

EVALUATION OF THE SACRAMENTO COUNTY COMMUNITY PLANNING
COMMISSION PILOT PROGRAM

A Thesis

Presented to the faculty of the Department of Public Policy & Administration
California State University, Sacramento

Submitted in partial satisfaction of
the requirements for the degree of

MASTER OF SCIENCE

in

Urban Land Development

by

Alyson Murphy

SPRING
2012

EVALUATION OF THE SACRAMENTO COUNTY COMMUNITY PLANNING
COMMISSION PILOT PROGRAM

A Thesis

by

Alyson Murphy

Approved by:

_____, Committee Chair
Mary K. Kirlin, D.P.A.

_____, Second Reader
David Booher, M.A., M.S.P.

Date

Student: Alyson Murphy

I certify that this student has met the requirements for format contained in the University format manual, and that this thesis is suitable for shelving in the Library and credit is to be awarded for the thesis.

_____, Department Chair
Robert W. Wassmer, Ph.D.

Date

Department of Public Policy and Administration

Abstract
of
EVALUATION OF THE SACRAMENTO COUNTY COMMUNITY PLANNING
COMMISSION PILOT PROGRAM

by
Alyson Murphy

Responding to public concerns regarding affordable housing and urban growth, the County of Sacramento Board of Supervisors initiated a pilot program in 2004 to change the land use public hearing process. In this thesis I review the structural process changes that were implemented to reduce barriers for the public to participate in the public hearing process. Utilizing the suggestions from current literature on creating an inclusive public hearing process, I created an Effective Public Hearing Process Matrix that examines how perceptions, information and transparency impact access for the public to participate. I review how the pilot program increased public participation access to the community as the decision-maker and as an informed member of the general public using current literature as the framework of my analysis.

_____, Committee Chair
Mary K. Kirlin, D.P.A.

Date

ACKNOWLEDGEMENTS

I would first like to thank my family for all their love and support. I am grateful to my parents, Ron and Carol Dueck, for instilling in me the work ethic and ambition to complete this program. I am forever thankful for all the love I have been given by my wonderful family. Without the support and care I received this past year from my brother Jeff, sister-in-law Melissa, and their three little angels Ethan, Bryce and Audrey, I would not have been physically able to complete my thesis.

I must also thank my dear friends for being supportive of me throughout this process. I could not have done this without the words of encouragement and editing assistance I received from Colum Malec, Tina Glover, Vivian Liu and Renae McClain-White.

I would also like to thank Mary Kirlin for all her patience and support.

TABLE OF CONTENTS

Page

Acknowledgements.....v

List of Tables.....xiii

List of Figures.....ix

Chapter

1. INTRODUCTION.....1

 Background of what was happening in Sacramento Prior to the Pilot Program.....3

2. LAND USE PUBLIC HEARING PROCESS BEFORE AND AFTER THE PILOT PROGRAM.....14

 Land Use Public Hearing Process Before the Pilot Program.....14

 Structural Changes to the Land Use Public Hearing Process Through the Implementation of the CPC Pilot Program.....19

 Public Hearing Notification Changes.....22

 Technological Advancements that Impacted the Land Use Public Hearing Process.....24

3. LITERATURE REVIEW.....25

 Background of Public Participation.....25

 Changing Attitudes and Access towards Public Participation27

 Range of Public Access to the Public Hearing Process.....30

 Framework for an Effective Public Hearing Process that Encourages Participation.....34

Literature as it Relates to Sacramento County.....	39
4. METHODOLOGY.....	40
5. PROGRAM EVALUATION.....	43
Did the CPC Pilot Program Address Perception Barriers of the Citizen?.....	45
Did the CPC Pilot Program Address Participation Barriers from the Perspective of the Decision Maker or Program Administrator and Staff?.....	49
What Changes to the Public Hearing Process Reduced Barriers to Public Participation..	50
Have decisions Made by the Community Planning Commissions (CPC) Given the Community More Control Over Issues that Affect their Quality of Life and Represented the Community’s Interests and Goals?.....	54
Have the Benefits of Local Control Outweighed the Additional Cost for the County to Run the CPC Pilot Program?.....	58
6. CONCLUSION.....	60
What did the County Learn from the Pilot Program?.....	61
What Were the Challenges with the Research Available?.....	62
What was Learned from the Literature that May Assist in Future Success of the Program if the Community Planning Commissions are Reinstated?.....	62
References.....	66

LIST OF TABLES

Tables		Page
1.	Number of Entitlement Applications Filed with the County Planning Department by Year.....	5
2.	Appeal Totals for Years 2003 to 2005 by Hearing Body.....	18
3.	Planning Commission, Subdivision Review Committee and Zoning Administrator Combined Appeal Outcomes by Year.....	18
4.	Information Exchange and Information Processing Modes of Public Participation.....	32
5.	Barriers to Participation.....	33
6.	Effective Public Participation Matrix.....	37
7.	META Research Firm Summary of Survey Results.....	55
8.	Appeal Totals by Hearing Body and Year.....	56
9.	Community Planning Commission Appeal Outcomes by Year.....	56
10.	Literature Recommendations to Reduce Barriers.....	65

LIST OF FIGURES

Figures		Page
1.	Sacramento Region Housing Affordability Charts.....	4
2.	Sacramento Residential Building Activity for Years 1990-2006.....	6
3.	Map of Sacramento County Identifying Incorporated Cities.....	11
4.	Sacramento County Land Use Approval Authority Before CPC Pilot Program.....	15
5.	Sacramento County Land Use Approval Authority with CPC Program.....	20

Chapter 1

INTRODUCTION

In 2005, Sacramento County initiated the Community Planning Commission (CPC) pilot program which dramatically changed the structure of the land use planning public hearing process within the unincorporated area of the County. The commencement of the pilot program was in response to negative feedback of County service levels; wherein land use decision-making was impacted by a rapidly changing housing market. An increase in the number of successful incorporations within the Sacramento County boundaries in the ten years prior to the pilot program had already impacted the County's coffers, and the fear of additional communities following in this trend brought new attention to public opinion. In this thesis, I will briefly review the events leading up to the pilot program changes, evaluate the program's success in meeting the County's defined objectives, and make recommendations to the County as to whether they should consider such a program in the future.

In *The Public and its Problems* John Dewey (1927) posed the question of how the mass public could effectively participate in an increasingly complex industrialized society where decision making was dependent on experts. The paradox that he outlined still exists today as modern societies try to balance the democratic ideal for public participation with the rise of the structural obstacles of bureaucratic organizations and technical expertise (Fischer, 2000). In this thesis I will examine how the roles of the experts (Sacramento County staff) and citizens were modified by the elected officials and public administrators in Sacramento County in an effort to reduce bureaucratic obstacles for public participation in the land use public hearing process.

In 2004, Sacramento County residents began to vocalize a demand for more local control of land use decisions, and the County Board of Supervisors responded by holding a series of focus groups to assist in the formulation of the pilot program. The feedback provided by the focus groups resulted in recommendations from the community on the design of the pilot program which decentralized land use public hearings and delegated decision making authority to residents of four target pilot areas. Implemented in October 2005, the pilot program was suspended in August 2010 due to financial constraints. During difficult budget deliberations, the Board of Supervisors made the decision to discontinue the program with the caveat that reinstating the Commission's would be revisited once the financial health of the County was back on track. The names of the four hearing bodies for the pilot program were changed from Community Councils to Community Planning Commissions (CPC) in 2009 and will be referred to as Community Planning Commissions for consistency.

To make recommendations on the future of the CPC program, it is important to review the purpose, process and context of the program, (Warburton, Wilson, and Rainbow, 2008). The County's stated purpose for the CPC program was "to provide local communities enhanced direct control over many land-use issues that affect the community's quality of life," (Report on the status of Community Councils, 2006). To gauge whether the pilot program was successful in meeting this primary objective, I will begin by investigating the background context of what was happening in Sacramento County that prompted the Board of Supervisors to change the land use public hearing process. Chapter 2 will then outline the process and specific changes to the land use public hearing process that resulted from the implementation of the CPC pilot program. Subsequently, in Chapter 3, to uncover what is known about public participation and methods for effective participation, a literature review will form the contextual basis to examine the problem the County was aiming to address. From the County's stated objectives and what is learned

reviewing the literature I will establish the base methodology for evaluating the program, which I will outline in Chapter 4. My analysis as to whether the pilot program was successful in reaching the County's stated objectives through using the tools from the literature will be outlined in Chapter 5. Chapter 6 will review what was learned and outline the recommendations for future action by the County should the program be reinstated and what changes could potentially increase the effectiveness of the program.

Background of what was happening in Sacramento Prior to the Pilot Program

The County of Sacramento covers a large and diverse urban and agricultural geographic region. The Sacramento County website estimated the total population of the County, as of January 2010, to be 1,445,327 with the unincorporated portion of the County estimated to have a total population of 567,700. With a rich history as one of the original counties formed in 1850 and serving both urban and rural communities, the needs of the County's constituents are as diverse as the landscape within its borders.

State of the Economy and Affordable Housing in Sacramento

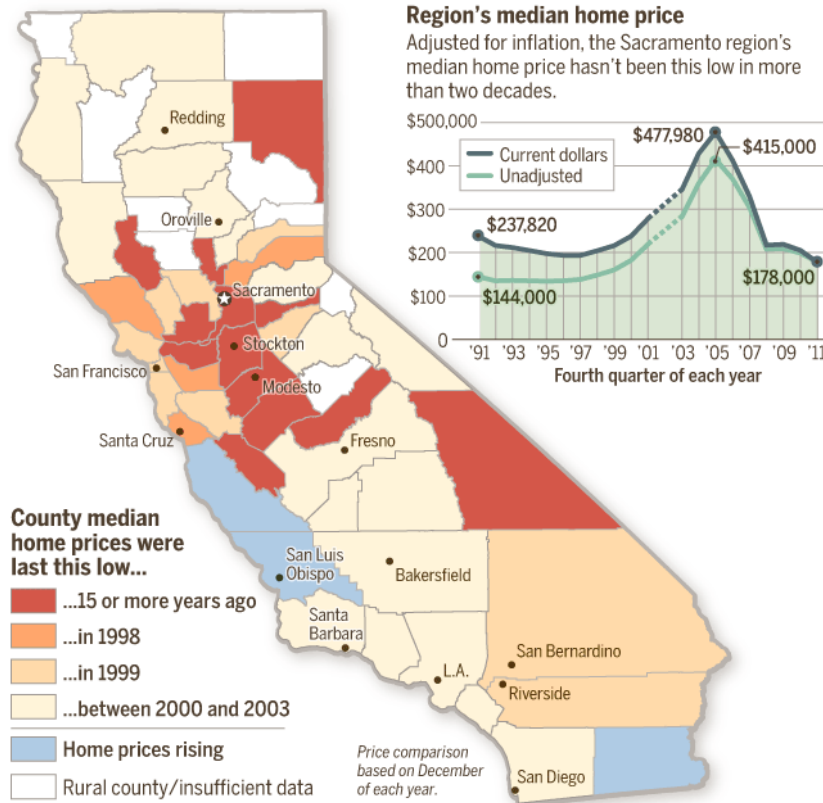
The real estate boom that began around 2000 and dramatically raised home prices until 2005 led to a flurry of activity in the real estate sector. A rise in the development of urban areas impacted existing residents who felt the effect of urban growth. "At the height of the housing boom, Sacramento was among the 15 least-affordable housing markets in America. Families earning median incomes could afford just 7 percent of homes," (Sangree & Reese, 2008). The Region's median home price chart located in Figure 1 below shows a dramatic rise in home prices from around the years 2000 until the peak in 2005 with a consistent decline through 2011. With a median home price of \$415,000 in the year 2005, this price was out of reach for most of the region's residents. The Region's Home Sales chart located in Figure 1 shows a significant spike in home sales in 2005.

Figure 1

Sacramento Region Housing Affordability Charts

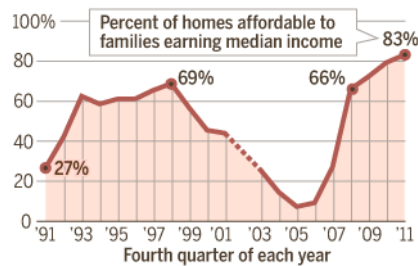
WHEN HOME PRICES WERE LAST THIS LOW

Several counties, mostly in the Central Valley, saw inflation-adjusted median home prices in 2011 drop to their lowest levels in more than 15 years. This map shows the last time median home prices were at late-2011 levels, after adjusting for inflation.



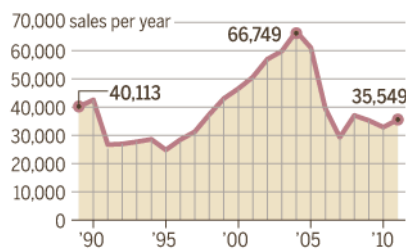
Housing opportunity index

Because of low prices and mortgage interest rates, a family earning about \$75,000 a year could afford to buy about 83 percent of the homes sold in the Sacramento market in 2011.



Region's home sales

Home sales are robust in the Sacramento region, but not as frequent as during the housing boom. More than half of sales are foreclosures or short sales.



Sources: CoreLogic via Wells Fargo/National Association of Homebuilders; DataQuick (home sales); Zillow.com (map)
Phillip Reese, Mitchell Brooks mbrooks@sacbee.com

Source: Sacramento Bee (2012)

Communities were rapidly changing at the time the pilot program was implemented in 2005 as the wave of newly permitted single and multi-family homes (Figure 2) were beginning construction. Sacramento County Planning application filing data collected from the Planning Department is summarized in Table 1. High real estate prices changed many existing neighborhoods as developers who were eager to take advantage of the profitable market increased the number of land use entitlement application submittals (Table 1) and building permits (Figure 2) to build apartments, subdivisions and infill developments. Whereas land use entitlements are local government approvals for the right to develop property; building permits are for the right to build on property when the necessary entitlements have already been obtained.

Table 1

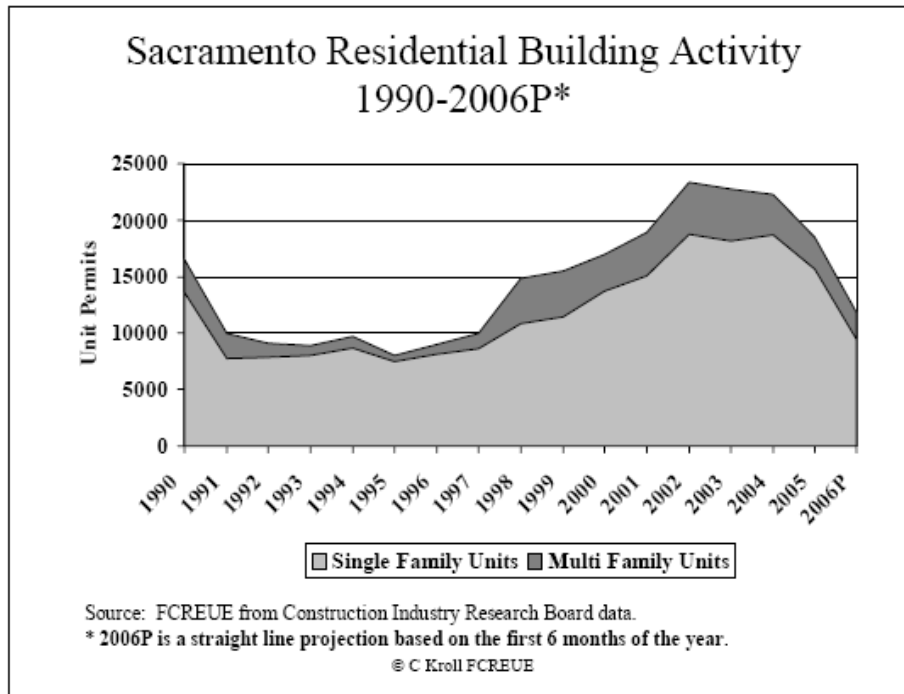
Number of Entitlement Applications Filed with the County Planning Department by Year

Year	Entitlement Applications Filed
1995	631
1996	682
1997	621
1998	559
1999	712
2000	743
2001	777
2002	731
2003	689
2004	571
2005	829
2006	808
2007	641
2008	296
2009	246
2010	285
2011	212

Data provided by the Sacramento County Planning Department

Figure 2

Sacramento Residential Building Activity for years 1990-2006



Source: Kroll (2006)

The information in Figure 2 is based on data from the Construction Industry research Board and shows a visual diagram of the number of building permits pulled for single and multi-family units in Sacramento County (Kroll, 2006). The data that has been presented shows a high number of land use entitlement applications (Table 1) and building permits (Figure 2) filed during the housing boom from 2000 to 2006. Table 1 shows the highest number of applications filed in the years 2001 and 2005. Due to the length of the application and public hearing process, projects filed in 2001 would be near or in the construction stage by 2003-2004. Which means the impact of the high number of applications filed in 2001 would have been felt around the time the Board of Supervisors initiated the pilot program.

During this time period of increased development Sacramento County was faced with providing adequate affordable housing to meet their state mandated Regional Housing Needs

Allocation (RHNA). The State of California, through the Housing and Community Development Department (HCD), issues a Regional Housing Needs Determination to the regional Council of Governments, using information provided by the California Department of Finance, (SACOG RHNA FAQ sheet, 2012). The overall housing needs for the region are broken down into four income distribution categories to ensure there is adequate affordable housing supply for the region. The state-mandated Regional Housing Needs Allocation, which is located in a General Plan Housing Element document, allocates a projected share of the regional determination to each of the cities and counties (SACOG RHNA FAQ sheet, 2012).

State housing element law (Article 10.6 of Government Code) requires a County to identify and appropriately zone land in their Housing Element to meet density requirements for the number of affordable housing units assigned to it through the RHNA process, which is then reviewed by the Department of Housing and Community Development Division of Housing Policy Development for compliance, (Housing Element Update, 2004). Experiencing high median home prices (Figure 1), Sacramento County was having difficulty meeting their allocated RHNA. In a letter dated May 28, 2004 the State of California Division of Housing Policy Development responded to the revised draft Housing Element submitted by the County of Sacramento by stating the element's land inventory did not adequately demonstrate compliance with the state law and was in need of revision (Staff Presentation, 2006). A series of county initiated rezone hearings began to identify affordable housing sites to meet state law minimums

As reported in the Sacramento State University *2003 Annual Survey of Public Opinion and Life Quality*, 84% of the Sacramento region resident's surveyed reported satisfaction with their quality of life, even though 58% considered traffic a big problem and 51% believed there was inadequate affordable housing in the region (Liu & Sheley, 2003). Respondents also reported, "urban growth (43%) and the economy (40%) to be some of the other big problems

facing the Sacramento region,” (Liu & Sheley, 2003). The *2006 Sacramento State Annual Survey of the Region* reported that Sacramento’s housing prices had increased dramatically: 112% in the preceding five years,” (Liu & Sheley, 2006). Additionally, the survey confirmed the trend that in the Sacramento region residents viewed affordable housing as a larger issue each year after the annual survey began in 2002, to the point that 77% of respondents in 2006 viewed affordable housing as a big problem, (Liu & Sheley, 2006). The region’s residents were reporting the negative impacts of urban growth, traffic and affordable housing; areas effective land use planning should resolve.

An increased concern by the residents of Sacramento County with the amount of affordable housing available (Liu & Sheley, 2006) combined with how extensive development changed the environment and landscape of many Sacramento communities, brought new attention to land use planning at the local level. The Sacramento Council of Governments reported in their Regional Report in February 2004 that thousands of area residents participated in the Blue Print process. The SACOG Blue Print is a comprehensive land use vision that establishes a “voluntary guide for jurisdictions to help make land use and transportation choices over the next 50 years as the region’s population grows from 2 million to more than 3.8 million people,” (SACOG Regional Report, 2004). The large number of participants in the Blue Print process highlights the regions interest in understanding and providing input toward the long term vision of the region. The significant rise in dissatisfaction with County services reported by Liu and Sheley (2006) and increased regional participation in the long term planning vision further increased the threat of incorporation for one or more of the communities within the unincorporated area of Sacramento County.

Impact of incorporations on Sacramento County's decision to change the land use public hearing process

At times, citizenry under democratic law can feel their views and desires are not being properly represented in the decisions made by their representatives. To be considered successful and legitimate, government depends on the consent of those being governed, (Rosenfeld, 2001). If dissatisfaction with government is strong enough, and people feel their government does not respond to their concerns adequately, a community in a democratic society has the ability to impact change. They can alter their government by changing their elected officials by way of elections, or, if they live in an unincorporated area of a county in California, change their government through the structural adjustment of filing for incorporation.

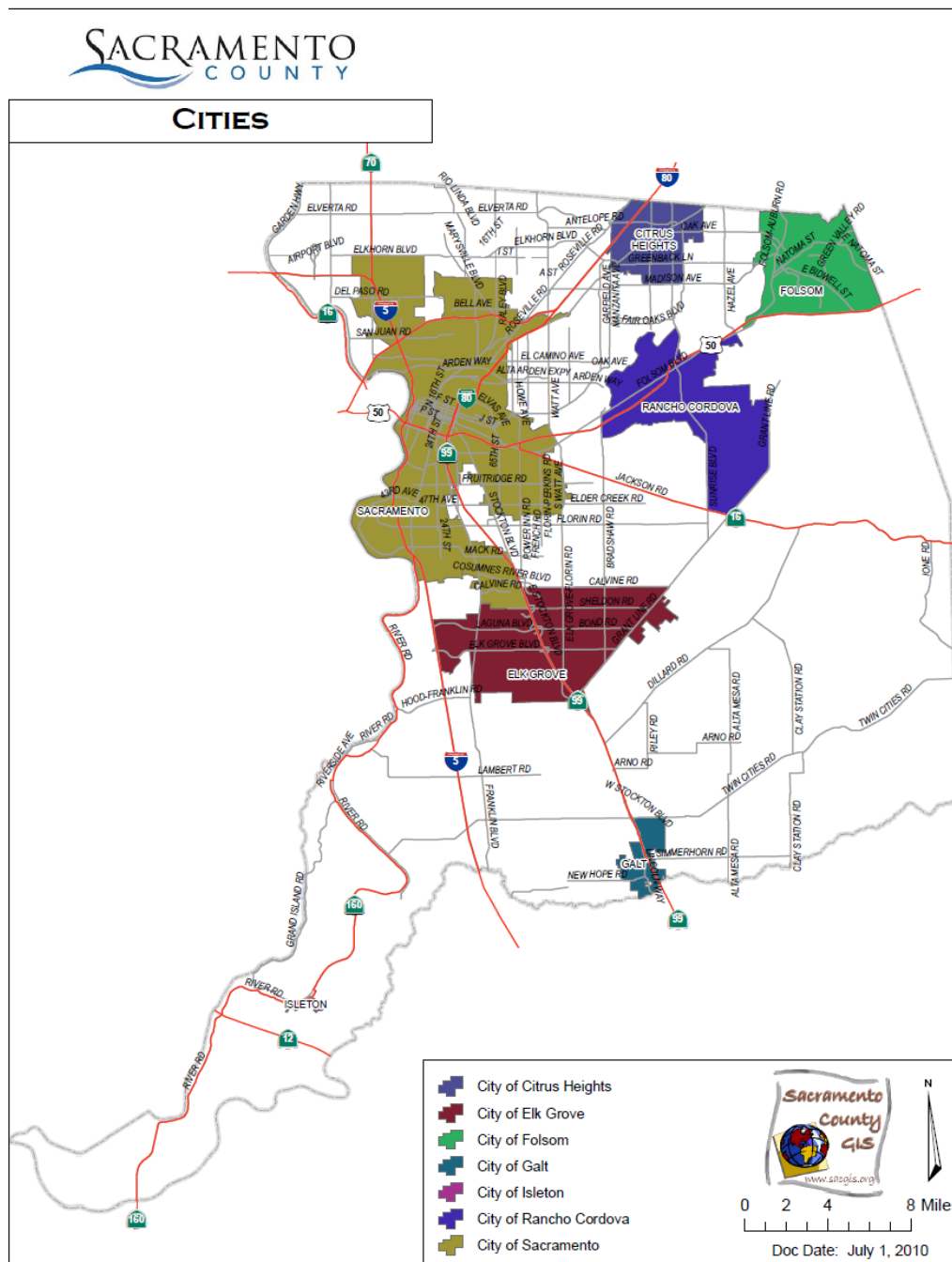
The city incorporation structure as defined by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, California Government Code 56000, allows a community in an unincorporated area of a County to apply for “change in organization” or “reorganization” through their Local Area Formation Commission (LAFCo), (Sacramento LAFCo, 2007). For a community to incorporate there is a multistep process that requires feasibility studies and approval by the regional LAFCo to prove the viability before a measure goes before voters for final approval, (Sacramento LAFCo, 2007). Incorporations initially include a transition period where revenue neutrality agreements ease the burden of losing tax dollars for the County, but after a period of time, the payments to the County end and the full impact to a County's general fund is realized. In a report prepared in 2008 for the then proposed annexation of 740 acres to the City of Rancho Cordova from the County of Sacramento, it was outlined that the proposed annexation would result in a net revenue loss of \$8,903,500 to the County in fiscal year 2009-10 before a property tax exchange agreement, (Sunrise/Folsom Annexation Fiscal Analysis, 2008). The County's total budget for Fiscal Year 2009-2010 was

\$4,411,464,493, (Fiscal Year 2009-10 Budget in Brief, 2012). This annexation was for a small portion of property but was a significant revenue generator for the County general fund. The County tried to fight the annexation due to the loss of revenue, but the deal the City proposed was legal and ultimately the property annexed.

In the decade before the CPC pilot program was implemented, Sacramento County experienced structural changes through the successful incorporations of Rancho Cordova (2003), Elk Grove (2000), and Citrus Heights (1997) as can be seen on Figure 3. When frustration with the County's service levels and decisions led to incorporation discussions in the communities of Arden Arcade and Rio Linda, the County feared another incorporation attempt was on the horizon. The large County already has seven incorporated cities which also include Folsom, Isleton, Galt and Sacramento.

Figure 3

Map of Sacramento County Identifying Incorporated Cities



Source: Sacramento County (2012)

Incorporation grants a community local control of property and sales tax, public facilities and infrastructure, and municipal service levels, (Sacramento LAFCo, 2007). As stated on the website of the community group organizing the Rio Linda Elverta incorporation, “the pressure to incorporate Rio Linda Elverta comes from the need to improve two basic municipal services; police protection and planning and land use control,” (Incorporation Efforts, n.d.). The article goes on to state that the incorporation proponents desire land use decisions to be made by residents of the community, rather than by individuals who neither work nor live in the community (Incorporation Efforts, n.d.). The agendas from the April 2004 Project Planning Commission meeting and the December 2010 County Planning Commission meeting provide insight as to why the community felt unrepresented. The County Supervisorial District 1, Rio Linda/North Highlands/Antelope, representative to the Project Planning Commission was a resident of the City of Elk Grove, which is located within Supervisorial District 5, which represents the south area of the County. This is possible as there is no district residency requirement to sit on a Planning Commission. While publicly the County stated the pilot program was initiated to increase satisfaction with the County’s service delivery, a by-product of having satisfied residents was anticipated to be less future municipal incorporations (Citigate, 2008).

Community Plans as an Indicator of Unique Community Identity

Sacramento County is large with many unique communities and as such the opportunity for competing ideas is elevated. The four communities chosen for the pilot program have strong community identities which can be seen in active local participation in community events and a distinctive geographic identity. Recognition of the unique needs of these communities has happened through the approval of community plans, which have been adopted in all four pilot areas. The Board of Supervisors adopted community plans in the four CPC pilot areas in the following years: Arden Arcade 1980 with Community Action Plan (CAP) Appendix approved

2006, Carmichael 1975, Fair Oaks 1975 and Rio Linda 1998 (Specific Plans/Community Plans/Special Projects, 2012).

A community plan is a community specific planning document that outlines special regulations that only apply to a unique geographic area. “These plans will take different forms depending on the specific needs of our communities. They typically set policy and implementation strategies for such items as land use, transportation, urban design, parks, school facilities and public services,” (Specific Plans/Community Plans/Special Projects, 2012). Any development in an area where a community plan has been approved must conform to the County’s zoning code regulations and the special regulations of the community plan.

By establishing a Community Plan, the Board of Supervisors defined these communities as unique and in need of protection to maintain their special qualities. To empower the community and stop the momentum of the incorporation discussions, the Board of Supervisors initiated the CPC pilot program. The following section outlines the land use planning public hearing process prior to the pilot program followed by a review of the structural changes that were implemented to provide a more inclusive process for local control of land use planning in four pilot areas.

Chapter 2

LAND USE PUBLIC HEARING PROCESS BEFORE AND AFTER THE PILOT PROGRAM

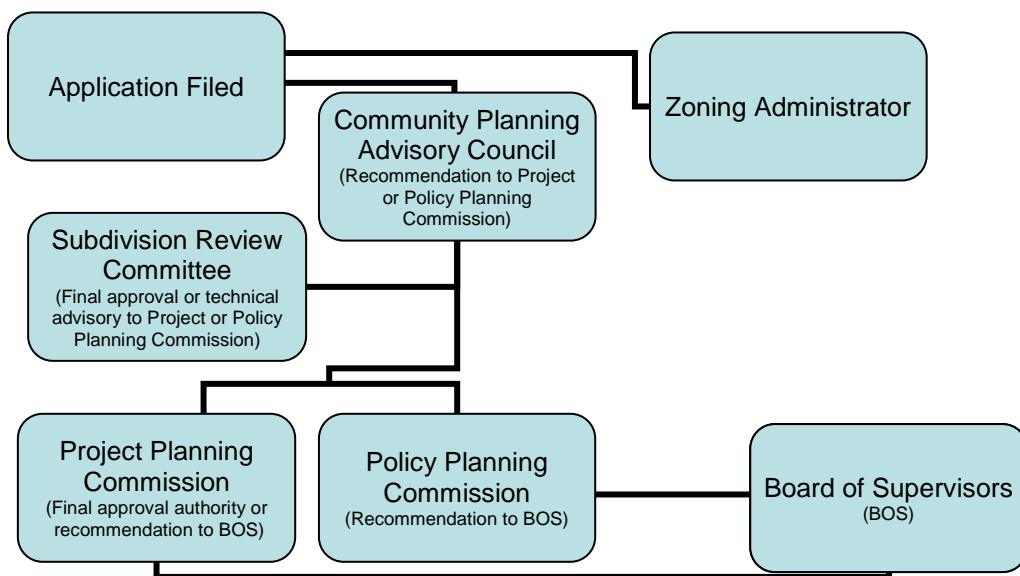
As outlined in Chapter 1, Sacramento County's multileveled land use review process, while fulfilling their legal requirement, was not proactively managing community concerns related to urban growth and affordable housing. To understand the impact of the Community Planning Commission (CPC) pilot program on the County's public hearing process it is essential to review the process before and after the program was implemented. The following section begins with an outline of the land use planning public hearing process in Sacramento County before the pilot program, followed by a review of the changes to the process that were made by the program, concluding with a review of the resident priorities for determining success of the program.

Land Use Public Hearing Process Before the Pilot Program

Prior to the CPC pilot program, the land use planning entitlement application process included a multileveled, multiple board system of review and approval as detailed in Figure 4 below. The range of hearing bodies includes the Community Planning Advisory Councils (CPAC), Zoning Administrator (ZA), Subdivision Review Committee (SRC), Project Planning Commission and Policy Planning Commission. The County's hearing bodies either provided advisory review or were the decision makers for land use entitlement applications, which are for the right to develop or make use of land in a certain way. For example, if a property owner wants to subdivide their property or build a subdivision they must request local government approval. The following section outlines the land use entitlement public hearing process, decision-maker appointment process, time and location of the public hearings and formal notification process as outlined on the County Planning Department and Clerk of the Board's websites.

Figure 4

Sacramento County Land Use Approval Authority before CPC Pilot Program



Community Planning Advisory Council Public Hearing Process

The land use entitlement project process begins with an application filed with the Planning Department at which time the application is routed to either one of 15 Community Planning Advisory Council’s (CPAC) or sent to the Zoning Administrator (ZA). CPACs hold advisory public hearings that provide an opportunity for the community to give input to developers and provide a community recommendation for the final decision making hearing body. Projects heard by a CPAC are at the post-application, pre-environmental review and pre-staff report phase of the process. CPAC members are appointed by the Board of Supervisors through an application and interview process. The public hearings are held in the evenings at decentralized locations within the community. The advisory review provides an early opportunity for the public to comment on projects before substantial work and County staff analysis has been done.

Zoning Administrator Public Hearing Process

The Zoning Administrator (ZA) holds public hearings and has the final decision making authority on minor use permits and variances. The ZA is selected by County Administrators and is County employee. ZA decisions may be appealed to the Board of Supervisors. Hearings are held at 10:00 a.m. on Wednesdays at the County Administration Building located in downtown Sacramento.

Subdivision Review Committee Public Hearing Process

After the CPAC hearing, a project has an environmental document prepared and the Planning department writes a staff report containing the staff analysis of the project including recommended actions for the decision makers. If a project request includes a parcel map or subdivision map entitlement, the project is heard next by the Subdivision Review Committee (SRC) for technical advisory review. If a project does not require technical review for a lot dividing entitlement, it proceeds to a Planning Commission without an SRC hearing. SRC has final approval authority of projects that are requesting a parcel map for four lots or less which could also include entitlement requests for minor variances and exceptions. All other projects heard by SRC are for technical review, which then move forward to a Planning Commission. SRC decisions may be appealed to a planning commission. Hearings are held at 8:30 a.m. on Fridays at the County Administration Building located in downtown Sacramento.

Project and Policy Planning Commission Public Hearing Process

Prior to the Community Planning Commission pilot program the County had two planning commissions: Project Planning Commission and the Policy Planning Commission. The Project Planning Commission had final approval authority on applications that did not request a legislative entitlement, which is a request for a general plan amendment, rezone, or community plan amendment, where final approval is always reserved for the Board of Supervisors. The

Policy Planning Commission heard the projects that included legislative entitlements for review and recommendation to the Board of Supervisors. The Project and Policy Planning Commissions each had a total of five Commissioners, one appointment per supervisorial district with no district residency requirement. Project Planning Commission hearings were held at 5:30 p.m. on Monday evenings and Policy Planning Commission meetings were held at 6:00 p.m. on Tuesday evenings.

Public Hearing Notification and The Brown Act

The law in California requires local governments to open their land use decision making process in the form of public hearings. The community is invited to attend public hearings to receive information and provide commentary and concerns. These hearings are advertised through legal announcements of a public hearing which are published in a newspaper of general circulation and neighbors within 500 feet of a project receive a legal notice through the mail, (The Brown Act, 2003). The primary newspaper the County has chosen to utilize for public hearing notifications is The Daily Recorder.

Review of the Hearing Body Appeal Data for the Three Years Prior to the Implementation of the Pilot Program

When a land use entitlement project applicant, neighbor or member of the public disagrees with a decision made by Subdivision Review Committee (SRC), Zoning Administrator (ZA), Project or Policy Planning Commission (PC) or Planning Director (PD) they have the option to pay a fee to have the matter appealed to the Board of Supervisors. A significant number of appeals may be interpreted as dissatisfaction with the actions of a particular hearing body. Appeal data obtained from the Sacramento County Clerk of the Board's office is outlined in Tables 2 and 3 below. Table 3 lists the total number of appeals filed with the Clerk of the Board's office and organizes the appeals by which hearing body's decision was appealed. Table 3 outlines the combined outcomes of the appeals filed on decisions made by the Project and Policy

Planning Commissions (PC), Subdivision Review Committee (SRC) and the Zoning Administrator (ZA) for the years prior to and including the Community Planning Commission (CPC) implementation year.

Table 2

Appeal Totals for Years 2003 to 2005 by Hearing Body

Year	Total Appeals Filed	CPC Decisions Appealed	PC Decisions Appealed	SRC/ZA Decisions Appealed	Code Violation Appeals	Planning Director Decision Appeals
2003	16	-	7	4	2	3
2004	6	-	1	3	-	2
2005	24	2	8	5	5	4

Source: Sacramento County Clerk of the Board's office (2010)

Table 3

Planning Commission, Subdivision Review Committee and Zoning Administrator Combined Appeal Outcomes by Year

Year	PC/SRC/ZA Appeals Granted	PC/SRC/ZA Decisions Upheld	PC/SRC/ZA Appeals Withdrawn
2003	7	4	-
2004	2	2	-
2005	10	1	2

Source: Sacramento County Clerk of the Board's office (2010)

The data summarized in tables 2 and 3 provide insight as to what was happening prior to the implementation of the pilot program in October of 2005 and the satisfaction with Sacramento County's hearing bodies. The total number of appeals filed in 2005, appealing decisions made by the Planning Commission, ZA and SRC, spiked at 13 appeals. Of these 13 appeals, ten were granted, reversing the PC/SRC/ZA decision, while only one appeal was denied, thereby upholding the decision of the original hearing body. The high number of appeals that were filed points to dissatisfaction with the outcome of the decisions made by these three hearing bodies and

the high number of decision overturned contributes as to why the Board of Supervisors changed the process.

Structural Changes to the Land Use Public Hearing Process Through the Implementation of the CPC Pilot Program

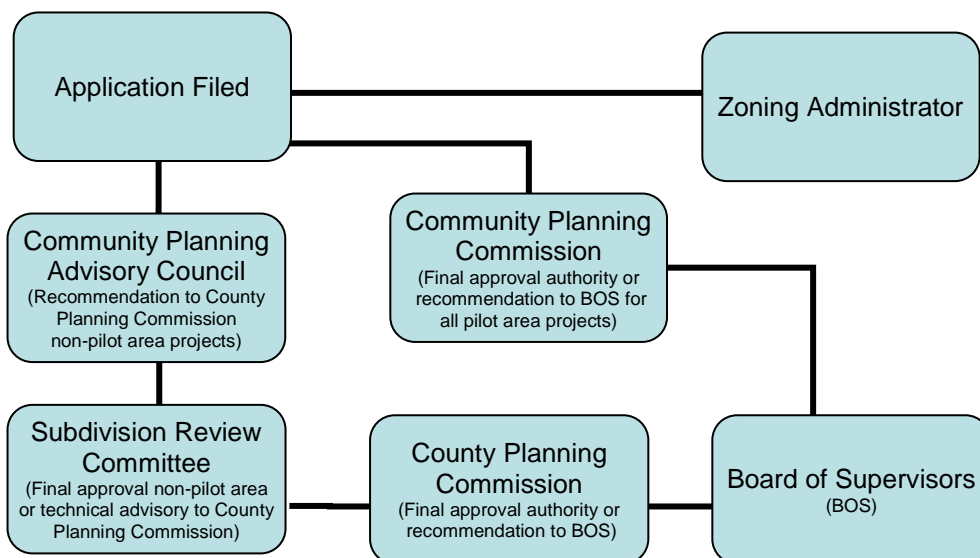
To include the public in the early stages of the Community Planning Commission (CPC) pilot program, Sacramento County staff held nine community meetings and received 130 surveys from the public listing their priorities and preferred alternatives for the formulation of the pilot program, (Recommendations for Creating Three Pilot Community Planning Councils, 2005). The community survey responses showed a majority of respondents considering more local control and representing community interests and goals as the most important elements to measure the success of the program, (Recommendations for Creating Three Pilot Community Planning Councils, 2005). To achieve these goals the Community Planning Commission (CPC) pilot program changed the land use planning review structure by decentralizing the land use public hearing process for the four CPC pilot areas of Arden Arcade, Carmichael/Old Foothill Farms, Fair Oaks and Rio Linda/Elverta. The multilevel decision making process was reduced to one hearing body in an attempt to streamline the land use public hearing process through eliminating the Community Planning Advisory Council (CPAC) review, Subdivision Review Committee (SRC) and Zoning Administrator (ZA) process and authority, (Recommendations for Creating Three Pilot Community Planning Councils, 2005).

The CPCs were given the authority to hear all projects within their geographic boundaries, providing recommendations directly to the Board of Supervisors on all projects that included a legislative entitlement request. As the pilot program was only for four designated areas, there was no change to the land use planning process for the other unincorporated areas of Sacramento County. Figure 5 shows the public hearing process for both the pilot areas and the

non-pilot areas. The flow chart shows the three different tracks an application could follow, highlighting how the CPC process significantly changed the number of hearing bodies that would review a project.

Figure 5

Sacramento County Land Use Approval Authority with CPC Program



Community Planning Commission Name Change and County Planning Commission Merger

After an evaluation of the Community Planning Commission (CPC) program was performed by contracted consultants in 2008, two additional structural changes were implemented. The Project and Policy Planning Commissions were consolidated into one County Planning Commission and the name of the Community Councils was changed to Community Planning Commissions. The names of the Commissions were changed to reduce confusion with the level of authority between the advisory Community Planning Advisory Councils (CPACs) and the final decision making authority granted to the CPC's (Report Back on Community Council Program, 2008). The decision to merge the two planning commissions into one hearing

body aimed to consolidate expenses in response to the economic changes that were outlined in Chapter 1. With the economy struggling, the number of entitlement applications dropped significantly (Table 1) and streamlining the Commissions became a more efficient use of staff resources and of the Commissioner's time (Report Back on Community Council Program, 2008). This change resulted in there being four CPC's and one County Planning Commission.

The merger allowed the County Planning Commission to hear all projects previously heard by the Project and Policy Planning Commissions, located outside the four CPC pilot areas, so they could obtain a more comprehensive view of how individual projects cumulatively impact the community, (Report Back on Community Council Program, 2008). Before the merger, a project could be heard by the Project Planning Commission at the same time a neighboring property could have an application being heard by the Policy Planning Commission, as the hearing body was based on the entitlements that were being requested. By merging the hearing bodies, one entity would hear both projects and could make more informed and efficient decisions as to the changing shape of a community. Figure 2 shows the application flow chart when the CPC program was in force.

Community Planning Commission Appointment and Application Process

Interested County residents who wished to apply for a seat on a CPC had to file an application with the Clerk of the Board's office, including a personal statement on their background and qualifications, which in turn was posted on the Department of Neighborhood Services website for public review (Recommendations for Creating Three Pilot Community Planning Councils, 2005). The original application process required letters of support by local residents to demonstrate community acceptance of an applicant's desire to sit on a CPC but was discontinued after the first few years as staff commented it was cumbersome (Report Back on Community Council Program, 2008). The interview and appointment selection process by the

Board of Supervisors remained the same but there was more information required of applicants to apply and made available to the public.

Time and Location of Community Planning Commission Public Hearings

Pilot area planning commission public hearings were no longer held in the centralized downtown County administration center, but decentralized out in the Community. Each CPC had a location that was deemed convenient for the public, such as a local library or community room, to provide greater access through a geographic location that encouraged community participation. Another notable change of the pilot program was the decision to hold public hearings later in the evening to increase access for local residents to attend the meetings. The Community Planning Commissions decided individually what time they wished to start their hearings, and in turn, all the hearings were scheduled for either 6:30 p.m. or 7:00 p.m.

Public Hearing Notification Changes

During the early years of the CPC pilot program, the Commissioners and residents requested that a change in the notification process be made to increase outreach. Even though publishing public hearing announcements in *The Daily Recorder* met the legal requirement, this publication is not read by the average County resident. The County responded to community concerns of not becoming aware of projects until after the public hearing process by implementing two procedural changes. The first adjustment was to utilize local community newspapers for public hearing announcements and the second was to post an informational sign on the property where a land use entitlement project was pending (Report Back on Community Council Program, 2008).

The request to utilize local papers for public notices was attempted but ultimately discontinued. No formal reason was noted on the record as to why this decision was made. The second notification change was to include posting of informational signs at the location where an

entitlement was being requested. This request was implemented and the cost of posting signs was passed along to project applicants, resulting in no additional cost to the County (Report Back on Community Council Program, 2008).

Importance of Advisory Review and the Addition of Public Comment and Early Review

One unanticipated problem from eliminating the CPAC's in the pilot areas was that the communities relied on the open public forum of the advisory hearing process to discuss community concerns and problems. When residents tried to bring up community issues at CPC meetings, they were urged by staff to only discuss the projects listed on the agenda. Residents reported a loss of freedom to openly and informally exchange information and discuss projects between the project applicant, neighbors and the Commissioners (Status of Community Councils, 2006). Additionally, the applicants were reported to have lost the ability to receive community input prior to appearing before the decision making body, (Status of Community Councils, 2006). To correct issues that arose from the removal of the CPACs, a public comment period was added to all CPC agendas, but only for time limited public comment and not as a forum for community dialogue (Status of Community Councils, 2006).

After it was also discovered that the advisory review process was helpful in working out community and neighbor concerns early in the application process, further changes to the Commission structure were implemented. The process was bifurcated to allow an advisory early review hearing by the Community Planning Commissions (CPC). Projects, which met certain criteria, were given the opportunity to be heard by the CPC right after an application had been filed for advisory review and public comment. This varied from the process for the rest of the unincorporated areas in the county, which continued to rely on CPAC advisory hearings before being heard by the County Planning Commission.

Technological Advancements that Impacted the Land Use Public Hearing Process

Another change in the public hearing process that coincided with the Community Planning Commission (CPC) pilot program was a technological advancement in the Clerk of the Board's office. In July of 2005, the Clerk's office unveiled a new feature on their website where all public hearing agendas and materials were published for easy access by the community. Anyone interested in information regarding a public hearing was directed to the Clerk's website where the entire public record was available for immediate download. After a public hearing, the Action Summary, which is the County's written account of the formal actions that were taken at the hearing, was published to the website.

The Clerk of the Board's website changes included immediate access to the Board of Supervisors public hearings available online through live streaming and archived videos for public access. Audio was recorded for the public hearings of the four Community Planning Commissions. The archived audio along with meeting materials was published to the Clerk of the Board's website for public access. The Project and Policy Planning Commission hearings and subsequent County Planning Commission hearings do not have audio or video recordings made available online. The CPC hearings offsite location allowed the County to include a new mobile recording system in their startup budget, technology the County did not have available before the program. This provided an opportunity for the County to purchase new technology that was compatible with the new software that published video and audio recordings to the Clerk's website.

Chapter 3

LITERATURE REVIEW

Sacramento County's Community Planning Commission (CPC) pilot program was designed to decentralize land use planning activities by holding public hearings directly in the community. By encouraging participation in the government process, decision makers would learn firsthand what their constituent's desired for their community and increase democratic legitimacy, transparency and accountability. Chapter 1 provided the background establishing the contextual basis for understanding the need for the program from the County's perspective. Chapter 2 outlined the process before and after the CPC program was implemented to provide the details of what changes were implemented. In order to evaluate if the program provided better service to the pilot area communities it is practical to understand how the existing research literature defines effective public participation in government decision making. The following sections outline how participation is beneficial to the public process, changing attitudes towards inclusion, challenges to increasing participation and what the literature says about encouraging participation.

Background of Public Participation

In today's political environment, where performance ratings and trust by citizens of their elected officials has reached historically low levels (Cooper & Kathi, 2005); there has been effort by local governments to gain legitimacy through public involvement. Rainey (1997) has described an antigovernment trend which he asserts elected officials have respond to by reforming government bureaucracies. To establish or maintain legitimacy in their political decision making, elected officials need to understand the needs and desires of their constituents. Warburton, Wilson and Rainbow (2008) outline four reasons why governments pursue public involvement in the policy process including improved governance, social capital and social justice, improved quality of services and capacity building and learning.

To understand the views of all Californians, not just the small percentage that vote and participate in political activities, it is the role of government to expand outreach efforts to reduce the gaps in participation (Baldassare & Ramakrishnan, 2004; Fung, 2006). Baldassare and Ramakrishnan (2004) reported that voices of the young, minority and low-income families are less likely to be heard in the overall political process as they are less likely to vote. Public participation in the democratic process whether through voting or being informed and involved in public hearings is important to maintain legitimacy and ultimately the consent of the constituents. Cooper and Kathi (2005) reported that citizen participation efforts at the local level can have a direct impact as citizens feel empowered and the government officials hear more than the activist perspective that do not necessarily represent the majority opinion. Participation in unbalanced forms leads to misrepresentation of community opinion. Smith (2003) agrees that when a member of the public is participating in the process on behalf of the collective voice there must be accountability that they are accurately representing the views of the group.

Faga (2006) argues that designing a system which provides opportunities for public participation is important to building trust and uncovering the community opinion. Public participation is a useful tool if a government is looking for ideas, commitment, validation, legitimacy or enthusiasm for a policy (Warburton, Wilson & Rainbow, 2008). The Organization for Economic Cooperation and Development (OECD, 2001) explained how, "Involving the public allows governments to tap wider sources of information, perspectives, and potential solutions, and improves the quality of the decisions reached. Equally important, it contributes to building public trust in government, raising the quality of democracy and strengthening civic capacity," (OECD 2001: 11). Whether the public is empowered through civic obligation to be involved or through a desire to influence the process all parties can benefit.

As Harwood (2004) points out, not all situations call for public participation and the confusion can lead to misplaced expectations and unaccomplished goals. While public participation increases the democratic nature of governance, not all situations benefit from such visibility and input. According to Callahan (2002) public participation can have negative consequences such as increased staff work load, additional resource allocation, increased levels of public scrutiny, negative media coverage and increased levels of apathy or distrust of government. There is the risk of unnecessarily wasting time, disillusioning staff, or creating an opportunity for the public to make unrealistic demands (Harwood, 2004). The following section examines trends across the country that have created a need and initiated action on the part of local governments to make changes to satisfy the public's interest and desires.

Changing Attitudes and Access towards Public Participation

New laws have increased access to information and changed the level of government transparency mandated which combined with increased interest in participation have opened up new doors for political participation. In *Designing Public Consensus* Barbara Faga (2006) outlines how a trend in public involvement in the planning and design process has been rising along with a parallel development in activism among baby boomers. The activist attitudes of the baby boomers that grew up with protests and grassroots attempts to change the government have forced changes in how local governments interact with the community (Faga 2006). This generation has lived through and been a part of successful grassroots efforts that led to large government changes. Cooper, Bryer, and Meek (2006) reported the increasingly diverse interests that were present in the 1960s and 1970s led to an adversarial or conflict-based approach to engaging government where demonstrations, protests, litigation and civil disorder created an uncertain environment. Faga (2006) describes the new generation of baby boomer activists as less trusting and wiser in how they fight City Hall. Baldassare and Ramakrishnan (2004) contend that

the typical voter is educated, older and white with minorities and low-income families not having an equal representation in the process through voting numbers.

Some authors argue a contrary perspective to Faga (2006), where the nation is in a downward cycle of moving away from an interest in public participation. Robert Putnam (2000) in *Bowling Alone* documented a decline in social capital, citing low voter turnout and public meeting attendance as signs of the public disengaging. Lehmann (1996) directly countered Putnam's research suggesting the nation has evolved in its civic participation into different forms and associations and that while there are cities that have lost civic focus towards a functional rather than spatial community, that trend does not define the nation as a whole. Jenson and Hunt (2007) agree that civic engagement varies based on local circumstances in which citizens live and work and have significant effects on who will get involved, how they will become engaged and how successful they will be in their efforts. Baldassare and Ramakrishnan (2004) agree that demographic factors such as race, immigrant generation, socioeconomic status and region impact participation levels, specifically in California. Others have considered the impacts of our post September 11th society where a national tragedy and war are likely contributors to a renewed passion for civic life (Gastil & Levine, 2005). While the literature reviewed above shows mixed opinions on the current level of participation in the nation, research studies have provided evidence to support the conclusion that participation in general has been declining over the past two decades (Baldassare & Ramakrishnan, 2004) except for maybe the baby boomer generation (Faga, 2006) who represents a vocal minority opinion.

In addition to the social trends towards participation, according to Faga (2006), an increased amount of information that is readily available to the public has led to an increased desire for the baby boomers to participate and provide input. Advancements in technology combined with the government transparency movement have changed the public's access to

political documents. The California Public Records Act of (1968), The Brown Act (1953) (revised 2003) and Proposition 59 (2004) all require local governments to provide access to public records and/or access to public meetings.

The internet has also changed the availability of public records by making them instantaneously available to the public. As reported by Greenberg (2011), advocacy groups are pushing for greater access to government data and expect it to be up to date, easily accessible and searchable (p. 50). Studies have shown how the average citizen is using technology to gain access to government information. According to the Pew Internet & American Life Project, 40 percent of internet users in 2009 went online to search campaign contributions and the text of legislative bills (Greenberg, 2011). Even with the increased access, Greenberg (2011) reported that there was no evidence of the access positively impacting the nation's trust in government.

Accountable to the public through their placement in office being decided through elections, elected officials are now the ones pushing for government transparency in an attempt to earn support from their constituents (Yang & Callahan, 2007). Public administrators on the other hand are only accountable to the elected officials who hire them. A survey study of public manager perceptions of citizen participation found that respondents considered elected officials to be the strongest proponents of citizen involvement (Yang & Callahan, 2007). The ranked order reported by public managers was as follows: Elected officials, government agencies, citizens, local media, nonprofit organizations, business sector, political parties and religious groups (Yang & Callahan, 2007). The results depict the perceptions of public managers that are indicators of organizational priorities (Yang & Callahan, 2007). With limited resources, public administrators are being directed to include the public in the process, which can be costly to a department's budget and lengthens the process. Cooper, Bryer and Meek (2006) suggest administrators may be reluctant due to a fear of handing off decision making to non-experts. Harwood (2004) considers

it the public agencies responsibility to make public participation a part of their culture and way of doing business.

Range of Public Access to the Public Hearing Process

In their guide to evaluating public participation in government, Warburton, Wilson and Rainbow (2008) outline the stages a policy goes through in its life cycle including: political vision, policy formation, policy proposals, decision making, and implementation. They believe public participation in the process can effectively be introduced into the policy cycle at multiple points through this process. Once the decision to include the public is made, the next step is to determine if the public should be involved during agenda setting, during the policy formation stage, during the public comment period or for feedback after implementation (Warburton, Wilson & Rainbow, 2008).

Whether to inform or involve the community it is important to know what the participation goal is to successfully design a process that allows for effective participation. The challenge for local government administrators and elected officials is to create a public participation process that fits their objectives of participation. One way an organization can identify their participation goal is to review Arnstein's (1969) ladder of citizen participation. The ladder is a visual representation of the range of involvement options from non-participation, informing the public through token participation to empowering the public through citizen controlled public decision making (Arnstein, 1969). The graphics depict the range of participation options when choosing a participation goal, but do not claim to determine which level is the best. Arnstein's ladder also shows how as the citizens gain power the government loses power. Onibokun & Curry (1976) consider the level and type of participation that is deemed acceptable and appropriate to vary by interest group. Some community members want to be involved purely to be informed about what is going on in their community, while others want to impact policy

decisions and be a part of the decision making process. Fung (2006) claims most public participation is at the spectator level, where participants learn about some policy or project without direct involvement.

Torres (2007) outlined two models of public participation: Information Exchange and Information Processing, detailed in Table 4. The Information Exchange mode of public participation is the traditional public hearing method of participation where citizens are able to voice their ideas and concerns but the dialogue often ends there. Cooper, Bryer, and Meek (2006) reason that when information is exchanged but there is little, if any group discussion this form of participation can lead to the dismissal of public concerns. The Information Processing mode involves a focus on participation where citizens are involved in assigning priorities to their ideas and concerns and experts respond to their questions. This mode is a deliberative form of democracy that involves finding common ground, which focuses on satisfying the needs of all parties involved. When public participants feel empowered Torrez (2007) contends they will be more likely to participate in the future. Harwood (2004) argues public participation needs to be more than quick input and tallying responses but rather a give-and-take among people with a willingness to consider different perspectives. Cooper and Kathi (2005) consider there to be a changing role of democratic local government that may be more about assisting the public in expressing their preferences, facilitating dialogue with the technical experts, and responding with the appropriate choices of services.

Table 4

Information Exchange and Information Processing Modes of Public Participation

Information Exchange	Information Processing
Speaker-focused	Participant-focused
Experts deliver information	Experts respond to participant questions
Citizens air individual ideas and concerns.	Citizens identify shared ideas and concerns and assign them relative priority
Participants share anecdotal evidence.	Participants use detailed, balanced background materials
Often engages the 'usual suspects': stakeholders and citizens already active on specific issues.	Reaches into diverse populations, including citizens not usually active, with efforts to reach underrepresented.
No group discussion of questions.	Facilitator-led small group discussion.
Reports individual testimonies	Reports collective voice of everyone in the room.

Source: Torres (2007)

Challenges to Encouraging Participation: Barriers and Criticisms

The overall framework of the political system in place today provides an opportunity for participation by the masses, but some authors consider the methods used lacking in effectiveness and legitimacy. Innes and Booher (2004) argue that public hearings rarely improve the decision making process and are criticized as ineffective and can antagonize the public who is trying to influence the process. Cooper and Kathi, (2005) reported voters feeling alienated from government when they have only been given a limited role in the process. Other flaws in the public hearing process as reported by Cooper, Bryer and Meek (2006) include participation efforts that do not include all stakeholders, have one way communication, and have predetermined outcomes.

According to Warburton, Wilson and Rainbow (2008) one of the first considerations when determining the level of participation that is appropriate is to determine whether there is room for change and if participation can impact the outcome of a policy decision. One of the criticisms of the public hearing process is that public participation comes too late in the process to

be effective. When it has been directed or decided that outreach will be encouraged, some authors argue it has often been the case that the issues have already been framed and decisions already made, even before the public is approached for input (Yang & Callahan, 2007; Cooper, Bryer & Meek, 2006). This can diminish the legitimacy of the local governments outreach efforts. Cooper, Bryer, and Meek (2006) describe the public hearing process as conflictual, occurs too late in the legislative or regulatory process, offers only one-way communication that tightly controls public input.

As outlined by Yang and Callahan (2007), Table 5 below, the first two barrier categories report the views held by citizens and program administrators that they consider discourage public involvement in the process. They report Program administrators who have limited resources do not trust the competence and motivations of the public to willingly give them control (Yang and Callahan, 2007). These attitudes negatively impact the process and the ability of the public and staff to work cooperatively.

Table 5

Barriers to Participation

Barriers	Views held by Citizens	<ul style="list-style-type: none"> • Viewed as lacking competence, expertise, skill, interest, and time • Have a general distrust in Government • Those who actively participate tend to pursue their own agenda, reducing their legitimacy
	Views held by Program Administrators	<ul style="list-style-type: none"> • Unwilling to share power • Interested in promoting own agenda • Lack time and financial resources
	Public Hearing Process Barriers	<ul style="list-style-type: none"> • Public given only a limited role • Public included too late in the process • Process does not include all stakeholders • One-way communication • Predetermined outcomes

Sources: Yang and Callahan, 2007; Cooper and Kathi, 2005; Cooper, Bryer and Meek, 2006

Framework for an Effective Public Hearing Process that Encourages Participation

To establish a framework that creates a cooperative environment Yang (2005) argues the public administrators must be willing to listen, educate and engage the citizens while sharing their power. Smith (2003) agrees that the government must be, “willing to listen, truly seeking and valuing diverse voices, making a special effort to hear and understand those who, for various reasons, may otherwise go unheard (p. 34). Effective public participation requires participants to be informed and knowledgeable but also willing and able to be involved (Smith, 2003). When issues arise, Harwood (2004) reasons the focus should be finding common ground not absolute consensus.

Changing the attitudes of the program administrators as outlined by Yang and Callahan (2007) is important to reducing barriers to participate and open up meaningful opportunities for the public to influence in the process. It is equally important to convince the public that their opinion matters and educate them on how they can influence the process to empower and encourage participation. To develop public trust, Amsler and Speers (2005) recommend the presiding public official in a public hearing explain how the decision makers will use the public comment and ideas in their decision making. It is important for a hearing body to relay to the public the importance of their participation to encourage involvement. To overcome participation barriers Yang and Callahan (2007), recommend public manager and community training to encourage understanding and cooperation, focused outreach to nonprofit and community organizations that can successfully motivate and mobilize citizens, and a change in perception of the benefits of public participation. By opening up the dialogue to be inclusionary these public administrators are gaining legitimacy for the process and utilizing the benefits of public involvement to their advantage.

Collaborative Methods of Participation and Tools for the Public Hearing Process

Academics as well as elected officials and administrators are viewing public participation not only as an alternative to representation systems or decision making by expert administrators, but rather as a complement to the existing political process (Fung 2006). Cooper, Bryer and Meek (2006) consider the core components of deliberative and consensus-based approaches to be dialogue among different types of people, joint action, and shared responsibility for outcomes (p. 82). They consider deliberative approaches to be more likely to lead to citizen-centered collaborative public management, and build citizen efficacy, citizen trust in government and citizen competence (Cooper, Bryer and Meek, 2006).

While an important tool in policy formation, Amsler and Speers (2005) do not believe collaborative governance fits the quasi-judicial public hearing process of planning commissions. The decision makers in a quasi-judicial system have a role more like a judge with fair process and fact-finding rules that limit the ability to apply collaborative governance participation methods (Amsler & Speers, 2005). Collaborative governance involves a system of public participation that utilizes often lengthy deliberation and negotiation to empower the public and work through problems (Cooper, Bryer & Meek, 2006).

There are tools from the collaborative approaches that some authors believe can be applied to increasing the value of the public hearing process. Amsler and Speers (2005) created a guide for the Institute for Local Government of what they consider to be qualities of more effective public hearings. Their guide outlines qualities of more effective public hearings that are inclusive, informed and influential (Amsler & Speers, 2005). To maximize attendance they suggest the following: prepare informative materials, provide early notice, use local and ethnic media, offer online notices, be disability conscious, choose responsive times and places, (Amsler

& Speers, 2005, p. 3). Cooper, Bryer, and Meek (2006) agree that the time and location of public hearings could potentially increase public attendance.

Table 6 below incorporates the barriers to effective participation outlined in the previous section and incorporates the suggestions from the literature on how to minimize those barriers, including the information learned from Amsler and Speers (2005) guide.

Table 6

Effective Public Hearing Process Matrix

		Suggestions from literature for reducing barriers	
	Barriers to Participation outlined in the literature review		Institute for Local Government Qualities of Inclusive Public Hearings (Amsler & Speers, 2005)
Citizens	<ul style="list-style-type: none"> Viewed as lacking competence, expertise, interest, and time (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Community training to encourage understanding and cooperation (Yang & Callahan, 2007) 	Informing Participants <ul style="list-style-type: none"> Have Documents On-site Use Visual Aids Prepare Presentations Consider Preliminary Meetings
	<ul style="list-style-type: none"> Have a general distrust in Government (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Documents should be accessible before a hearing and the record available after (Amsler & Speers, 2005) 	Developing Public Trust in the Decision-Making Process <ul style="list-style-type: none"> Explain Use of Public Input Make the Record Available Demonstrate Appreciation Explain Decisions Clearly Have a Communication Strategy
	<ul style="list-style-type: none"> Public given only a limited role 	<ul style="list-style-type: none"> Provide the appropriate level of participation to meet participation goals (Yang & Callahan, 2007) 	
	<ul style="list-style-type: none"> Those who actively participate tend to pursue their own agenda, reducing their legitimacy (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Accountability that the majority opinion is being represented by seeking out diverse voices (Smith, 2003) 	Encouraging Fuller Expression <ul style="list-style-type: none"> Use Community Intermediaries Consider a New Room Set-up Have Documents Available Early Make Translation Services Available Create a Participant Friendly Site Ensure All Voices Are Heard

Decision Makers	<ul style="list-style-type: none"> • Predetermined outcomes (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> • Participation needs to be more than quick tallying of responses (Harwood, 2004) • Need to be willing to listen to, seek out and value diverse opinions (Smith, 2004) 	<p>Improving Communications at the Hearing</p> <ul style="list-style-type: none"> • Guide Participation • Balance Time Limits With Respect • Affirm What You've Heard • Uncover the Values • Provide Multiple Opportunities for Involvement
Program admin and staff	<ul style="list-style-type: none"> • Unwilling to share power with public (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> • Training to encourage understanding and cooperation with public (Yang & Callahan, 2007) 	
	<ul style="list-style-type: none"> • Seen as interested in promoting own agenda (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> • Create a culture of inclusion (Harwood, 2004) 	
Public hearing process	<ul style="list-style-type: none"> • Public included too late in the process (Cooper & Kathi, 2005) 	<ul style="list-style-type: none"> • Include public at appropriate time in policy life cycle (Warburton, Wilson & Rainbow, 2008) 	
	<ul style="list-style-type: none"> • Does not include all stakeholders (Cooper, Bryer & Meek, 2006) 	<ul style="list-style-type: none"> • Notify all interested parties to ensure all stakeholders are included in the process (Cooper, Bryer & Meek, 2006) 	<p>Maximizing Attendance</p> <ul style="list-style-type: none"> • Prepare Informative Materials • Provide Early Notice • Use Local and Ethnic Media • Offer Online Notices • Choose Convenient Times and Places
	<ul style="list-style-type: none"> • One-way communication that tightly controls public opinion (Cooper, Bryer & Meek, 2006) 	<ul style="list-style-type: none"> • Decision makers & staff need to be willing to listen, educate and engage the public (Yang, 2005; Smith, 2004) 	

Literature as it Relates to Sacramento County

The preceding literature review has outlined the importance of public participation when a government is looking for ideas, commitment, validation, legitimacy or enthusiasm for a policy (Warburton, Wilson & Rainbow, 2008). Faga (2006) reviewed social changes and government transparency trends citing the baby boomer generation, who has the time and resources, as becoming increasingly involved as activists, while Putnam (2000) argued the national trend has been reduced interest in participation. As Yang and Callahan (2007) reported in their survey study findings, elected officials are the strongest proponents of public participation and can be the most efficient avenue for residents to express their dissatisfaction to get the changes they seek. Barriers to participate include negative perceptions by citizens of public administrators who do not want to give up control (Yang & Callahan, 2007). The public hearing process has been criticized as ineffective (Innes & Booher, 2004) with participation that is included too late in the process, offers only one-way communication, provides a limited role for the community and often appears to have predetermined outcomes (Cooper, Bryer, & Meek, 2006; Yang & Callahan, 2007). A review of collaborative governance as it relates to the public hearing process by Amsler and Speers (2005) explained how the quasi-judicial form of public hearings are too restrictive for collaborative governance in practice although some tools can be used to increase outreach. Finally, a matrix (Table 6) was created of the barriers to participate and the tools for increasing effective public hearing participation to summarize what was learned from the literature.

Evaluation of the Sacramento County Community Planning Commission (CPC) pilot program in Chapter 5 will include a review of how the CPC program aimed to reduce barriers to participate using the Effective Public Participation Matrix (Table 6) as the basis of that analysis. The following Chapter outlines the methodology for evaluation of the Community Planning Commission (CPC) pilot program utilizing the measures from the literature and the County's objectives.

Chapter 4

METHODOLOGY

My evaluation of the Sacramento County Community Planning Commission (CPC) pilot program in Chapter 5 will utilize the Effective Public Participation Matrix (Table 6) as the base of my evaluating the success of the program. The community survey responses the County obtained during the initial focus groups in 2004 showed a majority of respondents considering more local control and representing community interests and goals as the most important elements to measure the success of the program, (“Recommendations for Creating Three Pilot Community Planning Councils,” 2005). As the County did not identify any other objectives in their published documents, I will utilize these two community priority objectives in my evaluation of the CPC pilot program. META Research firm was selected by the County of Sacramento to perform the formal evaluation of the Community Planning Commission pilot program. They collected surveys and performed interviews to obtain data for their evaluation. While the data they obtained is useful in understanding community perceptions of the pilot program, the evaluation that was performed did not directly address the evaluation areas the County established, nor did it address the areas the literature review revealed as important.

For the purpose of my evaluation using the Effective Public Participation Matrix, I will use only the published conclusions from the survey data collected by META Research and appeal data collected from Sacramento County’s Clerk of the Board office. The conclusions by META were made using data collected from 250 completed interviews in each of 4 pilot areas (Rio Linda/Elverta, Fair Oaks, Arden-Arcade, and Carmichael/Old Foothill Farms; 500 completed interviews from non-pilot areas, proportionate by representation of supervisorial districts; Additional interviews (via an abbreviated questionnaire) were completed within supervisorial districts to provide frequencies for each district with a total of 2,167 interviews completed,

(Request for Proposals for Evaluation of the Community Council Pilot, 2005). Sampling errors (at the 95% confidence level) for each population type were as follows: Pilot areas (n=250): +/- 6.2%; Non-pilot area (n=500): less than 4.4%; Unincorporated county (pilot & non-pilot areas weighted proportionate by population, resulting n = 210): less than 6.8% (Request for Proposals for Evaluation of the Community Council Pilot, 2005).

In Chapter 5, I will provide a complete analysis of whether the Community Planning Commission (CPC) pilot program fulfilled the four objectives established by the community utilizing the published conclusions made by Meta Research firm and what was learned from the literature through the use of the Effective Public Hearing Matrix (Table 6). My analysis will examine the County's success in providing increased access for the public to participate in the land use public hearing process as decision makers and as the general public. The conclusions from my analysis will be presented in Chapter 6 along with my recommendations for the future of the CPC program.

Chapter 5

PROGRAM EVALUATION

To evaluate whether the Community Planning Commission (CPC) pilot program better served the applicants, the County and the community, what was learned from the literature and conclusions made by Meta Research consultants will be used in my analysis of the Effective Public Participation Matrix in Table 6 below. The barriers to participation outlined in the Effective Participation Matrix (Table 6) from the literature will be used to review the changes to the membership of the land use hearing bodies and process changes that were implemented to encourage community participation in the public hearing process. The suggestions from the literature that the CPC program addressed have been highlighted in bold to draw attention to the areas used and those that should be addressed in the future if the program is reinstated. The two objectives the community prioritized as important for evaluation of the pilot program and a review of the costs to run the program will be addressed after the matrix analysis to complete the pilot program review.

Table 6

Effective Public Hearing Process Matrix

		Suggestions from literature for reducing barriers	
	Barriers to Participation outlined in the literature review		Institute for Local Government Qualities of Inclusive Public Hearings (Amsler & Speers, 2005)
Citizens	<ul style="list-style-type: none"> Viewed as lacking competence, expertise, interest, and time (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Community training to encourage understanding and cooperation (Yang & Callahan, 2007) 	Informing Participants <ul style="list-style-type: none"> Documents On-site Use Visual Aids Prepare Presentations Consider Preliminary Meetings
	<ul style="list-style-type: none"> Have a general distrust in Government (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Documents should be accessible before a hearing and the record available after (Amsler & Speers, 2005) 	Developing Public Trust in the Decision-Making Process <ul style="list-style-type: none"> Explain Use of Public Input Make the Record Available Demonstrate Appreciation Explain Decisions Clearly Communication Strategy
	<ul style="list-style-type: none"> Public given only a limited role 	<ul style="list-style-type: none"> Provide the appropriate level of participation to meet participation goals (Yang & Callahan, 2007) 	
	<ul style="list-style-type: none"> Those who actively participate tend to pursue their own agenda, reducing their legitimacy (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Accountability that the majority opinion is being represented by seeking out diverse voices (Smith, 2003) 	Encouraging Fuller Expression <ul style="list-style-type: none"> Use Community Intermediaries Consider a New Room Set-up Have Documents Available Early Make Translation Services Available Create a Participant Friendly Site Ensure All Voices Are

			Heard
Decision Makers	<ul style="list-style-type: none"> • Predetermined outcomes (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> • Participation needs to be more than quick tallying of responses (Harwood, 2004) • Need to be willing to listen to, seek out and value diverse opinions (Smith, 2004) 	<p>Improving Communications at the Hearing</p> <ul style="list-style-type: none"> • Guide Participation • Balance Time Limits With Respect • Affirm What You've Heard • Uncover the Values • Provide Multiple Opportunities for Involvement
Program admin and staff	<ul style="list-style-type: none"> • Unwilling to share power with public (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> • Training to encourage understanding and cooperation with public (Yang & Callahan, 2007) 	
	<ul style="list-style-type: none"> • Seen as interested in promoting own agenda (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> • Create a culture of inclusion (Harwood, 2004) 	
Public hearing process	<ul style="list-style-type: none"> • Public included too late in the process (Cooper & Kathi, 2005) 	<ul style="list-style-type: none"> • Include public at appropriate time in policy life cycle (Warburton, Wilson & Rainbow, 2008) 	
	<ul style="list-style-type: none"> • Does not include all stakeholders (Cooper, Bryer & Meek, 2006) 	<ul style="list-style-type: none"> • Notify all interested parties to ensure all stakeholders are included in the process (Cooper, Bryer & Meek, 2006) 	<p>Maximizing Attendance</p> <ul style="list-style-type: none"> • Prepare Informative Materials • Provide Early Notice • Use Local and Ethnic Media • Offer Online Notices • Choose Convenient Times and Places
	<ul style="list-style-type: none"> • One-way communication that tightly controls public opinion (Cooper, Bryer & Meek, 2006) 	<ul style="list-style-type: none"> • Decision makers & staff need to be willing to listen, educate and engage the public (Yang, 2005; Smith, 2004) 	

Did the CPC Pilot Program Address Perception Barriers of the Citizen?

The literature review in Chapter 3 suggested that citizens are viewed as lacking competence, distrust government, are only given a limited role in the process and often those who do participate are not representative of the majority opinion (Yang & Callahan, 2007). To examine whether the Community Planning Commission pilot program reduced these barriers for the public to effectively participate in the public hearing process, I will review the “Citizens” barriers to participate located in the Effective Participation Matrix (Table 6).

How did the Pilot Program Address the Perception of the Public as Lacking Competence, Expertise Interest and Time?

The first barrier for citizens to effectively participate as outlined in the Effective Participation Matrix (Table 6) is a perception barrier that citizens lack competence, expertise, interest and time. Yang and Callahan (2007) suggested this barrier could be reduced through the use of community training to educate residents and encourage understanding of the process by the community and cooperation with staff. There is no evidence in the public documents available that the CPC pilot program addressed the issue of community understanding of the process through community training. Amsler and Speers (2005) suggested that to address the competence barrier it is important to inform participants by way of the meeting materials made available on-site, through staff using presentations and visual aids, and to consider preliminary meetings to include the community early. Staff utilized three of the four suggestions from Amsler and Speers (2005) including the use of visual aids and presentations for the staff report to the hearing body and the use of preliminary meetings to include the public early in the process. Copies of project related documents were not made available to the public at the meetings. To address the barrier that the public lacks time to participate, the County designed the pilot program to provide more convenient public hearings. The location of the public hearings was decentralized from downtown Sacramento to locations deemed convenient for the public and were scheduled for

later in the evening to accommodate residents who would like to attend after work. Increasing access and information for the public to participate aims to reduce community interest barrier.

How did the CPC Pilot Program Impact the Public's Distrust of Government?

The second barrier for the public to participate, as reported in the literature review, is the public's general distrust of government. There are six communication strategies proposed by Amsler and Speers (2005) to ease community concerns and alienation including explain use of public input, make record available, demonstrate appreciation, explain decisions clearly and have a communication strategy. The pilot program only addressed the literature suggestion to make the record available. Amsler and Speers (2005) argue that making documents accessible before and after a hearing increases transparency through increased access to information.

Technology changes in the Clerk of the Board's office provided increased access for the public to view hearing-related documents before and after a public hearing. Public access to project legal notices and hearing-related materials on the Clerk of the Board's website were implemented through system technology upgrades that coincided with the implementation of the pilot program.

Another technological upgrade that increased transparency was the mobile recording system that had to be purchased by the County for the off-site pilot program meetings. For the first time, the public could easily access the audio recording of a planning commission hearing through the internet, at any time and at no public cost. If a member of the public wanted to be informed but could not attend a public hearing they could go online and read the materials prior to the hearing and listen to the entirety of the meeting after it happened.

What Changes to the Public Hearing Process were implemented to Increase the Public's Role in the Process?

The third barrier for the public to participate was a criticism that the public is given a limited role in the process. The pilot program changed the participation role of the public by

making members of the community the decision makers. An important distinction between the membership of the Community Planning Commissions (CPC) and the County's existing Planning Commissions was the residency requirement for appointment to a CPC. One of the main objectives to achieve the purpose of the CPC program was to provide residents with local control of land use decisions. To achieve this goal it was determined that appointees to a CPC had to abide by the residency requirement and either live within the boundaries of the community at large or within community districts as approved by the Board of Supervisors. The community requested, and the Board of Supervisors agreed, that Commissioner eligibility should not be extended to individuals who own a business within the Commission boundaries but live elsewhere, nor would an individual who owns property within the boundaries but lives elsewhere be eligible (Department of Neighborhood Services, 2005). This qualification ensured only local representatives of the community would be making the land use decisions for the community.

To ensure local control it was determined Commissioner appointments would be either from districts (Carmichael and Fair Oaks) or appointments made at-large (Arden-Arcade and Rio Linda/Elverta) from the pilot area communities. When Meta Research surveyed the community and project applicants regarding Commissioner appointment at-large rather than by district there was mixed results with 56% of residents preferring members be representative of districts and 70% of project applicants supporting at-large community representation (Initial survey results, 2007). Residents reported a preference to having Commissioners represent a geographic distribution, but did not feel it was necessary to have appointments made by district (Initial survey results, 2007). Having the membership dispersed by districts provides equal representation and potentially increased diversity of a community on a particular CPC. The pilot areas represent only a fraction of the total land area of the County, where planning commission applicants were previously pooled from, making even at-large appointments from the pilot area residents a representational improvement over the previous process.

Filling individual district seats can be more difficult than at-large appointments as the pool of applicants is significantly smaller. Ultimately the district appointment process became difficult to coordinate and was removed from the process in 2008. “Arden-Arcade had nine at-large members, Carmichael had nine District members, and Fair Oaks had seven District members. Difficulties in recruiting and maintaining nine members per Commission (Arden-Arcade and Carmichael) and recruiting members by district within pilot areas (Carmichael and Fair Oaks) led staff to recommend, and the Board of Supervisors to approve, a modification so that each of these three areas had seven members appointed at large, (Report Back on the Community Council Program, 2008). The Rio Linda/Elverta pilot area remained the same at five members appointed at-large.

How did the CPC Pilot Program Impact the Representation of Community Opinion?

The last barrier listed for “citizens” in the Effective Public Hearing Process Matrix (Table 6) from the literature states those who participate tend to pursue their own agenda, reducing legitimacy of the process. Smith (2003) suggested that accountability of majority opinion representation needs to be established by seeking out diverse voices from the community. To create accountability that the majority public opinion is being represented, all the process barriers need to be minimized. Participation by a diverse group of the community is the only way to ensure a balanced opinion is being represented. Amsler and Speers (2005) suggest the public hearing process should encourage fuller expression by considering a new room set-up, having documents available early, making translation services available, creating a participant friendly site and ensuring all voices are heard. The pilot program process included the following qualities of inclusive public meetings: documents were available early through the Clerk of the Board’s website, all of the County’s public meetings have translation services available upon request and the new design of the pilot program’s decentralized location in the community was intended to be participant friendly.

**Did the CPC Pilot Program Address Participation Barriers from the Perspective of
the Decision Maker or Program Administrator and Staff?**

The literature addressed three barriers for the public to effectively participate that relate to the decision makers, program administrators and staff. Yang and Callahan (2007) reported the public often feels like the decision makers have already made up their minds on a matter even before a public hearing begins and the program administrators and staff are viewed as unwilling to share their power with the public and are seen as promoting their own agenda rather than encouraging participation. From the public documents it appears the pilot program focused on how to include the public from a process perspective. The following section outlines what the literature says about changing the perceptions of staff to include the public.

How Did the CPC Pilot Program Address the Perception of Decision Makers?

The only barrier that was addressed in the Effective Public Hearing Process Matrix in Table 6 from the literature review for the “Decision makers” was that the public often feels like decisions are made prior to the public hearing stage and have predetermined outcomes. This barrier represents a perception by the community that their input does not impact the decision making process. It is difficult if not impossible to know whether decision makers have made up their minds on a decision before a public hearing, as this information is not public. Amsler and Speers (2005) consider one way for a hearing body to ensure the public does not feel alienated is to explain how public comment is contributing to the decision making. Reviewing the Effective Public Hearing Process Matrix in Table 6, Harwood (2004) argues that participation needs to be more than just quick tallying of responses to change this perception barrier. The decision makers need to be willing to listen, seek out and value diverse opinions (Smith, 2004).

The one area the pilot program process did address from the qualities of Inclusive Public Hearings (Table 6) category Improving Communications at the hearing, was to provide multiple opportunities for involvement. Responding to the applicant feedback the County created an early

review process for projects to be heard by a CPC at the post-application, pre-staff analysis stage of the process. This allowed projects to be heard by the CPC and the community early in the process.

The CPC process did not implement any other changes that align with the tools that are listed in the Improving Communications section of Table 6, which also include having the decision maker affirm what is heard during public comment and uncover the values of the public opinion to seek compromise on difficult matters. These are areas the County did not address in the pilot program and should be considered for any future process changes.

Has the CPC Pilot Program Impacted the Perception that Staff is Unwilling to Share Power and Promotes their own Agenda?

In reviewing the Effective Participation Matrix in Table 6 for “Program Administrators and staff” there are two barriers to public participation that were referenced in the literature. The barriers listed include a perception that staff is often unwilling to share their power with the public and are seen as promotion their own agenda. To combat these barriers, Yang & Callahan (2007) suggest a staff training to encourage understanding and cooperation with the public. As Harwood (2004) points out, there often needs to be an internal culture shift towards including the public. From what I learned reviewing the County’s public documents regarding the pilot program it appears there was no focus on changing the culture of inclusion of County staff. Staff was required to attend the off-site public hearings and respond to public comments, but there was no formal training to encourage acceptance of public participation, as recommended by Yang and Callahan (2007).

What Changes to the Public Hearing Process Reduced Barriers to Public Participation?

Cooper, Bryer, and Meek (2006) considered the public hearing process to be flawed in the way the public is included too late in the process, does not include all stakeholders, and offers only one way communication that tightly controls public opinion. To reduce these process

barriers I will examine the access changes that were made to increase public participation by the general public. Using the Effective Participation Matrix in Table 6, I will analyze changes to the structure of the public hearing process that reduced barriers for the public to participate. A review of the Qualities of Inclusive Public Hearings column in Table 6 will measure whether the pilot program provided a more inclusive process that reduced these barriers to encourage participation.

What Changes to the Public Hearing Process were made to include the Public Early?

The first public hearing process barrier listed in Table 6 for “Public Hearing Process” is that the public is often included too late in the process to be effective. In order to maintain legitimacy and satisfy the community, the public needs to be given an opportunity to provide comment prior to the last stage in the process. As pointed out by Warburton, Wilson and Rainbow (2008) in the literature review, the public can be effectively introduced into the policy cycle at multiple points through the process. By including the public early in the policy formation stage, the County increased interest in the pilot program by participants. From the beginning, the residents of Sacramento County were involved in the process to form the CPC pilot program. County staff held focus groups in the community in 2004 to gather input on their priorities and preferred alternatives for the program, (“Recommendations for Creating Three Pilot Community Planning Councils,” 2005). The County included the public during the political vision, policy formation, and evaluation stages of the pilot program creation.

Prior to the Community Planning Commission (CPC) pilot program the community was involved in the land use public hearing process after an application was filed through the Community Planning Advisory Council (CPAC) hearing, which was outlined in Chapter 2. When originally implemented the Community Planning Commission (CPC) pilot program consolidated advisory and decision making authority previously held by the Community Planning Advisory Councils (CPACs), Zoning Administrator (ZA), Subdivision Review Committee (SRC), Project and Policy Planning Commissions to one local CPC area planning commission in four designated

pilot areas. The original intent was to streamline the land use public hearing process and have one hearing body hear all projects within a geographic location. While in theory having one hearing body would streamline the process, this was not the case for the CPC's. By removing advisory review by the CPAC and technical review from SRC, the development community reportedly felt the CPC pilot program lengthened the approval process and was contrary to the development streamlining that they considered was needed, (Report Back on the Community Council Program, 2008). The process was lengthened due to community problems not being uncovered early in the process. Applicants were no longer able to present their project to the community early in the process to work out problems before it got to the final public hearing stage. The consolidation of hearing bodies that happened through the creation of the CPC's had consequently removed a level of community participation that both the community and the applicants found useful (Report Back on the Community Council Program, 2008). The community expressed a desire to expand the role of the CPCs to be more like CPAC's in their ability to be a forum for the community to address issues, while staff reported a preference for the CPC's to maintain the limited role (Initial survey results, 2007). Staff's desire to limit the role of the CPCs falls in line with Yang and Callahan's (2007) findings outlined in Chapter 3 that showed public administrators and staff are less likely than elected officials to pursue increased public participation and add to their workload when their resources are limited. It was not until after the second evaluation of the program was presented to the Board of Supervisors May 28, 2008 that the process was changed. A public comment item was added to every CPC agenda and an early review process was added for new projects to have an advisory review by the Commission and community at the application stage (Report Back on the Community Council Program, 2008). These changes allowed for more dialogue to happen between the community and the applicants/Commissioners. By allowing applicants to give a conceptual presentation to the Commission soon after an application was filed, the community could provide input early on in the process. This process change allowed

the applicant to work out issues with the community in a cooperative way where the public could be involved early.

Does the Public Hearing Process include all Stakeholders?

The second barrier to participating in the public hearing process as discussed in the literature was that public hearings do not always include all stakeholders in the process. To combat this barrier, as outlined by Amsler and Speers (2005) in the Qualities of Inclusive Public Hearings column of Table 6, the public hearing notification process should utilize local media, provide early notice, offer online notices, and choose responsive times and places to reach out and inform the community.

The County made two project notification process adjustments to increase visibility of upcoming land use projects and their public hearings. The first change was to utilize local papers for public notices, which was attempted but ultimately discontinued with no formal reason for the suspension given. The second notification change was to provide early notice through the posting of project sites with information on a pending land use development projects. This process change increased transparency by allowing the community to become aware of land use planning projects simply by physically passing by a location, providing the earliest notice possible.

As suggested by Amsler and Speers (2005), choosing convenient times and places for public hearings is a useful tool to maximize attendance. The County decentralized the CPC meeting locations and times to be more accessible to the public. The CPC hearings were held at locations within the community and were scheduled later in the evening than the Project and Policy Planning Commissions to be more convenient for the public to attend after work. The downside to the later start time and off-site location involved County staff having to travel and work later in the evening, which was not the case prior to the pilot program. While increasing access to the community, these changes added an additional burden on staff.

One-way Communication that Tightly Controls Public Opinion

The third barrier that was outlined in the literature review was that public hearings often only provide opportunities for one-way communication. The design of the formal public hearing process, as outlined by Torres (2007), falls under the Information Exchange mode of public participation. With this mode, citizens are able to voice their ideas and concerns but the dialogue often ends there. Adding the public comment period to CPC agendas, as outlined in Chapter 2, created an opportunity for the public to discuss issues of concern other than agendized projects. By creating an outlet for the public to express community issues, a dialogue between the County staff and the public was provided, and on the record. This created a level of accountability for staff to respond to the public as there was recorded documentation of public concerns.

Have Decisions Made by the CPC's Given the Community More Control over Issues that Affect their Quality of Life and Represented the Community's Interests and Goals?

To determine whether the CPC pilot program increased local control of land use decisions it is important to know if the public hearing process changes led to a more inclusive public hearing process that provided greater access for public participation. While there is no data to confirm whether the public participated more during the program, the review of the Effective Public Participation Matrix (Table 6) provided insight into the steps the County took to provide an inclusive process. As the literature pointed out, to ensure the community opinion is represented and not just the vocal minority, it is essential to provide a public hearing process that includes all stakeholders (Cooper & Kathi, 2005; Smith, 2003).

From the first round of CPC evaluation survey results, Meta Research consultants reported that while local decision making was highly supported by residents and Commissioners, only 47% of survey respondents expressed satisfaction with the decisions rendered ("Initial survey results," 2007). In the Report Back on the Community Council Program (May 28, 2008) META research consultants summarized their survey data as outlined in Table 7 below. The

consultants concluded that while the residents who reside in a CPC pilot area were more likely to be aware of land use projects in their area and were more likely to attend public hearings, they were no more satisfied with the land use decisions than residents of non-pilot areas (Table 7). As these findings were repeated by the community in two consecutive years, they show a pattern but not significant enough to conclude that the Commissions were more successful than the process before the pilot program.

Table 7

META Research Firm Summary of Survey Results

Residents of Pilot Areas:	<ul style="list-style-type: none"> • Tend to be more involved in local government and meeting attendance • Are more aware of reviewing agencies and departments • Rate their overall quality of life more positively • Rate the county’s delivery of services more positively than non-pilot areas • Have heard about development projects during the process • More apt to correctly identify their respective Supervisor • Have great support for local decision making • Conversely, pilot area residents are no more satisfied with land use decisions than residents in non-pilot areas
Applicants who worked with a Community Planning Commission reported:	<ul style="list-style-type: none"> • That Commissioners often listen to neighborhood concerns that are perceived to be irrational • That Commissioners expend too much time trying to make projects conform to existing neighborhoods • That early preliminary meetings should be allowed/encouraged (A process that was implemented after these results were presented to the Board of Supervisors)

Source: Report Back on the Community Council Program, 2008, pg. 8

Other than survey feedback from the community, the second determining factor to review whether residents were satisfied with the CPC program is to look at the appeal data. Data I collected from the Sacramento County Clerk of the Board’s office is displayed in Tables 8 and 9 below. The pilot program was implemented in October 2005 and was disbanded in December 2009; the years that the pilot program was in place are bolded in Table 8 to highlight this information. Table 8 shows a spike in appeals during the first full year of the pilot program, 2006,

before tapering off to just one appeal filed in their final year. To further analyze how well the decisions made by the CPCs were received, Table 9 outlines the results of the Board of Supervisors appeal hearings for projects where a CPC decision was challenged.

Table 8

Appeal Totals by Hearing Body and Year

Year	Total Appeals Filed	CPC Decisions Appealed	PC Decisions Appealed	SRC/ZA Decisions Appealed	Code Violation Appeals	Planning Director Decision Appeals
2003	16	-	7	4	2	3
2004	6	-	1	3	-	2
2005	24	2	8	5	5	4
2006	25	11	2	-	4	8
2007	18	5	3	-	4	6
2008	13	2	1	-	3	7
2009	9	1	1	-	4	3
2010	19	-	1	-	16	2

Information provided by the Sacramento County Clerk of the Board's office (2010)

Table 9

Community Planning Commission Appeal Outcomes by Year

Year	CPC Appeals Granted	CPC Decisions Upheld	CPC Appeals Withdrawn	Total Appeals Filed
2005	-	1	1	2
2006	5	3	3	11
2007	4	1	-	5
2008	1	1	-	2
2009	1	-	-	1

Information provided by the Sacramento County Clerk of the Board's office (2010)

Of the 9 appeals that were filed in 2006, five were granted thereby reversing a CPC's decision, and in only three cases were the decisions of the CPC upheld. County staff suggested in a staff report to the Board of Supervisors that the high number of appeals was likely due to the Commissioners inexperience (Report Back on Community Council Program, 2008). With a

higher number of appeals of CPC decisions than Planning Commission decisions, and the Board overturning a majority of the appealed decisions, I cannot conclude from the appeal data that the CPC's delivered better results. It is beneficial to note that it is unknown whether the drop in appeal rates was due to better decision making or whether the projects were simply less controversial.

To evaluate whether the residents of pilot areas were given more control over issues that affect their quality of life I will review the conclusions made by Meta Research. Using the Meta Research data that is available it is difficult to say with certainty whether the program increased community interest in the public hearing process or whether residents in pilot areas were already more interested in the process. The first round of telephone survey results from Meta Research firm that were presented to the Board of Supervisors on August 7, 2007, almost two years after the pilot program was implemented, reported that "residents living in the pilot areas were more likely than residents of non-pilot areas to attend/watch meetings affecting planning decisions in their community and 70% considered the process as being responsive to resident/neighborhood concerns," (Initial survey results, 2007). The data that was presented implied the community was impacted positively by the CPC program but this is a misleading conclusion not supported by the data. As the first round of survey results from the consultants were presented to the Board of Supervisors almost two years after the pilot program, there is no data from before the program was implemented to compare resident's interest level to know whether the pilot program increased participation.

The Meta Research firm also conveyed that residents in pilot areas reported their quality of life overall to be higher than residents of non-pilot areas, (Report Back on the Community Council Program, 2008) but that finding is subjective and does not account for the geographic differences of community that have been present in the pilot areas since before the pilot program. No evidence was presented to show there was increase in quality of life directly related to the

CPC program. As described in Chapter 1, the pilot areas were chosen for their unique community attributes that the Board wanted to protect to prevent incorporation momentum. A comparison between pilot and non-pilot areas does not sufficiently provide enough evidence to support their conclusions.

Have the Benefits of Local Control Outweighed the Additional Cost for the County to Run the CPC Pilot Program?

Staff reported the additional costs for the County to implement the CPC's was due to additional staff necessary to attend the additional meetings, including additional cost for travel to the offsite locations and overtime, Commissioner stipends, supporting contracted services (audio/visual staff support, security, lease costs), and Commissioner training costs with an estimated total of \$270,000 per Commission (Initial survey results, 2007). The additional costs for staff time included, a clerk, a representative from County Counsel, a representative from the Department of Environmental Review and Assessment, a planner or two, a media expert to set up and break down the off-site recording system and depending on the location potentially security or a member of the parks and recreation department to open and close the meeting facility (Staff Report, 2006). The cost to the County to run the Commissions after implementation was \$647,668 of General Fund money per year for Fiscal Years 2006-07 and 2007-2008, (Report Back on Council Program, 2008).

When considering a proposal to expand the Community Planning Commission's to six area Planning Commissions the additional cost was estimated at \$467,472 in increased costs, (Report Back on Council Program, 2008). These costs would have to be offset by Planning Department application fees, which in the struggling economic climate where the number of applications filed (Table 1) had been reduced significantly, the increased costs of the program became a burden on the County general fund. Planning development fees could not competitively

be raised in the down economy to absorb the added expenses. Instead of expanding the program the Board of Supervisors decided to suspend the program.

Chapter 6

CONCLUSION

The purpose of this thesis was to evaluate Sacramento County's Community Planning Commission pilot program to provide a new layer of analysis using current literature as an evaluation measure. Chapter 1 provided the background context of what was happening in Sacramento at the time the pilot program was formed. Chapter 2 outlined the public hearing process in Sacramento County before and after the pilot program. In Chapter 3 I reviewed what the current literature had to say about public participation and creating an inclusive public hearing process. Chapter 4 outlined the methodology for my analysis. A review of the Effective Public Hearing Process Matrix (Table 6) in Chapter 5 analyzed whether the pilot program provided a more inclusive process that encouraged participation based on what was learned from the literature.

The following concluding chapter reviews the analysis performed in Chapter 5 and assesses whether the program achieved the County's stated purpose "to provide local communities enhanced direct control over many land-use issues that affect the community's quality of life," (Report on the status of Community Councils, 2006). What did the County learn from the pilot program? What were the challenges with the research available and variations in economic circumstances? Finally, what was learned from my analysis of the literature that may assist in future success of the program if the Community Planning Commissions are reinstated?

With the implementation of the pilot program and through changes that were made to correct issues that arose from the program, the changes the County made to the public hearing process increased access for the public to participate. The decision to decentralize the location of the CPC public hearings provided convenient access for residents to maximize participation. The new design of the process with a district residency requirement for appointment fulfilled one of the main objectives of the program, to provide more local control of land use decision-making.

It was decided by the County and the community that for the first time all the decision makers would be residents of the community they were impacting. By changing the role of community from spectator to decision-maker the level of access to the process was significantly changed.

Through my review of the Effective Public Hearing Process Matrix (Table 6) in the previous chapter I discovered there were areas from the literature that were addressed by the pilot program and there are suggestions from the literature that should be considered in the future. The public hearing process changes that reduced barriers to participate as outlined in the Effective Public Hearing Process Matrix (Table 6) include:

- Public comment item on every CPC agenda
- Early review process for the community to comment on new projects early at the post-application pre-staff analysis stage
- Decentralized location of the public meetings
- Later starting times to increase convenience for the public
- Posting of informational signs at project sites to increase public visibility of upcoming development projects
- Technological advancements that increased the public's access to legal notices, meeting documents, and the audio recording of CPC public hearings

What did the County Learn from the Pilot Program?

Through the implementation of the CPC pilot program the County learned the importance of the advisory review stage of the public hearing process where the community is included early. When the program was initially formed the community and project applicants reportedly felt the impacts of losing the CPAC advisory review step in the process. The County had to correct this unintended consequence by adding a public comment period to the agenda and adding an early review process for the community to hear about projects at the post application, pre-staff analysis

stage. In attempt to streamline the public hearing process by removing a step, CPAC advisory review, the process had been lengthened according to project applicants.

What Were the Challenges With the Research Available?

I faced three challenges with the resource material available on the County Planning Commission (CPC) pilot program. My review of the public documents provided to the Board of Supervisors for the implementation and evaluation of the CPC pilot program uncovered a lack of clarity of the goals and objectives from the County perspective. Every public program should have some level of evaluation to determine if it is successful in achieving its objectives and goals. The subjective questions that County staff posed to the community during the pilot programs formation stage were limited in their evaluation potential. Utilizing subjective measures requires detailed survey data to uncover results. The survey data collected by the County hired consultants did not include base data from a year prior to the pilot program to base performance conclusions. Without the survey data I had to look to the literature for answers to evaluate the program. While the tools I uncovered from the literature provided a good base analysis in the form of my Effective Public Hearing Matrix in Table 6, I do not have measureable results to prove a conclusion.

What was learned From the Literature That May Assist in Future Success of the Program if the Community Planning Commissions are Reinstated?

My findings from reviewing the literature showed the design of the pilot program increased access to the public hearing process by decentralizing the location and requiring decision makers to be local residents. Unfortunately, the only lasting impact of the program is the public notification process change of posting signs on project sites to provide visibility to upcoming development projects. The technological upgrades at the Clerk of the Board's office which coincided with the pilot program increased access to the public hearing process, but were not a part of the pilot program. When the CPC's were disbanded all the other public access

benefits of the pilot program were put on hold. Currently there is only one planning commission that hears all projects in the unincorporated area of the County, the County Planning Commission, which holds public hearings in the County Administration Building centralized in downtown Sacramento.

Reinstating the Community Planning Commissions will likely be discussed during the 2012-13 fiscal year budget deliberations of the Board of Supervisors. With the current state of the economy and real estate industry still recovering, waiting another year to revisit the topic of reinstatement is suggested. The pilot program was formed to address issues of rapid development and community concerns over becoming a part of the land use public hearing process. While there are benefits of increased public participation that provide a benefit to the community, the cost to run the program is substantial. Reinstating and possibly expanding the CPC program should only be considered when the real estate development market in Sacramento regains momentum. The high cost of running the program should be recovered through planning entitlement application fees, which are supported by development growth that will happen when the economy recovers.

Through my review of the Effective Public Hearing Process Matrix (Table 6) I was able to compare how the County's pilot program increased the qualities of inclusive public hearings as outlined by Amsler and Speers (2005). If the Board of Supervisors makes the decision to reinstate the program, the recommendations from the literature outlined, in Table 10 below, which were not previously included in the pilot program, should be considered. The recommendations include two participation goals. The first is to create a culture of inclusion with staff to encourage their buy-in to a public participation focus and the second is for decision makers and staff to be willing to listen, educate and engage the public. Public hearing process recommendations include having meeting materials available on-site for the public, adding community and staff training on the public hearing process to increase the knowledge of the

community and encourage participation with staff, creating a communication strategy for the decision makers to explain the use of public input and re-visiting the use of local media for public hearing announcements.

Table 10

Literature Recommendations to Reduce Barriers

	Barriers to Participation outlined in the literature review	Suggestions from literature for reducing barriers
Citizens	<ul style="list-style-type: none"> Viewed as lacking competence, expertise, interest, and time (Yang & Callahan, 2007) 	Informing Participants (Amsler & Speers, 2005) <ul style="list-style-type: none"> Have Documents On-site Community training to encourage understanding and cooperation (Yang & Callahan, 2007)
	<ul style="list-style-type: none"> Have a general distrust in Government (Yang & Callahan, 2007) 	Developing Public Trust in the Decision-Making Process (Amsler & Speers, 2005) <ul style="list-style-type: none"> Have a Communication Strategy Explain Use of Public Input Demonstrate Appreciation Explain Decisions Clearly
Decision-Makers	<ul style="list-style-type: none"> Predetermined outcomes (Yang & Callahan, 2007) 	Improving Communications at the Hearing (Amsler & Speers, 2005) <ul style="list-style-type: none"> Guide Participation Balance Time Limits With Respect Affirm What You've Heard Uncover the Values Participation needs to be more than quick tallying of responses (Harwood, 2004)
Program administrators and staff	<ul style="list-style-type: none"> Unwilling to share power with public (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Training to encourage understanding and cooperation with public (Yang & Callahan, 2007)
	<ul style="list-style-type: none"> Seen as interested in promoting own agenda (Yang & Callahan, 2007) 	<ul style="list-style-type: none"> Create a culture of inclusion (Harwood, 2004)
Public hearing process	<ul style="list-style-type: none"> One-way communication that tightly controls public opinion (Yang & Callahan, 2007; Cooper, Bryer & Meek, 2006) 	<ul style="list-style-type: none"> Decision makers & staff need to be willing to listen, educate and engage the public (Yang, 2005; Smith, 2004)
	<ul style="list-style-type: none"> Does not include all stakeholders (Cooper, Bryer & Meek, 2006) 	Maximizing Attendance <ul style="list-style-type: none"> Use Local and Ethnic Media

REFERENCES

- Amsler, T., & Speers, J. (2005). Getting More Out of Public Hearings. Institute for Local Government.
- Arnstein, S. R. (1969). A Ladder of Citizen Participation. *Journal of the American Institute of Planners*, 35, 216-224.
- Citygate Associates, LLS, (2008). Performance Audit of Planning and DERA for the County of Sacramento. Folsom, CA.
- Cooper, T. L., Kathi, P. C., (2005). Neighborhood Councils and City Agencies: A Model of Collaborative Coproduction. *National Civic Review*, 94(1).
- Cooper, T. L., Bryer, T.A., & Meek, J. W. (2006). Citizen-Centered Collaborative Public Management. *Public Administration Review*, 66, 76-88.
- County of Sacramento. Cities map. Sacramento, CA: Author. Retrieved April 12, 2012, from http://www.saccounty.net/FactsMaps/SAC_SC_DF_CitiesinCounty
- County of Sacramento. Department of Neighborhood Services. (2007). Initial Survey Results on the Implementation of Community Councils. Sacramento, CA: Author. Retrieved April 12, 2012, from <http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Wednesday> Board of Supervisors Meetings.

County of Sacramento. Department of Neighborhood Services. (2005). Introduction of Ordinances to Create Pilot Community Planning Councils in Arden Arcade, Carmichael, Fair Oaks, and Rio Linda-Elverta. Sacramento, CA: Author. Retrieved April 12, 2012, from <http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Wednesday> Board of Supervisors Meetings.

County of Sacramento. Department of Neighborhood Services. (2005). Recommendations for Creating Three Pilot Community Planning Councils. Sacramento, CA: Author. Retrieved April 12, 2012, from <http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Wednesday> Board of Supervisors Meetings.

County of Sacramento. Department of Neighborhood Services. (2008). Report Back on Community Council Program. Sacramento, CA: Author. Retrieved April 12, 2012, from <http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Wednesday> Board of Supervisors Meetings.

County of Sacramento. Department of Neighborhood Services. (2006). Staff Presentation of Additional Parcels for County-Initiated Rezone Program. Sacramento, CA: Author. Retrieved April 12, 2012, from <http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Wednesday> Board of Supervisors Meetings.

County of Sacramento. Department of Neighborhood Services. (2006, January). Status of Community Councils and Request to Expand their Role to Serve in an Advisory Capacity for Various Issues within their Respective Communities. Sacramento, CA: Author.

Retrieved April 12, 2012, from

<http://www.agendanet.saccounty.net/sirepub/mtgviewer.aspx?meetid=3563&doctype=A>
[GENDA](#)

County of Sacramento. Fiscal Year 2009-10 Budget in Brief. Sacramento, CA: Author. Retrieved April 12, 2012, from <http://www.budget.saccounty.net/annualbudgets/2009-10BudgetInfo/default.htm>.

County of Sacramento, Office of the County Counsel. (2009, October). Resolution Approving Property Tax Exchange Agreement Relating to the Rancho Cordova Sphere of Influence Annexation, Agreement Regarding Revenue Sharing Upon Annexation of Sunrise-Folsom Area to City of Rancho Cordova, and Agreement Regarding Regional Housing Needs Allocation Upon Annexation of Sunrise-Folsom Area to City of Rancho Cordova. Sacramento, CA: Author.

County of Sacramento, Planning and Community Development Department. (2004, June).

Housing Element, Update 2004. Sacramento, CA: Author. Retrieved April 12, 2012,

from <http://www.agendanet.saccounty.net/sirepub/meetresults.aspx?meettype=Tuesday>
Board of Supervisors Meetings

County of Sacramento. Specific Plans/Community Plans/Special Projects. Sacramento, CA:

Author. Retrieved April 12, 2012, from

<http://www.msa2.saccounty.net/planning/Pages/CommunityPlans.aspx>

Faga, B. (2006). *Designing Public Consensus*. Hoboken, NJ: John Wiley & Sons, Inc.

- Fung, A. (2006). Varieties of Participation in Complex Governance. *Public Administration Review*, 66, 66-75.
- Harwood, R. C. (2004). Finding the Right Path: Public Agencies and Civic Engagement. *National Civic Review*, 93, 74-76.
- Incorporation Efforts. (n.d.). Retrieved from: <http://myriolinda.com/id67.html>
<http://www.msa2.saccounty.net/planning/Pages/SpecificPlansCommunityPlansSpecialProjects.aspx>.
- Innes, J. & Booher, D., (2004). Reframing Public Participation: Strategies for the 21 Century. *Planning Theory & Practice*, 5(4), 419-436.
- Kathi, P. C., & Cooper, T. L. (2005). Democratizing the Administrative State – Connecting Neighborhood Councils and City Agencies. *Public Administration Review*, 65(5), 559-567.
- Kroll, C. (2006). A Quick Overview of the Sacramento Economy and Real Estate Trends. Fisher Center for Real Estate and Urban Economics, Haas School of Business, University of California, Berkeley.
- Liu, A. Q. & Sheley, J. (2006). 2006 Sacramento State Annual Survey of the Region. Retrieved November 15, 2010 from www.csus.edu/ssis.
- Liu, A. Q. & Sheley, J. (2003). 2003 Annual Survey of Public Opinion and Life Quality. Retrieved November 15, 2010 from www.csus.edu/ssis.
- Onibokun, A. G. & Curry, M. (1976). An Ideology of Citizen Participation: The Metropolitan Seattle Transit Case Study. *Public Administration Review*, 36(3), 269-277.
- Putnam, R. (2000). *Bowling Alone: The Collapse and Revival of American Community*, New York: Simon & Schuster.

- Ramakrishnan, S. K., & Baldassare, M. (2004). *The Ties That Bind: Changing Demographics and Civic Engagement in California*. Public Policy Institute of California.
- Rosenfeld, R., Messner, S.F. & Baumer, E. P. (2001). Social capital and homicide. *Social Forces*, 80(1), 283-309.
- Sacramento Area Council of Governments (SACOG). (2012). Regional Housing Needs Allocation FAQ sheet, 2012. Retrieved April 12, 2012, from http://www.sacog.org/rhnp/attachments/RHNA%20FAQ_042012_draft%20allocations.pdf
- Sacramento Area Council of Governments (SACOG). (2004). Regional Report. Retrieved April 12, 2012, from <http://www.sacog.org/regrpt/feb04rr.pdf>
- Sacramento Local Area Formation Commission (Lafco). (2007). Policy, Standards and Procedures Manual. Retrieved April 12, 2012, from <http://www.saclafco.org/default.htm>
- Sangree, H., & Reese, P. (2012, April). Sacramento-area home prices remain in a rut. *The Sacramento Bee*. Retrieved April 12, 2012, from <http://www.sacbee.com/2012/04/08/4398318/sacramento-area-home-prices-remain.html#storylink=cpy>.
- Smith, B. L., (2003). *Public Policy and Public Participation Engaging Citizens and Community in the Development of Public Policy*. Population and Public Health Branch. Canada.
- The Brown Act. (2003). (Government Code section 54950) California Attorney General's Office.
- Torres, L. H. (2007). Citizen Sourcing in the Public Interest. *Knowledge Management for Development Journal*, 3(1), 134-145.
- Warburton, D., Wilson, R., & Rainbow, E. (2006) *Making a difference: A guide to evaluation public participation in central government*. Involve.

- Yang, K. (2005). Public Administrators' Trust in Citizens: A Missing Link in Citizen Involvement Efforts. *Public Administration Review*, 65(3), 273-285.
- Yang, K. & Callahan, K. (2007). Citizen Involvement Efforts and Bureaucratic Responsiveness: Participatory Values, Stakeholder Pressures, and Administrative Practicality. *Public Administration Review*, 67(2), 249-264.

