated by state statutes. Volunteer time is a precious commodity and should be spent wisely.

“Citizen Surveys”, *PAS Memo*, May 1986, American Planning Association, Chicago, Defines the reasons for using surveys as well as process and cost considerations, techniques and technical considerations, pitfalls and hints and the pros and cons of three approaches: the written questionnaire, telephone questionnaire and personal interview.

Innovations in Public Involvement for Transportation Planning, Federal Highway Administration and Federal Transit Administration. Although a federal publication on public participation in transportation planning, it is useful for comprehensive planning. Its table of contents lists various **public participation** techniques. Each noted technique is well covered as to how and when to use, who participates, who leads, how the product can or should be used and more.

IAP2 Public Participation Toolbox, International Association for Public Participation, Denver, CO. An encompassing list of tools and techniques for getting public participation presented in various categories: passive information techniques, active information techniques, large group input, small group problem-solving, large group problem-solving. Each is then broken out by specific tools or techniques, what one must consider to make it work: “always think it through”, “what can go right” and “what can go wrong”.

“Chapter 2: Getting Started”, *Under Construction*, Minnesota Planning, St. Paul, September 2002. Pages 35 through 38 present suggestions for developing a **public participation** process.

INTERLIBRARY LOANS MATERIALS

The following on **public participation** can be borrowed via MnLINK.

- Lights, Camera, Community Video, Orten, Cabot; Spiegel. Keith; Gate, Eddie, American Planning Association, Chicago, 2001, 76 pages.

- Youth Participation in Community Planning, Mullahey, Ramona; Susskind; Yve; Checkoway, Beverly, American Planning Association, Chicago, 1999, 70pages.
- Neighborhood-Based Planning, Martz, Wendelyn A., American Planning Association Planning Advisory Service, Chicago, 1995, 33 pages.

LEGAL NOTES

Generally Public Participation is not mandated in Minnesota. However, specific statutory references to Public Participation are made in:

Minnesota Statutes § 103B.231 subd.6 (b) where the minimum content for watershed plans or amendments include a public participation process. Chapter 103B regulates water planning and project implementation.

Minnesota Statutes § 116C.721 requires the Environmental Quality Board to conduct public informational meetings with public participation under specific circumstances.

Minnesota Statutes § 469.001 through 469.047 requires public participation in developing housing policies where public property may be acquired and public money spent.

Minnesota Statutes Chapter 554 Free Speech Participation in Government. MS § 554.001 subd. 6. defines **public participation** as meaning speech or lawful conduct that is genuinely aimed in whole or in part at procuring favorable government action.

Minnesota Statutes Chapter 13D Open Meeting Law. MS § 13D.01 stipulates that all governmental meetings must be open to the public with limited exceptions such as labor negotiations, disciplinary actions, and discussions on strategies in legal claims issues. MS§ 13D.04 specifies how meeting notices are to be posted. Check Chapter 13D for the details.

Minnesota Statutes § 462.355 specifically stipulates in its subd. 2 that comprehensive plans and/or amendments to them must be presented to a public hearing by the planning agency before they can be forwarded for adoption by the governing body. A notice of the time, place and purpose of the hearing shall be published once in the official newspaper of the municipality at least ten days before the hearing date. This section applies to municipalities and townships.

Minnesota Statutes § 394.26 - Public Hearing specifies when public hearings are required by counties, specifically when adopting comprehensive plans and/or amendment under the authority conveyed by Minnesota Statutes § 375.51.

Cities, townships and counties in the Metropolitan Council jurisdiction should also look at **Minnesota Statutes Chapter 472.**

The **Local Planning Assistance Center at the Department of Administration** helps local governments with planning efforts, including comprehensive planning, zoning, hazard mitigation planning, GIS applications and development issues.

Upon request, this document will be made available in an alternate format, such as Braille, large print or audiotape. For TTY, contact Minnesota Relay Service at 800-627-3529 and ask for the Department of Administration.

Local Planning Assistance Center

658 Cedar St., Room 300

St. Paul, MN 55155

651-296-6550

local.planning@state.mn.us

www.lpa.state.mn.us

