

What Is the Plan Commission & How Does It Work?

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Introduction

The plan commission is in a unique position in local government. It is an independent commission made up of private citizens with neither legislative nor administrative authority. It is an advisor to a governing body. It also advises local governmental departments and officials, public agencies, private developers, and other individuals on matters related to the community's development.

The plan commission's position in the structure of local government greatly enhances its ability to carry out this advisory function. It is placed in the middle of the flow of information throughout the community. This central coordination function can be extremely valuable to the community and to its elected and appointed officials. Plans and proposals from individuals and groups who help develop the community pass through the plan commission.

What Is the Plan Commission?

The plan commission is a legally mandated group of people who draft a comprehensive plan, a zoning ordinance, and a subdivision ordinance. They also make recommendations to elected officials on proposed changes. Plan commissions have the authority to approve or deny subdivisions of land based on the subdivision control ordinance.

The planning legislation found in the Indiana Code encourages each city, town, and county in the state to create a plan commission. Once established, this body becomes the unit of local government with the responsibility for comprehensive planning and zoning.

The legislature carefully defined the responsibilities and duties of the plan commission. They are to create planning that is comprehensive, done on a continuing basis, and free from partisan pressures.

What Does the Plan Commission Do?

As the advisory arm of local government on planning issues, the plan commission has many important responsibilities. Some of the most common include the following.

- 1) Prepare and recommend to the legislative body a comprehensive plan for the physical development of the jurisdiction it serves and other tools useful for implementing the comprehensive plan.
- 2) Prepare and recommend zoning and subdivision control ordinances to the legislative body.
- 3) Review all petitions for amendments to the zoning ordinance and map, and recommend their approval or disapproval to the legislative body.
- 4) Review and approve or disapprove subdivision plats.
- 5) Do special studies as requested by the local legislative body.
- 6) Hold public hearings, as necessary, to receive comments from the public concerning changes to the plan, zoning ordinance, and other land use control regulations.
- 7) Review and revise the comprehensive plan, zoning ordinance, subdivision regulations, and capital improvement programs to keep them up to date and adjusted to changing conditions.
- 8) Carry on a continuing program for citizen education in planning and good public relations in the community.
- 9) Provide day-to-day advice and guidance to individuals regarding physical development, zoning, subdividing, and code regulations.

Communities on Course Land Use



What Happens at a Hearing?

The commission conducts many hearings for the purpose of considering subdivision applications and rezoning proposals. The hearings should be businesslike and fair to all parties concerned. Often there are three interests represented. There is the petitioner who proposes some kind of development, people representing the neighborhood interests who may want to support or oppose the development, and the commission itself, representing broad community interests. Here is a typical hearing procedure, including a suggested order of testimony.

- A. Chairman opens meeting and reads agenda statement.
- B. Oath to witnesses is administered.
- C. Plan director reviews the protocol with the audience. Each speaker must be recognized by the chair before speaking, and each must state his or her name and address. The director also reviews the order of testimony. Here is a suggested order of testimony.
 1. Persons wishing to speak pro or con are required to register.
 2. Petitioner or representative appears before the plan commission to request change.
 3. Secretary or plan director reads application and locates the area on the county map.
 4. Plan director presents the staff report.
 5. Petitioner presents evidence or facts relating to the case.
 6. Chairman recognizes those who have registered who are in favor of the proposal.
 7. Those in favor present evidence.
 8. Chairman recognizes those who have registered who are against the proposal (remonstrators).
 9. Remonstrators present their evidence.
 10. Petitioners provide rebuttal.
 11. Petitioner and remonstrator may be questioned by the commission members.
 12. The chairman officially closes the public hearing on that petition.
 13. Chairman calls for a motion.
 14. Plan commission members discuss the motion.
 15. Plan commission members vote.

- D. Commission repeats this procedure for each petition.
- E. After all advertised petitions have been heard, the commission may hear advisories or take care of other procedural business.
- F. Meeting is adjourned.

What Are the Responsibilities of Plan Commission Members?

Plan commission members need to be prepared for the business to be discussed at the meetings. They should take time to review each proposal in light of the comprehensive plan and applicable land use control several days in advance. If a major development is involved, they can talk to the city or county engineer (or surveyor) or to others for a technical review. They should share any findings with other commission members.

Members should be prepared to act at the plan commission meetings. They should avoid spending so much time on the technicalities and procedural distractions that they miss the big issues. They should not vote on a request until they are satisfied that the proposal and its probable impact on the community are understood.

Effective plan commission members serve the public interest and are fair and unbiased. They conduct public business in public meetings, disclose any personal interests, and avoid abusing the power of public office. They should also attend meetings regularly, communicate openly, review staff reports, listen, give citizens a meaningful opportunity to participate, and seek solutions.

Conclusion

Plan commissions prepare communities for growth and change. Their review helps citizens have input and helps county governing boards make informed decisions. The impact of good planning may take some years to be recognized. An orderly growth pattern takes time as well as input from people who care about their community.

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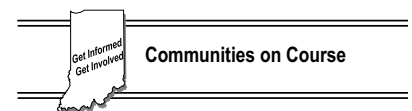
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