



# E-PARCC

## COLLABORATIVE GOVERNANCE INITIATIVE

Syracuse University

Maxwell School of Citizenship and Public Affairs

Program for the Advancement of Research on Conflict and Collaboration

## **Collaborative Design of Citizen Engagement in City and County**

### **Comprehensive Planning: A Simulation**

Communities in the State of Florida, like communities elsewhere throughout the United States, are experiencing vast changes to their landscapes. Rural lands that were defined by open space, pastures, agricultural fields, and woodlands are being developed with commercial establishments and residential dwellings. To help manage growth, Florida law requires that all counties and municipalities create comprehensive plans that designate how land in their jurisdictions can be used.

Land use and development is a matter that is intimately tied to the quality of life in a community. Unmitigated or ill-conceived growth has the potential to cause environmental degradation, traffic congestion, and an overall reduction in quality of life. On the other hand, development can also lead to social diversification and economic benefit for a region. In either case, growth and development is a matter of public concern.

Recognizing that public interest is embedded in any comprehensive plan creation or amendment process, the Florida legislature passed a law requiring that all local planning agencies and government bodies establish a public involvement mechanism as part of the comprehensive plan process. At a minimum, local agencies and governments are required to

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convene two public hearings. The first is to be convened when an amendment to a comprehensive plan is first submitted for consideration. The second is to be convened when the amendment is returned to the local government body for approval. Additionally, citizens are permitted to write letters expressing their viewpoint outside of the hearing process ("Florida Interlocal Cooperation Act of 1969," 2004).

Despite the hearing process, Florida residents are discontented. Some residents perceive the amendment process as one that is politically driven and motivated, based on developer, rather than community interests. To correct this process, an effort has emerged called Florida Hometown Democracy. This organization seeks to amend the Florida Constitution under Article II, Section 7, to read (<http://www.FloridaHometownDemocracy.com>):

Public participation in local government comprehensive land use planning benefits the conservation and protection of Florida's natural resources and scenic beauty, and the long-term quality of life of Floridians. Therefore, before a local government may adopt a new comprehensive land use plan, or amend a comprehensive land use plan, such proposed plan or plan amendment shall be subject to vote of the electors of the local government by referendum, following preparation by the local planning agency, consideration by the governing body as provided by general law, and notice thereof in a local newspaper of general circulation. Notice and referendum will be as provided by general law. This amendment shall become effective immediately upon approval by the electors of Florida.

The effort has been endorsed by numerous organizations. These include environmental interest groups, such as Clean Water Action and the Sierra Club of Florida, and government watchdog groups, such as People for Good Government and Taxpayer Action Group. Various citizen and homeowner groups, such as the Coalition of Concerned Citizens, Eagle Crest Civic Association and the Hammock Estates Homeowners Association of Sebring, have also endorsed the effort.

Likewise, numerous organizations have come out against the amendment. Opponents include business and industry associations, such as the Florida Chamber of Commerce, Florida Transportation Builders' Association, Florida United Business Association, Tampa Bay Builders Association, and the Underground Utility Contractors of Florida. Other opponents of the effort include the Coalition for Property Rights, Florida Institute of Certified Public Accountants, and Floridians for Better Transportation (<http://www.TheHometownScam.com>).

Opponents argue that if the amendment passes, homeowners who want to prevent new building in their neighborhoods will stop all development. They also suggest that there are far too many changes to comprehensive plans in a given year to even consider asking voters to cast their ballot for each one. According to one opponent's website, more than 12,000 amendments were made in 2003 (<http://www.uucf.com/HometownDemocracy/FloridaHometownDemocracy.html>).

Supporters of the effort counter that the number of proposed amendments would shrink dramatically once local government officials stop supporting changes that they know will not gain support of the voting public. They also point out that voters will be asked to approve only amendments to comprehensive plans, not new permits for building or re-zoning requests for parcels of land less than five acres.

### **Simulation Exercise 1**

The Secretary of the Florida Department of Community Affairs (the department charged with overseeing the development and amendment of local comprehensive plans) would like to figure out if there is an alternative way to improve citizen involvement in the comprehensive planning process without placing a burden on voters. He is interested in giving citizens a greater voice in the process, beyond what is afforded by the current hearings process, but he does not want the process controlled by homeowners who will vote against any new development.

To this end, the Secretary has called a special meeting of select local planning officials, citizens and a representative from his office. His charge to them is to create an alternative proposal for engaging citizens in the comprehensive plan creation and amendment process. Recognizing the conflicting interests that will be at the table, he has hired an outside facilitator to guide the process.

He suggests that the facilitator use a particular cognitive approach to focus participant attention on creating a novel and effective citizen engagement process. First, participants should clearly state and find consensus around what the problem is that brings them together at the table. Homeowners Association members and proponents of the Hometown Democracy effort may feel that the problem is that average citizens, who are not part of well-funded or powerful interests, are shut out of the comprehensive planning process. Thus, citizen voices are not heard in the most important of quality of life discussions. The facilitator will need to use the principles found in the interest-based negotiation process (Fisher & Ury, 1981) to help participants realize potentially common ideas of how the current system is not working. More specifically, the facilitator might start the discussion by asking two questions of each participant: (1) What do you see as the purpose of the current hearing process? (2) Do you feel the hearing process is achieving that purpose? What is missing?

Second, participants should identify the "issue public." This means the prime individuals or stakeholders who will *want* to be active and *should* be active in whatever citizen participation process is designed. The idea of the issue public (Cobb & Elder, 1983) is that the public is not a single behemoth. Different members of the general public have more specific interest in certain policy issues. Thus, for instance, interested members of the public in the comprehensive plan creation and amendment process might include homeowners, property owners, and business owners. These are individuals who have a longer-term interest in a

1 Note that this simulation exercise is fictional. The Secretary of the Florida Department of Community Affairs has made no effort to convene the kind of group discussed here. community and how it develops. However, other individuals might be stakeholders to include in a process. These might include renters, people who commute to work or to a place of worship through a community, users of parks and natural resources, and developers who might seek commercial gain in a community. This is something participants will need to decide. The facilitator might ask participants to brainstorm each possible stakeholder to include in the process and to press participants to clearly state why each one should be included. What is the underlying interest in including a certain stakeholder? Last, participants should consider institutional representative rules. For instance, if homeowners' association officials are asked to speak in a citizen participation process for their members, what rules need to be put in place to ensure that the representative is speaking for his or her constituency?

Third, participants should define the purpose for the citizen engagement process they will be creating. Practitioners and scholars have identified several purposes. For instance, the purpose of an engagement process can be to inform, consult with, engage, collaborate with, or empower citizens (Lukensmeyer & Torres, 2006). Other purposes might include achieving better policies, educating citizens, maintaining political stability, or upholding the rights of citizens. There are numerous possible functions or objectives of a citizen engagement process (Rosener, 1977). Participants will need to be clear what their purpose is.

Fourth, specific techniques should be considered for engaging citizens. The technique should align with the stated purpose of the process, as well as with the number and type of stakeholders that should be included in the process. Citizens can be engaged in numerous ways (Arnstein, 1969; Cooper et al., 2006; Fung, 2006; Lukensmeyer & Torres, 2006; Rosener, 1977). Participants will have to weigh the benefits and drawbacks of the ways they think might best fulfill their purpose.

Last, participants should carefully consider the costs associated with their chosen technique. It may be appropriate to think about a "dream" process, such as a 21<sup>st</sup> Century Town Hall Meeting or annual referenda on comprehensive plan changes, but ultimately participants will need to think about the practicality of implementing such a process and whether the general public would accept potentially high costs.

## **Simulation Characters**

This simulation has nine roles. Six of those roles are to be played by individuals, two of the roles can be played by multiple students, and one of the roles can be played by the instructor. All of the roles are gender neutral.

### ***Secretary of Community Affairs Department Representative***

The Secretary of Florida's Community Affairs Department has convened this gathering. His representative is participating as his voice. He wants to ensure that any process that is created is inclusive and is not dominated by one stakeholder group. He also has concerns about cost.

Ultimately, he is interested in creating an inclusive process for the least possible cost. Additionally, he is suspicious of ideas to give control over the final comprehensive plans and amendments to participants who are involved in the created participation process. He would prefer to keep final control with local government officials. However, he is willing to listen and be convinced.

### ***Homeowner/Citizen Activist***

The Secretary specifically asked that a representative of one of Florida's many Homeowners' Associations participate in this discussion. The chosen activist is one of the leaders behind the Hometown Democracy effort. She is promoting the referendum process, whereby any comprehensive plan change approved by a local government body *must be* placed on the ballot for final approval by voters. She is most concerned with what she perceives as out-of-control growth in communities throughout Florida, particularly growth that is not accompanied by enhancements to street networks and other transportation infrastructure, school size, or social service offerings. She also sees recent development decisions as being made behind closed doors as part of a political process, rather than a process conducted with the best interests of the community in mind.

### **Business Community**

An official from a regional business community is participating as an opponent of the Hometown Democracy effort. He fears that if left to the ballot process, voters will never approve any comprehensive plan amendment, thus restricting potentially beneficial new development. In addition to serving in this role, the official was a leader in a campaign called "How Shall We Grow?" This effort brought together thousands of Floridians to define principles by which new development will be approved and land will be used. Though not binding on elected officials, these principles, if supported by the public, can have a powerful influence on decision-making. Overall, he wants to keep the door to future growth and development open for economic and social benefit, but he recognizes the need for citizen participation in shaping land use decisions.

### ***Local Planning Agency Manager***

A local government planning agency manager is participating to provide a local administrative perspective. The manager believes that working with citizens is necessary, particularly in a field like planning, where residents and business owners are the individuals who are most likely to be helped or harmed by development. In addition to having citizens participate with her agency to advocate for their own positions and perspectives on community and regional growth, she feels citizens, once empowered, can help her agency gain additional resources and leverage in the development and comprehensive planning decision processes. Her agency is habitually under-funded to conduct the kinds of studies required for land-use planning. If citizens become intimately involved with her agency, they may be able to help convince budget makers to increase the agency's piece of the pie. She fears the referendum idea only because it could make all of her agency's work in studying a development proposal worth little more

than a paperwork exercise, particularly if opponents of the Hometown Democracy effort are right, and all new development will cease. Related to this fear, she has concerns about employee morale if the effort succeeds. To the contrary, she feels employee morale can improve if employees can work more directly with citizens. Thus, she looks forward to exploring different options for citizen participation in the comprehensive planning process.

### ***State Transportation Agency Manager***

The state's administrative perspective will come from a Transportation Department manager. Unlike his local government counterpart in the planning agency, this manager feels the status quo is sufficient for incorporating citizen perspectives into the comprehensive planning process. As a transportation official, his major concern is to ensure that all new development is supported by adequate road systems, or, if not, then other steps will be taken to mitigate increased traffic, such as traffic signal synchronization, parking restrictions, or other similar options. The current hearing process is sufficient, he feels, to identify citizens' concerns with respect to traffic and parking. Once concerns are identified, he and his agency engineers and their local government counterparts have the expertise to accommodate any new development. The role for citizens is to inform of potential problems associated with development, but the decision of how to make the development happen and whether it should happen at all should be left to experts in transportation, planning, and environmental protection. He agrees with the local planning agency manager that having expert judgment placed on the ballot for voter approval could possibly harm employee morale. The status quo is fine for him.

### ***Facilitator***

The facilitator is a neutral, non-judgmental participant in the process. His or her job is to keep the discussion on track and focused on the goal of creating a citizen engagement process within the parameters set by the Secretary of Community Affairs. The facilitator can be played by the instructor if facilitation skills are not a central part of the lesson for this simulation. Alternatively, the instructor can play this part in order to model facilitation skills.

### ***Recorders***

Half of the remaining students in the class—who are not playing one of the individual roles—can serve as recorders for the process. Recorders are neutral, non-judgmental note takers. They are responsible for individually and collectively keeping a record of who says what in case any participant needs to examine past discussion or review prior comments.

### ***Interested Citizens***

Beyond the participants, the Secretary has asked that the discussion be an open forum, so any interested citizens can listen to the discussion. The facilitator can from time to time ask for comments from this group of citizens to inform the discussion. Otherwise, the group of students who are observing should take notes on what they hear in terms of options for citizen engagement, as well as strategies used by the facilitator. These observations can be used for post-simulation discussion.