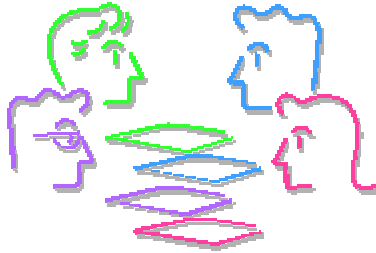


# Citizen Participation Handbook



Citizen participation is the contemporary stand-in for the town meeting of early America. It is a formalized method to make possible a meaningful exchange of factual information, opinions, objectives, and alternatives between decision makers, proponents, and citizens.

We encourage your participation in the planning process. That is why we have created this space on our web site for you. Communicating your concerns and providing proposed solutions is the basis of effective citizen participation. In fact, your input is vital in helping formulate sound public policy.

Choose a link below to see information about that topic.

Check out what's going on in your neighborhood using this URL:

<http://gisweb.ci.anchorage.ak.us/planning/notice.htm>

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# What can I do to make a difference?

## Be informed.

To be effective in the debate on a public planning issue you must understand the issue. Your criticisms of and/or support for a planning issue will have more weight if it is clear you have thoroughly considered the issue and have correct and relevant information.

Becoming informed takes some effort. It may mean:

- Reading about the topic;
- Visiting the Planning Department to question staff or examine case files;
- Attending community council meetings;
- Attending special meetings called on the topic by the Planning Department, proponents, or opponents;
- Researching websites devoted to the topic; and
- Giving thoughtful consideration to possible alternatives.

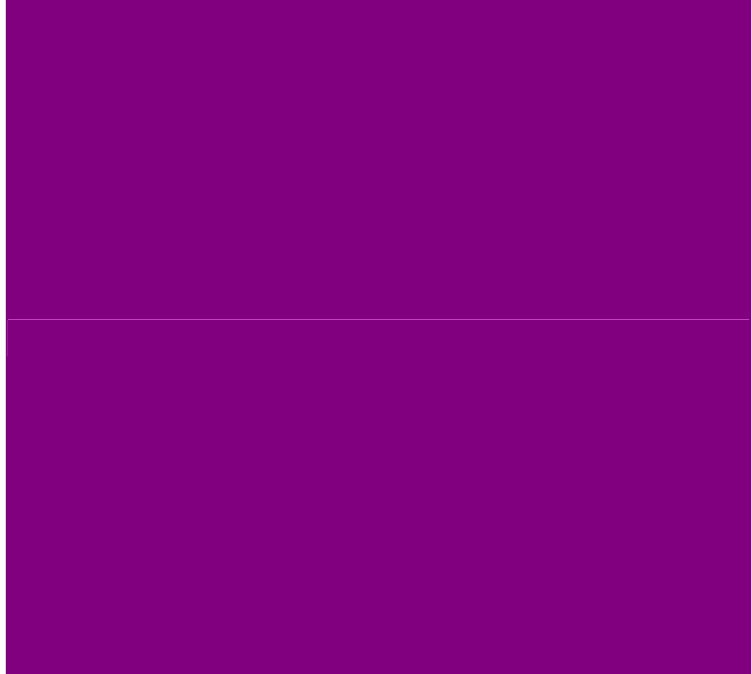


## Become active in your Community Council.

Community councils provide an open door into any public planning debate. Community councils are officially recognized by the Municipality and nearly every neighborhood is within a community council (a community Council map can be found at: <http://www.muni.org/iceimages/Planning/comcoun.gif>). Recommendations received from a council are considered by the decision-making body as valuable information.

## Actively participate in the decision process

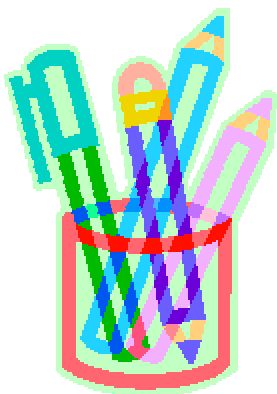
Your opinion, recommendations, and suggested alternatives can help in the final formulation of a public planning decisions. You may prepare and submit written testimony in the form of letters, returned mail-out notices, e-mail, and faxes. Be sure to submit your written testimony in enough time to allow it to get to the decision-makers. You may also stand before the decision-making body and make a presentation at the public hearing ([see information about testifying](#))



# How do you find out about Planning Issues?

## Notices

The Planning Department attempts to advise Anchorage's residents and businesses of pending planning related issues and decisions. The issue may have the potential to impact the whole community or just a local area.



In order to gain the community's attention the Department distributes notice of the pending issue through several means, which include:

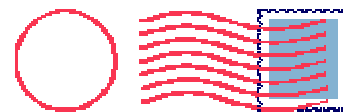
- Newspaper ads,
- Mailed notice to nearby property owners,
- Site posted placards,
- Community councils,
- Listed on the Municipality's web site [www.muni.org](http://www.muni.org), and
- News media reporting.

The essential information that the Notice will provide is:

- A brief description of the pending planning issue,
- A description of the land affected, if any,
- The location, date, and time of any meetings in which you may attend,
- Who will be conducting the meeting,
- The type of meeting - open house, presentation, work session, public hearing or quasi-judicial,
- Advise where you may obtain additional information, and
- Advise where you may send written comments or opinions.

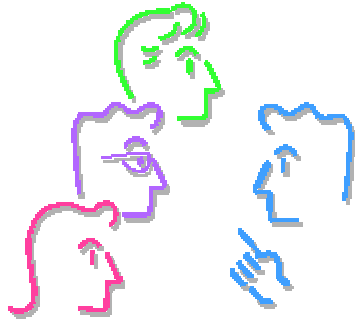
## Why did my neighbor get a mailed notice and I didn't?

The distance from the site and property ownership determines who is mailed a notice. When a planning matter requires personal notice to property owners the Planning Department uses a formula contained in the land use laws to determine which properties are to be sent a mail notice. The notice is mailed to only those persons who are listed as the property owner on the Municipality's real property tax rolls. If you are not the property owner such as a renter, then the landlord-property owner was sent the notice. If you are a property owner then is very likely that your property is just outside the computed notice radius.



# What type of Meetings and Hearings are there?

## Legislative hearings



Legislative hearing involve planning matters of general public policy such as adoption of plans, rezoning, or amending the land use laws. Contact with decision-makers outside of the public hearing is allowed, but decision-makers are not required to accept or participate outside the public hearing process.

The conduct of the public hearing will be set by the rules of the decision-making body. Exhibits and written and oral testimony will be accepted and the testimony will be tape-recorded. Any exhibits or documents submitted at the hearing will likely be retained for the public record. Minutes of all public hearings will be available.

## Regulatory hearings

Regulatory actions and hearings are the strictest. As these planning matters are dealing with property rights it is imperative that the project applicant be insured of a "fair and impartial" hearing. Contact with decision-makers outside of the public hearing on the planning matter is prohibited. Examples of regulatory matters are conditional use permits, preliminary plats, and zoning variances.

Actions taken by a decision-making body must be based on factual information. No contact with decision-makers outside of the public hearing is permitted. The decision-making body must give more weight to testimony from experts than lay-citizens. The number of proponents or opponents presenting testimony should have no impact on the final decision, or in other words counting noses can not be the supporting reason for the decision.

The conduct of the public hearing will be set by the rules of the decision-making body. Exhibits and written and oral testimony will be accepted and the testimony will be tape-recorded. Any exhibits or documents submitted at the hearing will likely be retained for the public record. Minutes of all public hearings will be available.

## **Work sessions**

Work sessions are special public meetings called by the Assembly or a board or commission. The meeting is open to the public, but not necessarily for the public to speak to the body. The focus of the work session is usually a presentation on a planning matter to the Assembly, board or commission by staff, a consultant, or a private project advocate. The work session may include attendance of more than one public decision-making body.

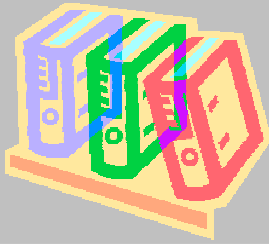
## **Public meetings**

Public meeting are usually conducted by Planning Department staff and / or consultants employed by the Department. The purpose of the meeting is to present a planning matter to the public for informational purposes or to gain informal feedback to staff on the matter. Testimony, if any, is usually not recorded although notes may be taken. Reference material is usually available on the matter. No formal action will be taken at a public meeting. Public meetings may be advertised as an open house, workshop or public meeting.

## What is Title 21?

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### Title 21



Title 21 is the Municipality's laws on Land Use, which includes the zoning and subdivision laws. It is one title of the Anchorage Code of Ordinances. Title 21 can be examined at all Municipal libraries, at the Planning Department, at the Municipal Clerk's Office, and at the Municipality's website:

<http://www.muni.org/Planning/Publications.cfm#Lu>.

## If I Want to Testify, What should I Do?

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# Testifying

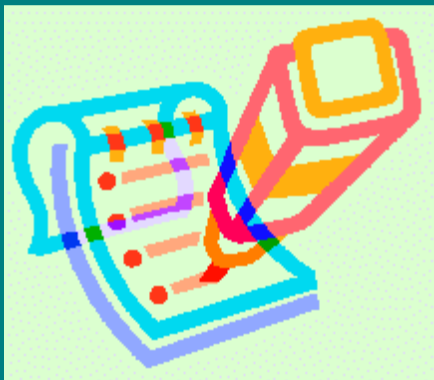
The public hearing is your opportunity to present your opinion, relevant facts, and findings on the matter under consideration. To have the most impact your testimony should be truthful, concise, and include any suggestions that you believe should be considered prior to any official action.

Testimony can be made in person or in written form though returned mail-out notice forms, letters, or e-mail. Appearing in person usually will have the most impact, but requires the patience to wait, often for hours, for the public hearing on the item to be opened. There is no way to accurately predict the number of persons who may present testimony and the amount of testimony and the complexity of the debate to set the timetable.


### **Organizing your presentation**

Your presentation will be restricted to a limited amount of time in accordance with the hearing rules and tape recorded so having your message organized is essential. The following are some things to consider when preparing your testimony:

- If you have never been to a public hearing before attend one prior to the date your item is to appear to observe what happens.
- Prepare an outline of what you would like to say. Reading written testimony is also an option.
- Be sure to identify yourself with your name and, if any, your affiliation with a relevant community council, committee, or group.
- Most hearings do not require that persons testifying be sworn. Nevertheless, it is expected that testimony will be truthful.





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- If you have expertise in a particular field relevant to your testimony advise the hearing body of that expertise. For example, "I am a licensed PE (professional engineer) practicing civil engineering and designing highways." Be aware that through court actions, the hearing body must give more weight to the testimony of an expert in his/her scientific or technical area over a layperson's testimony in that same subject area.
  - If pictures or drawings will help explain the issue have them available either in form all can see or in quantities to give to each Board, Commission or Assembly member. Other types of media can be used, but you may have to make your own arrangements for any special equipment such as TV's and projectors. Your visual aids may be kept by the Chair and made part of the official record of the proceedings.
  - Back up your testimony with factual evidence if it is available. Avoid exaggerations. If you are speculating say so. If your testimony is your opinion let the hearing body know.
  - Try to present information that has not been presented by others.
  - If you have an alternate solution to the matter under review suggested it with your reasons in support.
  - In your presentation do not attack any person or group on a personal level. Personalities and motives are not at issue.



## Hearing Decorum

Public hearings are official meetings. Such hearings must be fair and impartial. It is important that proponents and opponents to a particular matter conduct themselves with respect and restraint. The Chair is in charge of the public hearing. It is the job of the Chair to make sure that anyone who desires to present testimony has an opportunity to do so comfortably. The Chair can not allow disruptive behavior, cheering, booing, clapping, waving placards, or anything else that would have the effect of intimidating a person from testifying.

If the audience at a hearing exceeds the seating capacity of the room the Chair or the Fire Marshall will direct that those persons without a seat to temporarily leave the room. As a seat becomes available people will be allowed to return to the hearing room so that all have an opportunity to be heard.

## Who are the Decision Makers?

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### Assembly

The Assembly is the elected legislative body for Anchorage and is the final authority on many planning matters - ordinance amendments, general plans, public facility site selections, [rezoning](#), [liquor licenses](#), and [appeals](#). The majority of the planning issues that come before the Assembly are public hearings, however, there are some that are not. Regular Assembly meetings are broadcast on cable TV at channel 10 each Tuesday that the Assembly meets.

#### **When will the item be heard? - Agenda and Calendaring**

Those planning matters that require a public hearing will appear on the [Assembly's agenda](#) at least two times. The first appearance will occur under the [Consent Agenda](#) heading and is sometimes referred to as the "first reading." The Assembly takes action of the Consent Agenda in one vote except when an Assembly member asks for an item to be removed from the Consent Agenda. Removed items are dealt with individually.

The first reading is when the Assembly sets the matter for public hearing by selecting or calendaring it for a specific Assembly meeting. Typically there is no Assembly - public interaction at this point, however, inquiries to municipal staff sometimes occur. The setting of the hearing date starts the legal notice, which may include newspaper ads, property posting, and mail-out notice.

## Hearings

The second time the matter appears it will be listed under the [New Public Hearings](#) heading. When the Assembly gets to the item the Chair will announce the matter, usually by referring to its agenda item number or its document number. The letters appearing before the document number note the type of document:

AM = Assembly Memorandum;

AIM = Assembly Informational Memorandum;

AR = Assembly Resolution;

AO = Assembly Ordinance.

Copies of the Assembly Agenda and each public hearing item are available in the rack in Assembly Chambers Lobby at the meeting and from the Municipal Clerks Office prior to the meeting.

The Assembly strictly limits the amount of time for anyone's testimony to one time per agenda item and to 3 minutes. A timer visible from the public's podium advises of the time remaining. On completion of an individual's testimony the Assembly members may ask questions. There is no time limit imposed for Assembly questions.

If the Assembly completes the public hearing it will often debate and take action immediately. If it fails to finish the public hearing the item is "carried over" to the next Assembly meeting and placed on the Continued Public Hearing agenda heading so that further testimony can be taken. If the Assembly's debate and action is not finished then the item will be placed under the Unfinished Business heading.

## **Motions and Voting**

No matter what the issue the starting point for the Assembly will be a positive motion. One Assembly member will move to approve the item and another Assembly member will second the motion. The conversation will be something like:

"Move to approve AO 2003-1200."

"Second."

"The item has been moved and seconded.  
Is there any debate?"

When debate has ceased the Assembly will vote on the motion and any amendments. The amendments will be dealt with one by one until all have been handled. Then a vote will be taken on the amended motion. To pass or approve the motion the Assembly must have at least 6 positive votes.

## **Lobbying**

Talking or writing to Assembly members privately about a planning matter is allowed except in two instances - Board of Adjustment items and liquor license conditional use permits. The above items are not legislative so *ex parte* contact rules apply. *Ex parte* means the Assembly members must receive all information and discuss the matter only at the hearing. This rule is imposed in order to insure a fair and impartial hearing occurs. In all instances, except Board of Adjustment hearings, written testimony can be submitted to the Municipal Clerk for distribution to all Assembly members.

## Who are the Decision Makers?

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### **Planning and Zoning Commission**

The Planning and Zoning Commission is made up of 9 private citizens appointed by the Mayor for 3-year terms. The appointed Commissioners are not municipal employees. The Commission meets at least once a month, but usually more often.

The Planning and Zoning Commission performs two roles. The Commission is an advisory body to the Assembly on legislative planning matters such as adoption of plans, rezoning, or amending the land use laws. The Commission is the final authority on regulatory matters such as conditional use permits.

## Hearings

Matters before the Commission will appear on the Commission's agenda at least twice. The first time will be for Commission action and the second for approval the Commission written findings. Planning matters that do not require a public hearing will be placed on the Commission's Consent Agenda. The Commission takes action of the Consent Agenda in one vote except when a Commissioner asks for an item to be removed from the Consent Agenda. Removed items are dealt with individually.

When the Commission gets to a public hearing item the Chair will announce the matter, usually by referring to its agenda item number or its case number. Copies of the Commission Agenda and each public hearing item are available in the rack in Assembly Chambers Lobby at the meeting and from the Planning Department prior to the meeting.

The Commission strictly limits the amount of time for anyone's testimony to one time per agenda item and to time limits. The petitioner has 10 minutes. Part of which can be saved for rebuttal. Representatives of groups have 5 minutes and individuals have 3 minutes. A timer visible from the public's podium advises of the time remaining. On completion of an individual's testimony the Commissioners may ask questions. There is no time limit imposed for Commissioner questions.

When all persons who desire to speak on the case have been heard and any rebuttal testimony has been presented the Chair will close the public hearing.

## **Motions and Voting**

No matter what the issue the starting point for the Planning and Zoning Commission will be a positive motion. One commissioner will move to approve the item and another commissioner will second the motion. The conversation will be something like:

"Move to approve case 2003-051."

"Second."

"The item has been moved and seconded.  
Is there any debate?"

When debate has ceased the Commission will vote on the motion and any amendments. The amendments will be dealt with one by one until all have been handled. Then a vote will be taken on the amended motion. To pass or approve the motion the Commission must have at least 5 positive votes.

## **Lobbying**

Although in some instances the Commissioners may lawfully have private contact on planning matters, the majority of Commissioners will refuse such contacts. The Commissioners prefer that all testimony be presented at the public hearings.



## Who are the Decision Makers?

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### **Platting Board**

The Platting Board is made up of 9 private citizens appointed by the Mayor for 3 year terms. The appointed Board members are not municipal employees. The Board meets at least once a month, sometimes more, on Wednesday's.

The Platting Board performs two roles. The Board is an advisory body to the Assembly on legislative planning matters such as amending the land use laws regarding subdivisions. The Board is the final authority on regulatory matters such as preliminary plats or subdivisions and right-of-way vacations.

## **Hearings**

Matters before the Board will appear on the Board's agenda. Platting matters that do not require a public hearing will be placed on the Board's Consent Agenda. The Board takes action of the Consent Agenda in one vote except when a Board member asks for an item to be removed from the Consent Agenda. Removed items are dealt with individually.

When the Board gets to a public hearing item the Chair will announce the matter, usually by referring to its agenda item number or its case number. Copies of the Board Agenda and each public hearing item are available in the rack in Assembly Chambers Lobby at the meeting and from the Planning Department prior to the meeting.

The Board strictly limits the amount of time for anyone's testimony to one time per agenda item and to time limits. The petitioner has 10 minutes. Part of which can be saved for rebuttal. Representatives of groups have 5 minutes and individuals have 3 minutes. A timer visible from the public's podium advises of the time remaining. On completion of an individual's testimony the Board members may ask questions. There is no time limit imposed for Board member questions.

When all persons who desire to speak on the case have been heard and any rebuttal testimony has been presented the Chair will close the public hearing.

## **Motions and Voting**

No matter what the issue the starting point for the Platting Board will be a positive motion. One Board member will move to approve the item and another Board member will second the motion. The conversation will be something like:

"Move to approve case 2003-051."

"Second."

"The item has been moved and seconded.  
Is there any debate?"

When debate has ceased the Board will vote on the motion and any amendments. The amendments will be dealt with one by one until all have been handled. Then a vote will be taken on the amended motion. To pass or approve the motion the Board must have at least 5 positive votes.

## **Lobbying**

As Board dealing with regulatory matters, it must always be seen as "fair and impartial." To achieve a fair due process hearing no contact outside the public hearing is allowed. There are some rare instances when the Board members may lawfully have private contact on advisory legislative matters, but the majority of Board members will refuse any contacts.

## Who are the Decision Makers?

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### **Zoning Board of Examiners and Appeals**

The Zoning Board of Examiners and Appeals is made up of 9 private citizens appointed by the Mayor for 3 year terms. The appointed Board members are not municipal employees. The Board meets at least once a month, sometimes more, on Thursday's.

The Zoning Board of Examiners and Appeals performs two roles. The Board is an advisory body to the Assembly on legislative planning matters such as amending the land use laws regarding zoning. The Board is the final authority on regulatory matters such as zoning dimensional variances and appeals to some zoning enforcement actions.

## Hearings

Matters before the Board will appear on the Board's agenda. Zoning matters that do not require a public hearing will be placed on the Board's Consent Agenda. The Board takes action of the Consent Agenda in one vote except when a Board member asks for an item to be removed from the Consent Agenda. Removed items are dealt with individually.

When the Board gets to a public hearing item the Chair will announce the matter, usually by referring to its agenda item number or its case number. Copies of the Board Agenda and each public hearing item are available in the rack in Assembly Chambers Lobby at the meeting and from the Planning Department prior to the meeting.

The Board strictly limits the amount of time for anyone's testimony to one time per agenda item and to time limits. The petitioner has 10 minutes. Part of which can be saved for rebuttal. Representatives of groups have 5 minutes and individuals have 3 minutes. A timer visible from the public's podium advises of the time remaining. On completion of an individual's testimony the Board members may ask questions. There is no time limit imposed for Board member questions.

When all persons who desire to speak on the case have been heard and any rebuttal testimony has been presented the Chair will close the public hearing.

## **Motions and Voting**

No matter what the issue the starting point for the Zoning Board of Examiners and Appeals will be a positive motion. One Board member will move to approve the item and another Board member will second the motion. The conversation will be something like:

"Move to approve case 2003-051."

"Second."

"The item has been moved and seconded.  
Is there any debate?"

When debate has ceased the Board will vote on the motion and any amendments. The amendments will be dealt with one by one until all have been handled. Then a vote will be taken on the amended motion. To pass or approve the motion the Board must have at least 5 positive votes.

## **Lobbying**

As Board dealing with regulatory matters, it must always be seen as "fair and impartial." To achieve a fair due process hearing no contact outside the public hearing is allowed. There are some rare instances when the Board members may lawfully have private contact on advisory legislative matters, but the majority of Board members will refuse any contacts.