

The Douglas County Park Department Policy Manual is a tool for Park Department managers and the Douglas County Park Advisory Board to guide the Department in a consistent and fair manner into the future for the citizens of Douglas County, United States Federal law, Oregon State law, and Douglas County Ordinances take precedence over park policy.

## **Chapter 100**

Acquisition, planning, and development of park properties shall be consistent with the Countywide planning processes and provide reasonable, efficient, and appropriate facilities and services as within the constraints of the County budget.

### **101 Countywide Park Planning Framework**

A policy is a guiding principle or procedure that sets the framework and provides direction for management decisions. The Park Department shall be guided by the following general policies for the acquisition and development of public parks and for the conservation of significant natural and cultural resources. As appropriate, other public agencies and private property owners may be involved.

1. Plan, acquire, develop, manage, and maintain parks and recreational facilities in accordance with adopted criteria and standards in the following types of parks:

Neighborhood Parks

Boat Launch Facilities

Countywide Parks and Campgrounds

Natural Resource Parks

Historic Sites/Archaeological Parks

District Parks

Special Purpose Parks/Areas (Waysides)

2. Balance the delivery of programs for stewardship of dedicated park lands.

3. Achieve a balance of park land facilities throughout the County.

4. Where appropriate, acquire and develop park lands through a combination of public/private mechanisms including, voluntary dedication, and/or donation of land, fee simple purchase, purchase of development rights, and other appropriate means.
5. Coordinate planning, development, protection and management of park resources with other County, municipal, regional, state and federal agencies.
6. Encourage citizen understanding and appreciation of environmental, cultural and horticultural values by partnering with local, state, and federal agencies.
7. Provide opportunities for citizens to participate in the planning, development and operation of parklands, facilities and programs.

### **101.1 Land Acquisition Criteria**

- A. The Park Department may acquire land through any appropriate measure. Land to be acquired will meet acquisition criteria and have an acreage standard for development of recreational facilities. The Park Department may consider an acreage standard for the development of recreational facilities including park classification, site conceptual development plans, identified needs within the department and suitability for management and development. The Park Department's goal is to provide 15 acres of park land per 1000 population within a 15 – 20 minute drive from population centers.
- B. The Park Department shall consider the uniqueness and value of natural and cultural resources.
- C. Land proposed for donation is subject to the same standards and procedures of evaluation and inspection as property considered for fee simple purchase. Suitability of site development and operational management will be a major consideration of acceptance.

### **102 Park Planning Process**

To achieve the long range goals and objectives of the Park Department, to provide for the orderly growth, operation and maintenance of the park system and to meet the present and future needs of the citizenry, the Park Department shall establish and implement an ongoing planning process incorporating the following components:

**102.1 The Park Comprehensive Plan** constructs the framework for the Park Department's governance and actions over a 10-15 year period. The Park Comprehensive Plan establishes long range goals and objectives, policies, and planning criteria and standards, including the Park Classification System. The Park Comprehensive Plan also defines Stewardship and Recreation Services Programs which provide the context for identifying countywide needs for natural and cultural resource protection, land acquisition, and provision of recreation facilities and programs.

- A. Strategic Plans** will provide direction for implementing the Park Comprehensive Plan by identifying strategies which are well defined in scope and achievable within successive five year time frames. Strategic Plans identify priorities for land acquisition, resource management and park site planning and development, based on the countywide needs assessed in the Park Comprehensive Plan. General

Management Plans, Conceptual Development Plans, and Project Implementation Plans identify additional priorities for operations, development, maintenance and public programming. These priorities are then translated into the adopted Capital Improvement Program and phased through annual budget and staffing plans.

**B. Fiscal Plans** that identify the funding requirements and sources necessary to meet the priorities set forth in the Strategic Plans, including the five year Capital Improvement Program, and the annual operating budget cycles.

**C. Park Planning and Development Processes** guide the development of individual park sites. The planning process includes General Management Plans, Conceptual Development Plans, and Project Implementation Plans. Each plan provides an increasing level of detail and definition to the proposed management or development of the park. The Park Planning and Development policy provides a more detailed description of the planning process associated with each type of park site planning.

**D. Plan Review** processes include participation in the County's cyclical review and updating of the Countywide Comprehensive Policy Plan, and also review and analysis of all applications for Plan Amendments, Rezonings and Site Plan Approval. These processes allow assessment of the impacts of proposed development on existing park lands and the need for additional park land and facilities in accordance with adopted standards.

## **103 Park Planning and Development**

Planning for the development of parklands, including interim use sites administered by the Park Department under cooperative agreement with other county agencies, herein shall be in accordance with the Park Planning Process policy and as follows:

1. The planning and development of parklands and facilities, and the periodic review and revision of previously adopted plans, shall be ordered by the Park Department on the basis of priorities identified in the Five Year Strategic Plan. Criteria for the type and extent of facility development shall be in accordance with Objective 1 of the Park Comprehensive Plan and the Park Classification System and the general criteria for site development.

2. Depending on the park site character, size and potential extent of development, the park planning process may include a General Management Plan, Conceptual Development Plan and/or Project Implementation Plan and Site Plans and Construction Documents. As described below, each type of plan will provide an increasing amount of detail and definition for the development and management of the park. These four components of the process may be prepared either singly or in combination, depending on existing conditions of the site and the planning focus:

**103.1 General Management Plans (GMPs)** are planning and management documents that establish the park's purpose and classification and management framework. GMPs document existing site conditions and constraints, extent and character of natural and cultural resources, any existing facilities, description and location of proposed "management zones," demographic characteristics of potential park visitors, and recommendations for further planning.

**103.2 Conceptual Development Plans (CDPs)** describe the concept plan elements and design concerns, including the location of proposed development and management zones in relation to the existing natural, cultural and physical features of the site. Consistent with the established park classification, CDPs identify a range of recreational facilities that should be

provided at the park based on desired visitor experiences and current recreational demand. Plan elements and locations are generally depicted in the form of bubble diagrams. CDPs may be completed as part of a GMP or as a separate document.

**103.3 Project Implementation Plans (PIPs)** define the scope of a specific development or management project at a park, the coordination of future phases of development at one park, or the coordination of the same type of project and a number of park sites. PIPs may be prepared as part of a CDP, or may be completed as a separate planning document in support of the Capital Improvement Program. PIPs provide specific information regarding the number and size of each facility, how development constraints will be addressed, project budget based on realistic cost estimates, and expected duration of the project from start of the design process through opening of the facilities to the public. In accordance with the Strategic Planning Process, it is desirable to complete a CDP or PIP for all projects proposed for inclusion in the Capital Improvement Program (CIP) or a bond referendum package.

**103.4 Site Plans and Construction Documents** provide a visual representation of the PIP scope that includes a design showing the number, size, kind, location and extent of facilities in sufficient detail for construction of facilities at a particular park or site. Site plans may require County approval and include information regulated by the County Zoning Ordinance.

A. A Preliminary GMP may be requested for land under consideration for acquisition to determine the property's suitability for meeting the proposed park classification criteria, management framework and possible uses for the developable portions of the site. In these cases the GMP process may be "fast-tracked" to fit the land acquisition schedule.

B. Upon completion, and adoption by the Park Department, the General Management Plan for newly acquired property shall be submitted to the Planning Department for a determination (with subsequent concurrence by the Board of Commissioners), that the location, character and proposed extent of development is in substantial accord with the adopted County Comprehensive Plan.

C. The Park Department shall review and approve all General Management Plans, Conceptual Development Plans and Project Implementation Plans, or combinations thereof. Priorities for preparing new or revised park plans shall be identified as part of the Five Year Strategic Plan and scheduled accordingly.

D. The Park Department shall provide opportunities for public review and comment of park plans commensurate with the purpose and extent of each planning process. A public hearing will be held as part of the General Management and Conceptual Development planning processes. Review of park plans completed under this planning process should be done at ten year intervals to evaluate their currency in light of changing site conditions or recreational needs within designated service areas.

### **103.5 General Criteria for Site Development**

Land acquired for a specified category of park use shall be developed in accordance with the criteria and standards set forth in the Park Classification System. Candidate sites shall be of sufficient acreage and quality to ensure that requirements for resource protection and/or facility development can be met.

Development of all Park Department facilities shall comply with Title II of the Americans with Disabilities Act of 1990 and other legislative mandates to the extent feasible under site constraints.

Facility and site planning and development shall incorporate energy efficiency, functionality and flexibility to accommodate changing recreation trends to the greatest extent possible.

## **103.6 Trails**

The Department shall plan for the location, design and construction of an integrated trail (non-motorized transportation) system within the park lands, where appropriate. Trails also may be provided as recreational facilities independently of other trails and trail systems.

### **103.6A Trails and Walks**

Trails and walks provide the only means of access into many areas within parks. These facilities will be planned and developed as integral parts of each park's transportation system, and incorporate principles of universal design. Trails and walks will serve as management tools to help control the distribution and intensity of use. All trails and walks will be carefully situated, designed, and managed to;

- Reduce conflicts with automobiles and incompatible uses;
- Allow for a satisfying park experience;
- Allow accessibility by the greatest number of people; and
- Protect park resources.

Heavily used trails and walks in developed areas may be surfaced as necessary for visitor safety, accessibility for persons with impaired mobility, resource protection, or erosion control. Surface materials will be carefully selected, taking into account factors such as the purpose and location of a trail or walk, and the potential for erosion and other environmental impacts.

### **103.6B Cooperative Trail Planning**

The Park Department will cooperate with other land managers, non-profit organizations, and user groups to facilitate local and regional trail access to parks. When parks abut other public lands, the department will participate in inter-agency, multi-jurisdictional trail planning. When an effective trail system exists, and when otherwise permitted, hostels or similar low cost overnight facilities may be provided, if they are consistent with the park's general management plan, and harmonize with the natural and/ or cultural resources.

### **103.6C Hiking Trails**

Trail design will vary to accommodate a wide range of users, and will be appropriate to user patterns and site conditions. Wetlands will generally be avoided and, where possible, they will be spanned by a boardwalk or other means, using sustainable materials that will not disturb hydrologic or ecological processes. Backcountry trails will offer visitors a primitive outdoor experience, and will be unsurfaced and modest in character, except where a more durable surface is needed. The use of non-native materials is generally not permitted on backcountry trails.

### **103.6D Equestrian Trails**

Equestrian trails and related support facilities, such as feed boxes and hitch rails, may be provided when they are consistent with park objectives, and when site conditions are suitable. Horse camps will be designed with user interest in mind, and consistent with Park Department policy.

#### 103.6E Bicycle Trails

Bicycle routes may be considered as an alternative to motor vehicle access. Bicycle travel ways may be integrated with park roads when determined to be safe and feasible. Bicycle trails may be paved or stabilized for the protection of resources, and for the safety and convenience of travelers.

#### 103.6F Water Trails

Water access and use may be provided when consistent with resource protection needs. Appropriate locations and levels of use will be determined in the park's general management plan. The Park Department will work with other agencies and organizations, as appropriate, to develop and provide education and interpretation for water trails that access parks; to promote understanding and enjoyment; and to protect waterways and adjacent lands.

#### 103.6G Interpretive Trails

Interpretive trails and walks may be used for purposes of visitor appreciation and understanding of park values.

#### 103.6H Trailheads

Trailheads, and trail access points from which trail use can begin, will be carefully tied into other elements of the park development and circulation system to facilitate safe and enjoyable trail use, and efficient management.

#### 103.6I Trail Bridges

Trail bridges may be used for crossing swift waters, areas prone to flash flooding, and other places presenting potential safety hazards. Less obtrusive alternatives to bridges, such as culverts, fords, and trail relocation, will be considered before a decision is made to build a bridge. A bridge may be the preferred alternative when necessary to prevent stream bank erosion, or to protect wetlands or fisheries. If a bridge is determined to be appropriate, it will be kept to the minimum size needed to serve trail users, and be designed to harmonize with the surrounding natural scene and be as unobtrusive as possible.

### **103.7 Accessibility**

The Park Department shall ensure that the location, design, development and redevelopment of park resources, and will consider accessibility for all populations. The requirements of the Americans with Disabilities Act will be followed where possible.

### **103.8 Energy Management**

To achieve the objectives of the Park Department and meet the needs of the present and future citizens, the Park Department shall ensure the appropriate allocation and utilization of all energy resources involved in the planning and management of park facilities. Consistent with the Park Department's established objectives and policies, the following shall be the policy regarding energy conservation and management. In accordance with this policy, staff shall take such measures as necessary to ensure implementation of appropriate energy conservation, planning and management practices.

1. Master Planning procedures shall include consideration of energy efficient design, landscaping and the environmental and economic impact of energy usage pertaining to park development.
2. Planning emphasis on low energy intensive maintenance areas and recreational facilities shall be encouraged.
3. Operational and maintenance procedures shall be periodically reviewed and revised as necessary to implement energy conservation measures and optimize the management of natural, human and built energy systems.
4. Educational opportunities regarding energy conservation/management shall be provided to park users and Park Department staff as appropriate.

### **104 Public and Private Sector Partnerships**

The Park Department shall pursue opportunities to collaborate with other public and private sector entities in Douglas County in order to maximize existing public facilities for community recreation purposes, coordinate provision of recreation services and to effectively develop and maintain recreational facilities throughout the County. In doing so, the Park Department shall:

1. Coordinate with other Local, State, and Federal agencies on the location, phasing and design of public facilities and park sites to enhance the potential for development of community recreation facilities.
2. Seek opportunities to jointly develop athletic sports complexes to serve Countywide and regional needs.
3. Encourage community participation in the maintenance of parks and provision of recreation services through volunteer programs and park partnerships.

### **105 Naming of Parks**

As a general policy, parks shall be named in accordance with geographical, historical or ecological features indigenous to the park site or to the immediate vicinity of the site. Parks may be named for an individual under the following conditions:

- a. Where the individual has made a significant gift of land to the County, or
- b. In memoriam for an individual who has made a significant contribution to the Douglas County park system.

Recreational facilities or resource management areas within a park may be named for a corporation or an individual, living or deceased, who:

- a. Has made a significant contribution to the protection of natural or cultural, resources of the Douglas County park system, or
- b. Has substantially contributed to the advancement of commensurate types of recreational opportunities within the Douglas County park system, or
- c. Has made a significant contribution to the betterment of a specific park, consistent with the established criteria and standards for the designated park classification.

In support of this policy, nominations for naming parks, recreational facilities or resource management areas shall be evaluated by the Park Advisory Board on the basis of the above criteria and upon appropriate documentation. The recommendation will then be forwarded to the County Board of Commissioners for approval or reconsideration.

## 106 Advisory Committees

The Douglas County Park Advisory Board may establish advisory committee's when necessary. The primary function of the committees is to provide input for the planning and development processes. Prior to making a decision on a planning or development matter within the County, the Park Advisory Board shall ascertain the position of the advisory committee with respect to the issue before the Board.

Appointment shall be for the time designated by the Park Advisory Board, but shall not be for more than one calendar year.

The organization structure shall be determined by each committee; however, there shall be a chairman to call the meetings, set agendas and preside.

### Procedures for Advisory Committees

<u>Park Advisory Board Responsibilities</u>	<u>Staff Responsibilities</u>
1. To appoint the committees and determine that membership is representative of the County.	1. To send out notices of advisory committee meetings.
2. To request advice on specific matters from an advisory committee.	2. To provide available information and materials to the committees as requested by the Board member.
3. To review and consider the advisory committees' recommendations and requests.	3. To attend committee meetings when requested by the Board member.
4. To recommend to the staff as to what services are to be provided to the committees.	

## 107 Public Meetings

Meetings will be conducted in accordance with Oregon's Public Meeting laws.

## 108 Athletic Field Development Agreements

The Douglas County Park Department supports private participation in the development of athletic fields when a community benefit can be demonstrated. The County should participate in partnerships for the development of athletic fields on property owned or managed by the County as appropriate. Development agreements with potential offerors for this purpose shall be required and acceptable only under the following conditions:

1. The development opportunity and evaluation criteria have been approved in concept by the Park Advisory Board.

2. As required by state law, the proposed facilities must be consistent with the Comprehensive Plan for Douglas County ("the Plan") or approved by the Planning Department as substantially in accord with the Plan.
3. The offeror shall not be in breach of any prior development agreement with the County.
4. Facilities developed under these agreements shall become the property of Douglas County.
5. The Park Department has provided public notice of the development opportunity.
6. Development would result in a clear benefit to the citizens of Douglas County.

### **Proposal Requirements**

The following elements must be included in each proposal and shall be considered, among other things, by the County in determining whether to accept the proposal:

1. A plan for construction that includes a description of the project scope, a statement of the probable cost, a proposed development schedule and an estimate of the cost of future maintenance.
2. A financial plan that demonstrates the ability of the offeror to complete the proposed project.
3. A description of the qualifications and experience of the proposed development team including, if applicable, consultants, contractors, and project managers.
4. Any additional justification or information to support acceptance of the proposal as appropriate.
5. Joint proposals from two (2) or more groups or individuals should be encouraged.

### **Proposal Evaluation and Approval**

All proposals received will be evaluated by Park Department staff for compliance with the requirements of this policy. Staff's evaluation will be provided as information to the Park Advisory Board for review, followed by a recommendation to the Douglas County Board of Commissioners for final decision.

The Department is under no obligation to accept proposals and reserves the right to reject proposals, for any reason. Once an offeror's proposal is approved by the Douglas County Board of Commissioners an agreement shall be executed, consistent with the requirements of this policy, prior to the start of any development.

### **Development / Agreement Requirements**

All development agreements must include the following:

1. All development must meet or exceed Park Department construction standards.
2. All development shall satisfy the minimum standards of the Oregon State Building Code and any applicable local ordinances. The Park Department reserves the right to prevent the submission of any waivers, modifications or variances to these minimum standards.
3. The offeror should obtain all required inspections and permits unless it is in the best interest of the Park Department to do so.
4. The Park Department shall review construction documents during the design phase of the project and any proposed changes during construction.

5. The development of all ancillary amenities, site requirements, and other requirements associated with the development, become the responsibility of the offeror.
6. If the offeror is unable to complete the development within the timeframe specified in the agreement, or any approved extension, the County shall have the right to terminate the agreement.
7. In the event of termination all planning documents remain the property of the Park Department.
8. Transfer of the rights and responsibilities under the agreement shall be subject to approval by the Park Department.
9. For the term of the agreement, the County agrees to exempt the offeror from providing to the County any commissions due from the sale of items or other revenue generation conducted by the offeror. A description of all resale items must be forwarded and approved by the County prior to sale. The sale of items by a third party is prohibited under this Agreement, as is the charging of admission or entrance fees to any park area or event without expressed written permission from the Park Department.
10. Development agreements may include other elements and special conditions as needed to address site specific issues.
11. At the termination of the agreement, all improvements shall become the property of Douglas County.

### **Other Requirements**

During the term of the agreement, the offeror shall:

1. Maintain all developed facilities at a level consistent with or exceeding the Douglas County Park Department Maintenance Standards.
2. Operate the facilities in a manner and during hours consistent with those of similar facilities operated by the Park Department.
3. Carry appropriate insurance coverage as required in the agreement.
4. Satisfy and comply with all other requirements specified in the agreement.
5. Failure to perform any requirement specified in the agreement may result in the immediate termination of the agreement.

### **Length of Agreement**

As a general rule, agreements should not exceed a period of seven (7) years. This proposed maximum includes up to two (2) years to complete the development and up to five (5) years of use. Extensions of the development phase may be granted by Douglas County and should not reduce the use period.

### **Use of the Facilities**

The facilities developed shall not be used until such time as the terms of the development agreement are met, the offeror has satisfied all conditions of any site development permits. Shared use is appropriate for joint development projects. During such time as the facilities are not utilized by the offeror, the facilities shall be available for public use. The Park Department shall use reasonable efforts to supplement the offeror's maintenance responsibility when developed fields are allocated for public use. Rate of support will be equal to the percentage of use by the offeror.

## Chapter 200

Protect and preserve significant and sensitive natural and cultural resources in accordance with adopted criteria and standards and in adherence with State and Federal laws and County Policies so that these resources may be handed on to future generations.

### 201 Cultural Resources

In support of its mission to preserve and protect significant archaeological and historic resources of Douglas County and to comply with the Douglas County Comprehensive Plan, Chapter 7, the Park Department shall work in concert with the Douglas County Museum to:

Determine significance and appropriate preservation options for cultural resources in the County park system in accordance with the U.S. Department of Interior National Register of Historic Places, State Historical Preservation Office, and the Douglas County Historical Review Committee.

Provide protection for significant cultural resources, including archaeological sites, historic properties, structures, landscapes and artifacts.

Locate, identify and evaluate the significance of cultural resources on park lands as part of all site planning and development.

Establish educational and interpretive facilities at designated cultural resource sites in accordance with adopted criteria and standards.

Consider alternatives to fee simple acquisition of historic properties if adequate resources are not available to ensure stabilization, restoration and planning for appropriate site use.

Coordinate preservation of significant cultural resources with County, municipal, regional, state and federal agencies.

Assume the granting of easements, permanent or temporary, taking into consideration the degree to which cultural resources will be affected by the undertaking. Provide alternative plans for the protection or mitigation of those cultural resources as part of the development proposal.

The collection of historic or prehistoric artifacts from beneath or above the ground or disturbing the ground for the purpose of locating artifacts or using or possessing a metal or mineral detector on park property is prohibited without specific written permission from the Park Department.

### 202 Historic Restoration

Following guidelines established by the National Trust for Historic Preservation and the Secretary of the Interior's Standards and Guidelines, the Park Department's policy on historic restoration requires that treatment of cultural resources with structural integrity shall be performed according to the following philosophical principles:

A. Generally, it is better to preserve than repair, better to repair than restore, better to restore than reconstruct.

B. Usually, it is better to retain genuine old work of several periods than to arbitrarily "restore" the whole by new work to its aspect at a single period.

C. Every reasonable care and expense is justified to approximate in new work the materials, methods and quality of old construction.

D. Modern uses should be consistent with the preservation of the structure's values.

## **Chapter 300**

The Douglas County Park Department shall ensure the long term protection, preservation and sustainability of Douglas County park resources.

### **301 Protection of Lands and Facilities**

The Park Department may use any means possible to protect any park, campground, recreational resource, or cultural resource from encroachment or destruction from any source not in the best interest of the citizens of Douglas County.

### **302 Easements**

#### **Grantee Easement Agreements:**

The Park Department shall encourage the voluntary donation of conservation easements to the Department to achieve its mission objectives where it is desirable to protect sensitive and significant environmental, historic and/or archaeological resources but where public access is not required, including but not limited to:

Private properties adjoining greenways, natural resource parks and historic site/archaeological parks where additional buffering would provide an added measure of protection for significant resources, or where adequate Park Department resources are not available to ensure stabilization, restoration and planning for appropriate site use and preservation objectives can best be accomplished by the private sector.

Where fee simple acquisition is not feasible, the Park Department shall seek public access trail easements to ensure continuity of access within designated Greenways and other park sites. It is also desirable to secure donation of a surrounding conservation easement.

The Park Department shall develop and implement an effective program for monitoring easements to ensure compliance with terms of the easements and for informing citizens of the benefits of donating conservation easements to Douglas County.

#### **Grantor Easement Agreements:**

In accordance with Douglas County Comprehensive Plan, the Park Department shall consider requests for easements by outside parties for non-recreational uses of park lands only under the following conditions:

- Where the Park Department has determined that the proposed facility is compatible with other planned or existing park uses at the subject site, or
- When it has been determined that there is no feasible or prudent alternative to the use of parklands for the specified purpose, and
- All possible planning to minimize harm is included in the proposed project.

The Park Department shall require adequate compensation for use of parklands for other than park purposes based on the extent of impact, the sensitivity of impacted areas and length of time park activities may be disrupted. Additionally, the Park Department shall require monetary assurances (e.g., bonding, escrow, or cash deposit in advance) of the requesting agency, corporation and/or individual to ensure compliance with easement requirements including restoration of impacted areas.

3. The Park Department shall establish, and periodically review, effective procedures for granting and monitoring of easement construction activities.

### **303 Telecommunications Sites**

The Park Department shall seek to balance the general public's need for telecommunications services with the Department's mandate and public trust for the protection of parklands. Requests for siting of telecommunication facilities on parklands shall be evaluated with regard for the following policies:

- The Douglas County Comprehensive Plan.
- The Park Department determines that the proposed facility is compatible with its use of parkland, or a determination has been made that there is no feasible and prudent alternative to the use of parkland and that all possible planning to minimize harm is included in the proposed project.
- Where the location of such facilities would substantially interfere with the provision of open space and/or recreational facilities or would have a significant adverse impact on ecological and heritage resources mitigation of such interference shall be implemented.

1. Location Criteria. Requests for placement of telecommunications monopoles and related equipment shall be considered if:

- a. A study has been conducted showing the Park Department property as the technically best location;
- b. The Lessee assures, in writing, that the proposed facility creates no radiation hazard to the public;
- c. The proposed use of park land does not present a potential legal exposure or liability to the County;
- d. The proposed location does not adversely affect significant natural or cultural resources, including environmentally sensitive areas.
- e. In the sole determination of the County, the proposed location does not displace and is compatible with existing or planned park facilities;
- f. In the sole opinion of the County, the proposed location and construction on the site does not detract from the character of the park;

- g. The proposed facility location does not adversely affect park operations or maintenance;
- h. Clear demonstration is given that impacts to adjacent uses and property owners are minimal;
- i. The placement of the telecommunications site enhances public communications services and the public good.

2. Other Criteria.

A. Adequate compensation shall be provided to Douglas County for the placement of the proposed facility based on extent of degradation, number of antennae and other factors. Mitigation fees received during the initial license term shall be deposited in the designated fund of the park revenue operations fund solely for use at the park site where the telecommunications facility is to be located. The allocation of fees for subsequent renewal license terms, if any, shall be determined by action of the Douglas County Board of Commissioners.

B. The applicant accepts full responsibility and costs for all County and Park Department staff evaluation and review, plan preparation, and procurement of all necessary permits and other approvals from the appropriate governmental agencies.

### **304 Sustainable Management Practices**

The Park Department shall protect the public investment and ensure the safety, quality and sustainable operations of parklands, facilities and infrastructure through long-term management, including the following practices:

Seek adequate resources to comply with adopted maintenance standards.

Design and develop new facilities to maximize their life expectancy. Ensure that capital repairs and renovations are undertaken in a timely manner so as to sustain effective operations over the planned life cycle of park facilities and infrastructure;

Protect park lands from encroachments, vandalism and other unauthorized uses including removal of, or damage to, archaeological artifacts, plants, shrubs, trees and/or animal species; dumping of debris or use of parkland for private purposes.

### **305 Maintenance**

The Park Department shall establish standards for the maintenance of its parks and recreational facilities on a classification basis and the standards shall be applied consistently throughout the County. Should funds become inadequate to maintain the system according to the standards, the Park Department shall order a revision of the standards and the closing of selected parks and facilities until adequate funding becomes available.

## **Chapter 400**

### **PARK FACILITY USE and MANAGEMENT**

Provide recreation services and operate the park system consistent with Park Department goals and objectives and the need of citizens for quality programs and services, providing facilities, programs and services in compliance with all applicable standards, ordinances and good management practices.

#### **401 Special Events**

Special events such as sports, pageants, regattas, public spectator attractions, entertainment, ceremonies, group and company picnics, and encampments may be permitted by the Department. Any special event held on Douglas County Park property shall require a Special Events Permit, be approved by the Park Department, and coordinated with Park Department staff, when any of the following conditions, but not limited to, are anticipated: 1) music may be the main attraction of the event; 2) the attendance may exceed the available parking and crowd capacity for the park where the event is to be held; 3) there is a potential that the event will have an adverse impact on the integrity of park facilities and grounds; 4) the event is closed to the public; 5) safety of event participants or park users is at risk, and 6) the potential of negative impacts to park neighbors.

The Park Department may permit the public staging of special events that are conducted primarily for the material or financial benefit of non-profit organizations. A portion of a park may be set aside for an individual special event. However, no group or organization will be allowed to secure an entire park for their use unless the facility is specifically designed for a single user activity such as a ball field or a recreation building. Permits may be granted when a separate public admission fee is to be charged.

Park facilities, buildings or specially designated locations that are suitable and appropriate may be made available for private, "by invitation only" events. Admission fees for, or any other monies associated with the "by-invitation-only" event, may be collected by the permittee on park premises.

#### **402 Athletic Field Use**

The Park Department shall establish athletic field policies that will optimize the balance between use and protection of the facilities, and shall provide athletic fields for the use and enjoyment of all citizens.

A classification of all field types shall be established to reflect the development, usage and maintenance level of the fields. The scheduling of organized sport groups and the issuance of permits to those groups shall be performed under the guidelines provided by the Park Department. Permit holders shall have first rights for the use of the fields to which they have been assigned. A field not scheduled by a permit holder can be used by others, including the "walk-on" public. Historical users shall have the first right of refusal for use of the same facilities for the same dates as they have the previous year. If the historical user chooses not to schedule the facilities or use the previous year's dates, the Park Department will allow another user the facility and date as submitted on a first come first served basis.

Use periods of Park Department Fields shall be limited as follows:

1. Fields may be scheduled by organized users Monday through Saturday, sunrise to sunset. Facilities shall be open to the general public every Sunday unless a "Special Event Permit" has been secured from the Park Department a minimum of 72 hours prior to the date of the permit.
2. Fields may be reserved for maintenance activities by the Park Department at a predetermined schedule or at any time if emergency maintenance is required.
3. Fields and facilities may be closed to the public anytime a public safety emergency exists.
4. Fields and facilities may be closed from play if use will have a detrimental effect on the health of turf or fields.
5. Field closings shall be at the discretion of the Park Department and for the purpose of maintenance, safety or any reason deemed appropriate for the management or protection of property.

The use of athletic field lighting, by organized sports shall be limited to a permitted only use.

Temporary lighting systems shall meet the same development requirements as permanent lights, including identification in the master plan for the park and adherence to all lighting and noise ordinances. The lights shall present no hazard to park users, shall not pollute the environment and shall meet appropriate illumination standards. The Park Department shall reserve the right to deny temporary lighting requests if it feels it is in the best interest of the Park Department, park patrons or the surrounding community.

#### **402.1 Park and Field Adoption Programs**

The Park Department shall develop and administer programs to encourage and coordinate community participation in the care and maintenance of park facilities. Requirements and benefits for program participants shall be defined in Adopt-A-Park and Adopt-A-Field Program guidelines administered by staff. Both programs shall be administered according to an agreement between the Park Department and the participant.

All Park Department parks and athletic fields shall be available for public use, and participation in the Adopt-A-Park and the Adopt-A-Field program shall not provide the participant exclusive use of the park or field.

#### **402.2 Adopt-A-Field Storage Facilities on Park Property**

Written requests from Adopt-A-Field groups for storage facilities on County Park property shall be submitted and approved in writing by the Park Department. The facilities and their proposed location shall meet Park Department standards, and the facilities shall be used only to store athletic and maintenance equipment. Hazardous chemicals or illegal uses are not permitted. Adopt-A-Field groups shall be responsible for their own liability insurance, which shall comply with current standards as designated by the County's Office of Risk Management, and for meeting all County codes (including maintenance, permits, construction and utility).

#### **403 User Fees**

The Park Department shall offer a broad range of leisure facilities and services desired by the residents of Douglas County. To support these facilities and services, the Park Department generates funding for its operations by charging fees that supplement the appropriation from the Douglas County General Fund.

The Department shall seek the appropriate balance between Douglas County General Fund support and fee-generated revenues that best serve the interests of the citizenry.

Services and facilities fully funded through the Douglas County General Fund are generally provided by the Park Department free of charge. Services and facilities supported entirely, or in part, by the Park Revenue Fund may have fees designated and charged.

The Park Department shall establish appropriate fees based on recommendations from staff and input from the citizenry. All fee revenues collected by the Department shall be placed in the appropriate Park Revenue Fund, and used exclusively to support the services and facilities that generate the fund's revenues, unless otherwise directed by the Douglas County Board of Commissioners.

#### **404 Safety and Property Security**

The Douglas County Park Department shall ensure that its mission is achieved without compromising the safety of its employees or the public.

The Department shall:

Protect its work force against injury and preserve its assets against loss that could impair the Department's ability to provide services to its patrons;

Partner with the Douglas County Risk Manager to institute practical measures to eliminate or minimize injury to employees and patrons; create an awareness of hazards in the workplace; foster skills and knowledge related to safety management; and encourage employees to report and correct hazards;

Institute all appropriate measures to eliminate or control loss to property or other loss-producing conditions; and

Achieve such measures in the most effective and economical manner.

#### **405 Rental Properties on Parklands**

The Department shall manage structures acquired incidentally along with parkland or used as caretaker residences on the basis of the following criteria:

1. Houses and other structures which have been evaluated and determined to be suitable for occupancy or other public uses consistent with park purposes shall be retained until such time as their continued existence is no longer justified.

2. Houses and other structures suitable for rental purposes shall be retained until the parkland is developed, at which time, if not incorporated in the park development plan, they shall be removed.

3. Houses and other structures located in any park where development is not imminent, but where the house and immediate grounds are compatible with, and incorporated as part of, an approved park development plan, may be rented.

4. Rental rates shall be assessed, as recommended by the Douglas County Chief Financial Officer and approved by the Douglas County Board of Commissioners. Rental rates shall be

reassessed and adjusted in accordance with market conditions at a minimum of three year intervals. In support of this policy, staff shall take such measures as necessary to ensure compliance with approved implementation procedures.

## **406 Advertising, Signs and Displays**

The Department shall protect the aesthetic qualities of the parklands and facilities under its control or ownership by requiring that a permit be obtained from the Department prior to the placement of any sign or display on park property by any group, individual or government agency.

### **1. Signs and Displays**

Temporary signs, banners or flags (including religious displays or articles associated with a religious service, celebration, or activity) introduced by an entity other than the Park Department to promote an event held in a Douglas County park shall be in accordance with the permit granted by the Department and the time period specified in the permit, and shall be removed by the entity within 24 hours after the event is terminated.

Signage for joint ventures on parkland shall require the approval of the Park Department.

Permanent signs recognizing individuals or organizations shall be consistent with existing Park Department sign materials and design, and when possible, shall be incorporated into existing sign structures.

Signage recognizing Adopt-A-Field and Adopt-A-Park participants shall be consistent with the guidelines of these programs.

### **2. Advertising**

In keeping with the protection of the aesthetic qualities of parklands and facilities, advertisements shall be limited to those in written agreements with the Park Department.

Commercial notices or advertisements will generally not be displayed, posted, or distributed on County Park property. The Department may issue a permit for advertising only if the notice or advertisement is for goods, services, or facilities available within the park, and if such notices and advertisements are found to be desirable and necessary for the convenience and guidance of the public. Acceptable forms of advertising will be addressed, as necessary, in concession contracts and cooperating association agreements.

Billboard advertising will not be permitted within a park and, in general, will be discouraged on approach roads outside of parks when it would adversely affect a park's scenic values.

## **407 Construction of Donated Facilities/Structures on Park Land**

The Park Department shall consider the acceptance of donated facilities/structures proposed for construction on park land, when such facilities/structures are in the interest of the community and consistent with the mission of the Department. All facilities/structures constructed on parkland become the property of the Park Department.

Requests for the construction of donated facilities/structures on parklands shall be evaluated with regard to the following criteria:

- The donated facilities/structures proposed for construction on park land shall comply with the existing park master plan.
- For facilities/structures not requiring master plan approval, the proposed facilities/structures shall be similar to existing facilities typically provided by the Park Department.
- All proposed donated facilities/structures shall be required to meet existing Park Department design standards.
- The purpose of the facilities/structures shall not be for the recognition of affiliations, whether cultural, religious, fraternal, individual or organizational, except as permitted by other Park Department Policy.
- The proposed facilities/structures shall be useable and available to all segments of the population in a manner that is consistent with similar existing facilities.
- The proposed facilities/structures shall be deemed to have no negative environmental or aesthetic impacts.
- Consideration shall be given to the continued maintenance and eventual replacement of the facility/structure.
- The structure/facility shall present an overall benefit, compared to alternative uses of the land, including green space.

Douglas County may decline to accept such proposed facilities/structures, if it is in the best interest of the County to do so.

### **408 Campgrounds**

Campground design will accommodate recreation vehicle camping and tent camping, and will consider cultural landscapes, terrain, soils, vegetation, wildlife, climate, special needs of users, visual and auditory privacy, and other relevant factors.

The Park Department may provide a full range of amenities and utility hookups at all campgrounds depending upon the availability of utilities, budget funds, and the character of the park.

When necessary for basic safety requirements, pathways and the exteriors of buildings and structures may be lighted. Such lighting will be energy efficient and shielded as much as possible to preserve the natural dark.

When desirable for purposes of management, tent camping may be accommodated in separate campgrounds, or in separately designated areas within campgrounds. Provisions may also be made for accommodating organized groups in separate campgrounds, or in separately designated areas.

Boaters' campgrounds may be provided in parks with waters used for recreational boating. The need for campgrounds and their sizes, locations, and numbers will be determined by (1) the type of water body (e. g., river, lake, reservoir, saltwater); (2) the availability and resiliency of potential campsites; (3) the feasibility of providing and maintaining docking, beaching, mooring, camping, and sanitary facilities; and (4) the potential impacts on park natural and cultural resources.

### **409 General Maintenance**

There is a maintenance responsibility and cost for every asset that is administered by the Park Department. A regular, periodic inventory and condition assessment of park assets will be performed to identify deficiencies and to ensure the cost-effective maintenance of all facilities. The costs of operation and the useful life of facilities and equipment are directly related to the

type and level of maintenance provided. Therefore, the Department will conduct a program of preventive and rehabilitative maintenance and preservation to:

1. Provide a safe, sanitary, environmentally protective, and aesthetically pleasing environment for park visitors and employees;
2. Protect the physical integrity of facilities; and
3. Preserve or maintain facilities in their optimum sustainable condition to the greatest extent possible. Preventive and rehabilitative maintenance programs will incorporate sustainable design elements and practices to ensure that water and energy efficiency, pollution prevention, and waste prevention and reduction are standard practice.

## **Chapter 500 Park Administration**

Administer the Park Department within its funding and procedural capabilities and according to the needs of the citizens, and employ competent staff and volunteers of Douglas County, treat them with respect, and compensate them fairly.

### **501 Operations**

Operational policies and procedures shall consider and accommodate to the greatest extent possible the needs of the citizens who use the parks and recreational facilities and shall comply with appropriate standards and good management practices. Changes in operational policies may be made by the Department as appropriate.

### **502 Communication with Citizens**

To assist public understanding of and contribute to the planning and development of the park system, the Park Department shall communicate with the public by all available means, including:

1. Releases to the print and electronic media.
2. Notices of special meetings and hearings as required by Oregon Revised Statutes 192.630 delivered to the Douglas County Board of Commissioners and interested parties and stakeholders.
3. Distributing copies of reports, plans, budgets, agendas, etc., to the press and the public.
4. Providing speakers from the Park Advisory Board and staff.
5. Preparing and distributing pamphlets, brochures and flyers describing methods of making donations, establishing special trusts and promoting bond issues.
6. Direct personal communication with groups and individuals.
7. Public hearings.

8. Surveys.

9. The Internet.

All Park Advisory Board and committee meetings, except Executive Sessions dealing with public business matters lawfully exempted from the open meetings requirements prescribed by Oregon State Law and only such matters identified in the motion to convene executive session, shall be open to the public.

Expression of the public's opinion as well as advice from other public agencies shall be encouraged.

Notices of Park Advisory Board meetings shall be communicated to the public through the usual news media. Individuals, groups and appropriate County staff who may have an interest in a particular agenda item shall be given special notice whenever possible.

#### Park Department Staff Responsibilities

1. To make regular reports to citizens at the Douglas County Board of Commissioners and Park Advisory Board meetings and elsewhere as appropriate.
2. To make personal appearances and speeches as requested.
3. To present plans and information to citizen groups.
4. To prepare and distribute press releases.

### **503 Director and Park Advisory Board Relationship**

The administration of the park and recreational facility system shall be under the control of the Director. Direction shall come from the Board of Commissioners through formal actions or specific directives, and from the Board of Commissioners Liaison acting on its behalf.

No Park Advisory Board member shall request the Director to take an action that either conflicts with the adopted policies and procedures of the Department or which may require, in the Director's or the Park Advisory's Board's opinion, a policy decision by the Park Advisory Board prior to action. All operational issues not involving policy are the sole responsibility of the Director unless acted upon by the Board of Commissioners.

### **504 Indemnification of Officers, Employees and Volunteers**

The defense of governmental immunity does not necessarily insulate Park Advisory Board members, County employees and volunteers from civil judgments rendered against them in their individual capacities.

Park Advisory Board members, County employees and volunteers may be liable for the payment of civil judgments arising out of actions which they took in furtherance of the Park Department's interest and in their scope of Department and course of employment. It is in the interest of Douglas County to protect its officers, employees and volunteers from such civil judgments, and to remove the threat of having to pay such judgments from its officers, employees and volunteers.

Certain liability claims and suits filed against Douglas County, its officers, employees and volunteers may not fall within the scope of coverage afforded by policies of insurance currently in effect.

Douglas County desires to provide legal defense for and indemnification of its officers, employees and volunteers in certain cases where that obligation is denied by its liability insurance carrier.

1. For the purpose of this policy the terms "Park Advisory Board members, County employees and volunteers" shall include Park Advisory Board members, all County employees and volunteers of the Douglas County Park Department.

2. Douglas County shall provide legal counsel to represent, without charge, Park Advisory Board members, County employees, and volunteers, with respect to any claim or cause of action arising from the conduct of such members, employees and volunteers in the discharge of their duties as employees or volunteers of the Douglas County Park Department. Said conduct is hereby deemed to include administrative and professional malpractice, as well as acts committed or alleged to have been committed that result or are alleged to result in deprivations of rights, privileges, and immunities guaranteed by the United States or Oregon State Constitution, or by any statute affording a cause of action for damages or injunctive relief.

All members, employees or volunteers who become legally obligated to pay any claims, including but not limited to settlements, suits, satisfactions of judgment, costs or awards of attorney's fees, arising from the conduct of said officers, employees or volunteers in the discharge of their duties, shall only be entitled to indemnification therefore where the claim shall have been determined by the Director of the Park Department, upon the recommendation of the Douglas County Counsel, to have resulted from actions which:

- A. Were done in good faith; and
- B. Were done in a reasonable belief that such activities were in the best interest of the Park Department and in the furtherance of the official policies of the Park Department; and
- C. Were within the scope of Department of the person so acting; and
- D. Were within the course of employment or volunteer service of the person so acting; and
- E. Were not willful, malicious or wanton.

Nothing contained in this policy shall be construed to abrogate or waive any defense of governmental immunity on behalf of the Douglas County Park Department, or of its officers, employees or volunteers.

## **505 Standards of Conduct**

Park Advisory Board members and Park Department staff shall adhere to the highest ethical standards and to all laws and regulations in the performance of their duties. Park Advisory Board members and department employees shall avoid actual or perceived conflicts of interest in their responsibilities to the public.

Employees are governed by the code of ethics, standards of conduct, and related administrative procedures detailed in the Douglas County Personnel Rules.

The Park Advisory Board shall:

Be responsible for making recommendations of potential policies and procedures that govern the use of Douglas County Parks to the Douglas County Board of Commissioners.

Base policy decisions on facts presented and that are in the best interest of the citizens of Douglas County for the present and future.

### **506 Volunteers**

The Park Department shall develop, operate and maintain a volunteer program to increase available services, foster community involvement with parks, bring the public's perspective to park operations, help achieve successful stewardship of resources, and supplement tax funding requirements for the parks. Volunteers shall be considered part of the staff team, recognized as professionals in their positions, treated with the same respect and support as paid staff, and covered by the County's indemnification policy. Volunteers shall receive appropriate training and recognition, and shall share in the development and implementation of volunteer program goals, projects, programs, publications and activities.

### **507 Fund Raising**

The Park Department shall pursue all available sources of funding to implement its objectives. Applications for grants in aid shall be made to appropriate funding sources, including state and federal agencies, public and private foundations, corporations, and to the County for revenue sharing funds.

The Park Department shall seek and accept gifts, bequests, contributions and dedications of real property and shall encourage the establishment of trusts and foundations, non-profit groups and other entities for the purpose of assisting the Park Department to accomplish its objectives.