

Staff Responsibilities for Quasi-Judicial Decision-Making at Planning Commission

A planning commission is a standing committee of appointed responsible for guiding land use and development. The commission works in partnership with Benton County staff, and community members to develop policies and plans that promote orderly and sustainable growth within the community.

The planning commission has two roles; to review and consider land use proposals, such as rezoning requests, land use plans, and subdivision plans. Second, the Planning Commission plays a role providing recommendations development policies. The meetings are public hearings, allowing community members to voice their opinions and concerns regarding proposed development projects.

Staffing an effective planning commission is vital, as it encourages lawful execution of public meetings law, fosters different types of civic engagement.

1. Agenda Setting

At least 10-14 business days before a regularly scheduled meeting, staff sends a draft agenda to the Chair.

The Chair reviews, suggests amendments if needed, and notifies staff with **at least nine (9) business days** before the meeting.

Creating a clear and comprehensive meeting agenda in a timely manner is essential for a successful planning commission meeting. The agenda includes a list of the topics to be discussed and the amount of time allocated for each item.

After agreeing to the final agenda, staff has **four to two (4-2) business days** to develop staff reports, draft meeting minutes from prior meetings, collect written public comment, and coordinate other meeting materials.

2. Posting Notice

At least seven (7) days prior to the meeting, staff distributes meeting materials to members, applicants, and interested parties.

Staff posts meeting Notice to Benton County website **seven (7) days prior** the meeting.

3. Amendments to Agenda

Amendments to an agenda or the meeting materials should be avoided unless there is an emergency because it is confusing to the public, difficult for staff to react to in a timely manner and increases notice mistakes and interferes with staff ability to meet notice requirements of, e.g., the paper of record. These situations invite distrust and optics of unreliability by the public, interested parties, staff and planning commissioners.

4. The Meeting

Staff sets the room, monitors the virtual element, and records the meeting.

Staff is available to answer questions, know the breadth of relevant law, and facilitate when needed.

Planning commission should follow the agenda, avoid conversations not on the agenda.

5. Capture Accurate Meeting Minutes

Staff records and takes meeting minutes, distributes, and posts them to staff and public in a timely manner.

6. Send Post-Meeting Action Items

Following the meeting, staff will send post-meeting action items to all members if necessary. Staff will include a list of action items, deadlines, and all other relevant information. Sending post-meeting action items helps to ensure all members are on the same page and that progress is being made toward the goals discussed during the meeting.

7. What to expect in a Quasi-Judicial Land Use Staff Report

- A. Cover sheet.
- B. Project description, legal description (required for a rezoning).
- C. Factual information about the site and surrounding area, including:
 - the current zoning districts of involved properties
 - description of the site including on a site visit and survey by the planning staff
 - surrounding land use(s)
 - recent land-use actions, including rezonings, conditional uses, code violations, non-conformity, and variances affecting the area
 - existing and proposed public facilities serving the site, including sizes of water and sewer lines, and classification and condition of roads
 - identification of other services, such as public transit traffic counts, if relevant
 - floodplain or wetlands information, if relevant
 - presentation of decision-making criteria from plans or development codes with comment on how the project meets or does not meet criteria (for rezonings, variances, conditional uses)
 - specialized impact analyses, if necessary

- evaluation of consistency of proposed action with all applicable plans, ordinances, and regulations. This section would include statements of comprehensive plan map designations, written policies, and excerpts of relevant sections of ordinances and regulation.

D. Description of information yet to be submitted.

E. Comments from other agencies.

F. Staff recommendations, including conditions, as appropriate.

G. Maps displaying subject property.

H. Photographs of the property, if appropriate.

I. Information submitted by applicant (as attachments).

J. Written comments from citizens (as attachments). Staff should delineate public comments that address Development Code criteria and those that do not. The comments directly related to Code criteria may be used within the legal record.