

PLANNING COMMISSION ETHICS

As a planning commissioner, you wield considerable power over how your community grows and develops. With this power comes the expectation that you will hold yourself to the highest ethical standards. Part of being ethical means exercising your power in the public's interests, as opposed to personal self-interest or other narrow, private interests.

There are a number of sources of guidance on your ethical obligations as a planning commissioner. One is the law. The law, however, merely sets a minimum standard for ethical conduct. Just because an action is legal does not mean it is ethical. For example, it may be legal for you to vote on your best friend's project application, but if everyone in the community knows how close the two of you are, will the community truly feel that you were able to put the community's interest ahead of your personal loyalties? Another source of guidance may be your agency's own code of ethics, if it has one. Many cities and counties have adopted codes of ethics to serve as a guidepost in local decision-making.

At some point in your service as a planning commissioner, you will likely face two common types of ethical dilemmas. The first involves situations in which doing the right thing will come at a significant personal cost to you or your public agency. In these situations, the answer is relatively simple. The bottom line is that being ethical means doing the right thing for the community regardless of personal costs.

The second type of ethical dilemma involves those situations in which there are two conflicting sets of "right" values. In these instances, drawing the ethical bottom line is more difficult. If you find yourself faced with a "right versus right" decision, the following questions may help you come to an answer:

- Which ethical values are in conflict (for example, trustworthiness, compassion, loyalty, responsibility, fairness, or respect)?
- What are the facts? What are the benefits to be achieved or the harm to be avoided by a particular decision? Is there a decision that does more good than harm?
- What are your options? Is there a course of action that would be consistent with both sets of values?
- Is there one course of action more consistent with a value that is particularly important to you (for example, promise-keeping or trustworthiness)?
- What decision best reflects your responsibility as an officeholder to serve the interests of the community as a whole?
- What decision will best promote public confidence in the planning commission and your leadership?

For example, as a planning commissioner, you will frequently be asked to make exceptions to your jurisdiction's planning laws. A developer may, for instance, ask for a comprehensive plan amendment to enable a project to be approved. The developer is likely to point to numerous benefits that will flow to the community as a result of the amendment.

In coming to a decision in such a situation, the first step is to consider what ethical values are at stake. One might be fairness to those property owners who developed their properties in accordance with the policies expressed in the comprehensive plan. Another might be compassion for the developer seeking the amendment: if it is not economically feasible to develop the property as envisioned by the comprehensive plan, perhaps an amendment is in order.

The next step is to weigh the competing costs and benefits. Although the developer has identified the benefits to the community associated with approving the amendment, what are the benefits of adhering to the comprehensive plan? Will an amendment in this situation open the door for other amendment requests? How might the planning commission fairly evaluate those requests while still maintaining the overall integrity of the comprehensive plan? Are there options that might enable the community to reap some of the benefits described by the developer while still being consistent with the comprehensive plan as written?

Finally, consider which approach will best promote the public's confidence in the planning process. Will the public's confidence be undermined if the commission doesn't enforce the plan? Or will denying the amendment look so rigid and unfair to the applicant that it will undermine the public's faith in the planning commission as a decision-making body? What decision will best support the commission's stewardship of the community's growth and development?

The answers to the questions listed above will vary with each situation and likely will not always be clear-cut or obvious. However, asking difficult questions and thoroughly evaluating the answers can go a long way in helping you make consistently ethical decisions that further the public's interest.

Adapted from "Public Service Ethics" from the League of California Cities' Planning Commissioners Handbook

Upcoming Events

Land Use and Growth in Georgia

January 12-13, 2009—Atlanta, GA

For more information visit www.lawseminars.com

Community Planning Institute

January 13-14, 2009—Douglas, GA

For more information visit www.dca.state.ga.us

ACCG Winter Training

January 16, 2009—Macon, GA

For more information visit www.accg.org

Community Planning Academy:

- **ArcGIS Desktop I Training**
January 29-30, 2009—Atlanta, GA
- **Training for Planning Officials**
Feb. 19, March 11, April 16, 2009—Atlanta, GA

For more information visit

www.atlantaregional.com/communityplanningacademy