



Distinguishing Between Feelings and Facts in Public Decision-Making

Officials know the importance of fact-based decisions and how they must be tied to the applicable approval standards. Planners and appointed and elected officials alike aim to focus on the logical, objective reasons behind our choices. But in the heat of a contentious meeting, those objective reasons can get muddled. Public decision-making becomes more complex when subjective considerations and emotions enter the discussion.

It's important to realign your perspective to focus on the facts, because no one wants to revisit a controversial meeting because the decision made was based on emotions. The only thing less fun than a contro-

versial meeting is having to do it again because the record didn't reflect proper fact finding.

As local decision-makers, we want our decisions to remain durable and at the local level. When approval standards are not discussed, when fact-based rationale is not clearly articulated, and when motions are not thoroughly stated, decisions become more vulnerable to being challenged and decided by the courts. To make durable and defensible decisions, communities must rely on adopted policy, factual findings and clear deliberation.

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Master Plan as Foundation

Public officials should look first to the community's master plan as an essential guide for a fact-based determination. A community's vision and direction are best articulated through the narratives, maps, and supporting information included in the community's master plan. The plan's goals and recommended actions should clearly communicate what the community wants to be. The future land use classification descriptions in the master plan will include important information such as the intended character of each classification, appropriate uses, and location criteria, such as public utility access or frontage on a paved major road. Location criteria are particularly important because they help decision-makers interpret appropriateness beyond what is shown on the future land use map. Each of the master plan's future land use classifications may align in a one-to-one ratio with a particular zoning district, or overlay, or mixed-use districts. When evaluating an application, whether a rezoning, special land use, or site plan, consider whether it aligns with the master plan's future land use map designation and whether the written description further articulates appropriate general or locational characteristics. The more directly an application aligns with the plan's stated direction, the stronger the basis for a fact-based determination on the merits of such application.

At the same time, master plans often look 10 to 20 years into the future, and it is impossible to anticipate every future challenge a community may face. When

crafting master plans, we rely on public engagement, input from community leaders, prior plans, and other data to provide the best guidance available at the time. Throughout the master plan, there are likely to be clear indications of the community's values regarding development intensity. It is important, when updating a master plan, to position the community appropriately to guide future development requests.

Deliberating and Fact Finding

Despite potentially conflicting feelings or emotions, if the facts demonstrate that the review standards have been met, an application must be approved. State statute and many examples of case law back decisions made using review standards.

When deliberating on a request during a meeting, you may consider sharing "problem statements". For example, you may be concerned about whether a neighboring residential property will receive adequate screening because minimum landscaping requirements are insufficient. It is not your job as a decision-maker to have all the solutions, but rather to allow the applicant to understand your concerns and consider whether and to what extent they are willing to address that "problem statement".

Expressing your opinion as a decision-maker in public, especially to a large or frustrated audience, is challenging. Experience helps, but it is normal to feel some pressure, often because you care about the community, your colleagues, and the integrity of the process. But know that the more the public perceives a decision as being worked through at the meeting (as it should be) and not predetermined or made "in the back room," the less alienated they may feel.

That is why it is essential as a decision-making body to deliberate on the approval standards on the record and explain which facts do or do not satisfy those standards. Then, identify which findings carry the greatest weight in supporting the final decision. Ensure that the essence of this

Building a Strong Support Team

YOUR COMMUNITY is not the only one to face a difficult land use issue. Planning is a collaborative discipline, and most jurisdictions benefit from learning from one another. Reach out to neighboring communities. Consult your attorney and planning staff or consultants - they are resources retained specifically to help interpret standards, outline options, and support a sound process. Ultimately, the legislative body, planning commission, or other decision-making boards must still take the time to deliberate and decide, but it can be helpful to speak with neighboring communities and professional associations (such as the Michigan Association of Planning, the Michigan Townships Association, and the Michigan Municipal League). A strong support team helps ensure that decisions are consistent, well-reasoned, and defensible.

Respectful Listening in Public Decision-Making

PLANNING DECISIONS often involve change that may be beneficial, incremental, significant, or unsettling. You may not agree with every argument raised during public comment, but it is still important to acknowledge that the issue matters to the speaker. Decision-makers should listen for the root concerns behind comments and acknowledge them in a respectful manner.

reasoning is captured in the motion or meeting minutes. This helps document the rationale and findings of fact behind the decision, preserving institutional knowledge and establishing a precedent for future cases.

Clear findings serve another important purpose: they create a durable record for future decision-makers. Remember that planning decisions and land use decisions run with the land. Building upon earlier discussions, outlining specific facts that justify a decision help to separate one case specifically from another in setting a precedent. When decisions are grounded in the record, tied to the applicable standards, and clearly discussed during public meetings, they are less likely to be overturned in court. A firm record also helps your future self or staff members that follow you to understand what happened. What is written will stand longer than what you remember, especially if a question is asked about it 10 years later.

Decisions made should reflect adopted policy, not momentary pressure. The more transparent and the more factual your reasoning is, the more the public will trust you—even when they don't agree with the decision made. "Showing your work" through clear deliberation protects the community, not just today but into the future.

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