

CHAPTER 8
CITIZEN INVOLVEMENT PROGRAM

SECTION 8.010: PURPOSE.

The provisions of this Ordinance are intended to provide a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. This Ordinance is intended to define clearly the procedures by which the public will be involved in the ongoing land use process and to provide for a continuity of citizen participation and transmittal of information.

The process intended by this Ordinance shall involve a cross section of affected citizens, insure effective communication between citizens and elected officials, and assure that citizens will receive a response from policymakers.

This Ordinance is also intended to assure compliance with all state requirements for open meetings and open records, as well as defining the process for standing for advisory committees in Douglas County land use actions.

This Ordinance is also intended to provide two bodies for assisting in citizen involvement in Douglas County. The Committee for Citizen Involvement (CCI) shall be an advisory body to the Board of County Commissioners of Douglas County to assure that the intent and purposes of this Ordinance are met. In addition, Planning Advisory Committees (PACs) shall insure that plan amendments are developed in accordance with an overall County plan and also to advise the Board of County Commissioners of Douglas County on individual land use matters.

SECTION 8.020: COMMITTEE FOR CITIZEN INVOLVEMENT.

1. Creation

There is hereby created a Committee for Citizen Involvement to act as a liason between the Board of County Commissioners of Douglas County and the various Planning Advisory Committees and citizens of Douglas County. The Committee shall be composed of nine members and shall represent a cross section of affected citizens, as well as all geographic areas and interests related to land use and land use decisions, and chosen by the Board after a publicized and open selection process.

Members of the Committee for Citizen Involvement will receive no compensation, but shall be entitled to mileage at the rate given the employees of the County Planning Commission.

2. Composition, Tenure and Removal

Members shall serve for terms of four years; provided, however, that the initial membership of the Committee shall be on staggered terms so that each year no less than two, nor more than three, members may be appointed.

Members of the Committee may be removed by the Board for cause, which include, but is not limited to, neglect or inattention to duty, failure to attend meetings and failure to implement the policy and purpose of this Ordinance.

3. Responsibilities

The Committee for Citizen Involvement shall be responsible to the Board for implementing and revising the Douglas County Citizen Involvement Program, to promote and enhance citizen involvement in land use planning, further assisting in implementation of that Citizen Involvement Program and evaluation of the process used for citizen involvement.

The Committee for Citizen Involvement shall be the designated agency for receipt and evaluation of communications from citizens regarding the citizen involvement process in Douglas County and shall report periodically to the Board of Commissioners on the state of such program.

SECTION 8.030: CREATION OF PLANNING ADVISORY COMMITTEES.

1. The Board shall have the authority to establish and dissolve Planning Advisory Committees, subject to the provisions of this Ordinance.

2. The Board shall have the authority to establish, modify and abolish the boundaries in which Planning Advisory Committees shall exercise their functions.

3. The Board may undertake the activities listed in subsections 1 and 2 of this Section by Board order only after consultation with the Committee for Citizen Involvement. Until such time, however, the Planning Advisory Committees as composed on the effective date of this Ordinance, and the boundaries of each Planning Advisory Committee are hereby ratified and affirmed.

SECTION 8.040: MEMBERSHIP REQUIREMENTS.

1. Each Planning Advisory Committee shall have five, seven or nine positions as designated by the Board upon an order creating or modifying such committee.

2. Members of each Planning Advisory Committee shall be residents of the area served by such committee.

3. Membership of each Planning Advisory Committee shall be representative of a broad cross section of the citizens living in the area served by the Planning Advisory Committee.

SECTION 8.050: APPLICATIONS AND APPOINTMENTS.

1. All persons residing in each Planning Advisory Committee Area are eligible to apply for membership on the committee of that district.

2. Applications for appointments to Planning Advisory Committees shall be submitted to the Board of County Commissioners, Committee for Citizen Involvement or the Planning Director for Douglas County on forms provided by the Planning Director.

3. Applications received for committee membership shall be treated as follows:

(a) If no vacancy exists on a Planning Advisory Committee, such application shall be held by the Planning Director for at least one year for consideration by the Committee for Citizen Involvement and the Board when such vacancies occur. The applicant shall be notified of the fact that no vacancy exists and that the application will be held for one year.

(b) Where a vacancy on a Planning Advisory Committee does exist, the application shall be referred to the Committee for Citizen Involvement for review. The Committee shall advise the Board as to their recommendations on disposition of outstanding applications according to the following criteria:

i. Whether there be sufficient number of applications to provide a reasonable choice among applicants, consistent with the overall goal of providing for an effective cross section of citizen involvement on the Advisory Committee area. If the Committee does not feel that there is a sufficient number of applications, it may recommend to the Board that action be deferred until the Committee has undertaken to seek out an additional number of applicants. The Board may, on its own motion, also undertake such recruitment.

ii. If the Committee be satisfied that appointment of one or more applicants would provide for a balance of representation on a Planning Advisory Committee based upon interests, occupation and geographic location,

shall recommend to the Board that one or more of the applicants be appointed.

(c) Applications for Planning Advisory Committee membership shall be forwarded to the Board, together with recommendations from the Committee, not less than 30 days after the Committee is notified of an existing vacancy, unless the Committee or the Board undertakes additional active recruiting pursuant to subsection 3(b)i of this section.

(d) From the list of applicants submitted to the Committee for its recommendations, the Board shall consider the recommendations of the Committee and fill the vacancy or vacancies from a list supplied by the Committee. If the Board finds all names submitted by the Committee unacceptable, it shall return the list to the Committee with their reason for rejection and request additional lists of selections. The Committee shall, within a reasonable time of return of the list, submit to the Board a new list for action by the Board.

SECTION 8.060: TERM OF APPOINTMENT.

1. The term of membership on a Planning Advisory Committee shall be three years from the date of appointment, except as otherwise provided for in this Ordinance.

2. A member may be reappointed by the Board for a second consecutive full term, in addition to any partial term served by that member.

3. When a vacancy occurs prior to the end of the three year term, the Board shall appoint a member to serve the portions of a Planning Advisory Committee member's term, utilizing the process set forth in Section Five of this Ordinance.

SECTION 8.070: REMOVAL AND RESIGNATION.

1. The Board may remove a member of a Planning Advisory Committee only after receiving a recommendation from the Committee for Citizen Involvement, if the Board finds that the policies of this Ordinance or the Comprehensive Plan are not met, or for the particular reasons set forth in subsection 2 of this section. The Board will also request that the Committee for Citizen Involvement undertake an investigation with respect to the aforesaid grounds for removal or to respond to any complaints brought against any member of any Planning Advisory Committee, or any Committee as a whole. The investigation shall include a Fact Finding Meeting to which all involved parties will receive a written invitation at least ten (10) days prior to the meeting.

Statements will be taken, findings prepared and a recommendation for action made to the County Board of Commissioners.

2. The Board may remove a member of a Planning Advisory Committee for failure to participate actively or failure to perform adequately the duties and responsibilities of such membership. In all cases, the Board shall request the recommendation of the Committee for Citizen Involvement prior to taking action.

3. A member of a Planning Advisory Committee may resign at any time by submitting such resignation to the Board.

SECTION 8.080: LIABILITY

1. Planning Advisory Committee members shall be considered agents of the County within the coverage of ORS 30.260 to 30.330 in any actions taken by a Planning Advisory Committee in performance of the duties, responsibilities and functions set forth in Section 9 of this Ordinance.

2. Douglas County shall not indemnify PAC members for legal fees, judgments or other costs associated with legal suits or actions filed against any planning advisory committee or members thereof for any action taken outside of the scope of the duties, responsibilities, and functions of the planning advisory committee.

3. Upon recommendation from the committee for citizen involvement, the Board of County Commissioners may waive the provisions of Subsection 2 of this section if the Board finds it is necessary to undertake such action to protect citizen involvement in Douglas County.

4. No provision of this Section shall be construed to abridge or abrogate any rights of PAC members under ORS 30.260 to 30.330, when such PAC members are acting as agents of the County.

SECTION 8.090: DUTIES, RESPONSIBILITIES AND FUNCTIONS OF PLANNING ADVISORY COMMITTEE MEMBERS

1. Each Planning Advisory Committee shall elect a chairperson, vice chairperson and secretary.

(a) The chairperson shall call meetings of the Planning Advisory Committee as necessary and appropriate to discuss and respond to planning program issues.

(b) The vice chairperson shall act as chairperson pro-tem in the absence of the chairperson.

(c) The secretary shall take minutes of such Committee meetings.

2. Each Committee shall comply with all provisions of the Oregon Public Meeting Law (ORS 192.610 to 192.990).

(a) All meetings of the advisory committees shall be open to the public and all persons shall be permitted to attend any such meeting. A committee shall have no authority to conduct executive sessions under ORS 192.660.

(b) Each Planning Advisory Committee shall provide notice of the time, the place and subject matter of its meetings at least 24 hours prior to such meeting. Such notice shall be provided either to the Planning Director of Douglas County or to the Citizen Involvement Coordinator, who shall make such notice available to the public during business hours at the Douglas County Planning Department. Such notice shall be reasonably specific as to subject matter so that a reasonably prudent person may be able to determine whether that person's interests would be affected by the subject matter of the meeting. The Citizen Involvement Coordinator shall be responsible for providing notice to such representatives of the media in Douglas County who request such notice.

(c) The secretary shall take minutes which comply with content requirements of ORS 192.650. Within 15 days of the approval of minutes, a copy of such minutes shall be submitted to the Douglas County Planning Director.

3. The Planning Advisory Committees shall participate in the development of the countywide Comprehensive Plan and amendments and revisions thereto, and shall advise the Board with regard to any concerns or comments the advisory committee may have with respect to such Plan or amendments or revisions.

(a) The Planning Director shall submit proposals for Comprehensive Plans or amendments or revisions thereto at least 15 days in advance of the expected date of Planning Advisory Committee comments; provided, however, that this paragraph shall not apply to amendments or revisions to Comprehensive Plans changed at public hearings before the Planning Commission or the Board of County Commissioners, if the subject matter of such plans, amendments or revisions were submitted previously to the Planning Advisory Committees.

(b) Each Planning Advisory Committee shall have the authority to conduct meetings to review and evaluate such Plans, or amendments or revisions thereto, and may comment in writing by submitting their responses to the

Planning Director, Planning Commission or Board of County Commissioners, or comment orally at hearings held on such Plans, revisions or amendments.

(c) Each Planning Advisory Committee shall allow interested persons to participate in the review and evaluation of such Plans, revisions or amendments thereto, by means of oral or written testimony.

(d) Planning Advisory Committee members are encouraged to participate in the central workshops and regional meetings held on comprehensive plans or revisions thereto.

(e) Upon completion of Comprehensive Plan Elements, or revisions thereto, each Planning Advisory Committee shall participate in the review of land use maps for its area or region of the County.

(f) Planning Advisory Committee members shall be entitled to participate in regional workshop meetings dealing with selection of preferred map alternatives to be submitted to the Planning Commission and Board of County Commissioners in conjunction with the adoption or revision of a comprehensive plan.

4. Each Planning Advisory Committee may participate in advising the Hearings Officer, Planning Commission, or Board of County Commissioners with respect to quasi-judicial land use applications which lie within, or immediately affect land within territory of the Planning Advisory Committee.

(a) As provided in the Douglas County Land Use and Development Ordinance, each Planning Advisory Committee is entitled to become a party at hearings involving quasi-judicial land use applications.

(b) The Planning Director shall provide notice of hearings to the appropriate Planning Advisory Committee, within the time limitations provided in the aforesaid ordinances. The Committee may respond to the notice as it deems appropriate.

(c) No response to such notices shall be transmitted to the Planning Director, Hearings Officer, Planning Commission or Board of County Commissioners except after a properly conducted meeting and affirmative vote of a quorum of such committee.

(d) All such responses shall be in written form and shall contain the following information:

- i. Name of the Planning Advisory Committee;

ii. A statement as to whether such committee desires standing as a party

iii. A statement as to the reason for supporting or opposing the proposal; and

iv. A statement indicating whether the Planning Advisory Committee wishes to be heard further, i.e., other than such written notice.

(e) Any Planning Advisory Committee granted standing in a quasi-judicial matter, upon an adverse ruling, may appeal to the Board of County Commissioners.

5. Planning Advisory Committees may also advise the County on areas of community interests or concerns which the advisory committee feels are of importance to their area, the County, or planning activities.

SECTION 8.100: IMPLEMENTATION MEASURES.

Planning Advisory Committees shall be entitled to participate in the formulation, amendment, revision or repeal of all measures implementing comprehensive plans for Douglas County in the same manner as that provided for in the adoption, amendment or revision of comprehensive plans for the County.

SECTION 8.110: PLANNING DIRECTOR RESPONSIBILITIES FOR CITIZEN PARTICIPATION AND COORDINATION.

1. The Planning Director for Douglas County shall be responsible for assuring that the citizen involvement provisions of this Ordinance are implemented. To that end, the Planning Director shall consult periodically with the Committee for Citizen Involvement and may make such recommendations as are necessary to implement the purposes of this Ordinance and LCDC Goal 1. The Director may delegate his duties to a Citizen Involvement Coordinator; however, shall reserve the authority to overrule such coordinator to assure compliance with the provisions of this Ordinance.

2. The Planning Director shall assure coordination between federal, state and regional agencies and special purpose districts to coordinate their planning efforts with Douglas County and shall make use of local citizen involvement programs established by other entities, where such programs affect Douglas County.

3. The Planning Director shall provide such information to the Planning Advisory Committees as is necessary for those Committees, and the general public, to identify and comprehend planning and plan implementation issues. All information supplied by

any department or agency of Douglas County in planning or plan implementation matters shall be in simplified, understandable form and shall be coordinated through the Planning Director.

4. The Planning Director shall act as liason between the citizens of Douglas County and the Board of Commissioners of Douglas County and shall respond to citizen comments on plannig or plan implementation issues directly, or by referring the same to the appropriate agency for response. All departments and agencies of Douglas County shall cooperate with the Director in assuring effective two-way communication between citizens and their government.

5. The Planning Director shall make available to all Planning Advisory Committees a copy of all proposed elements of any Douglas County Comprehensive Plan, or amendments or revisions thereto, all implementing ordinances, or amendments or revisions thereto, and any studies, reports or background information, if any, necessary to understand such proposal, at least ten days prior to action by the Board of County Commissioners. Such proposals and background information shall be provided to the Douglas County Public Library in Roseburg and at such other library facilities the Planning Director may deem necessary to provide for an informed citizenry.

6. The Planning Director shall provide, in each annual budget request to the Board, for sufficient financial support to insure adequate funding of a citizen involvement program to meet the purposes of this Ordinance.

7. The responsibilities of the Planning Director, under this Section, shall continue, even after acknowledgement of the Douglas County Comprehensive Plan and Implementing Ordinances by the Land Conservation and Development Commission.