

## CHAPTER 8

# CITIZEN INVOLVEMENT PROGRAM

### SECTION 8.010 Purpose

The provisions of this chapter 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 Chapter 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 by:

1. Establishing a process to involve a cross section of affected citizens, insure effective communication between citizens and elected officials, and assure that citizens will receive a response from policy makers.
2. Assuring 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.
3. Providing two bodies for assisting in citizen involvement in Douglas County:
  - a. The Committee for Citizen Involvement (CCI) shall be an advisory body to the Board to assure that the intent and purposes of this chapter are met.
  - b. Planning Advisory Committees (PACs) shall insure that plan amendments are developed in accordance with an overall County plan and also advise the Board on individual land use matters.

### SECTION 8.020 Committee for Citizen Involvement (CCI)

#### 1. Creation and Composition

There is hereby created a Committee for Citizen Involvement to act as a liaison between the Board and the various Planning Advisory Committees and citizens of Douglas County. The Committee shall be composed of a member from each PAC area and one representative of the Douglas County Planning Commission. The Planning Commission shall designate one of their members to serve as the Planning Commission Representative on the Committee for Citizen Involvement. The Planning Commission Representative shall serve on the Committee for a term of one year. With the exception of the Planning Commission representative, members shall also be appointed to serve on a Planning Advisory Committee. Members 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 to members of the County Planning Commission.

## **2. Tenure and Removal**

- a. Members shall serve for terms of three 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.
- b. A member of the Committee may be reappointed by the Board to serve additional terms.
- c. 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 program.
- d. A member of the Committee may resign at any time by submitting such resignation to the Board.

## **3. Responsibilities**

- a. 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.
- b. 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 on the state of such program.
- c. The CCI shall be authorized to designate alternate members of their respective PACs to attend CCI meetings in their absence.

### **SECTION 8.030 Creation of Planning Advisory Committees (PACs)**

1. The Board shall have the authority to establish and dissolve Planning Advisory Committees, subject to the provisions of this chapter.
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. A PAC may exceed the designated positions temporarily, as a result of PAC boundary change pursuant to §8.030.
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, Committee for Citizen Involvement or the Director on forms provided by the 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 Director for at least one year for consideration by the Committee for Citizen Involvement and the Board when 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:
    - (1) 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 in 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.

- (2) 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, it 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.(1) 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 chapter.
- 2. A member may be reappointed by the Board for additional terms.
- 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 §8.050 of this chapter.

#### **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 chapter 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 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 Board.

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. A PAC member's failure to attend three or more consecutive meetings, without explanation, shall be considered justification for removal. 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 County.

#### **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 §8.090 of this chapter.
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 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 and the action is consistent with ORS 30.287(1).
4. No provision of this section shall be construed to diminish or deny 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 at the first regular meeting of the calendar year.

- 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, place and subject matter of its meetings either to the Director or to the Citizen Involvement Coordinator during business hours at the Planning Department. The Citizen Involvement Coordinator shall be responsible for providing notice to the media in time for them to publish the notice at least 24 hours prior to the meeting.
  - c. The PAC secretary shall take minutes which shall include:
    1. the names of all PAC members present;
    2. all motions and their disposition;
    3. the results of all votes and the vote of each member, by name;
    4. the substance of any document discussed;
    5. reference to any document discussed.

PAC minutes should also contain the date, time, and location of the meeting, the names of any guests present, and land use application references such as the applicant's name and the Planning Department file number.

The PAC minutes shall be submitted to the Director no more than ten days after the meeting.
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, amendments or revisions.

- a. The 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 Commission or the Board, 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 Director, Commission or Board, 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 Commission and Board in conjunction with the adoption or revision of a Comprehensive Plan.
4. Each Planning Advisory Committee may participate in advising the Hearings Officer, Commission, or Board 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 Chapter 2 of this ordinance, each Planning Advisory Committee is entitled to become a party at hearings involving quasi-judicial land use applications.
    - b. The Director shall provide notice of hearings to the appropriate Planning Advisory Committee, within the time limitations provided in Chapter 2 of this ordinance. The PAC may respond to the notice as it deems appropriate.

- c. No response to such notices shall be transmitted to the Director, Hearings Officer, Commission or Board 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:
    - (1) Name of the Planning Advisory Committee;
    - (2) A statement as to whether such committee desires standing as a party;
    - (3) A statement as to the reason for supporting or opposing the proposal; and
    - (4) 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.
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 Director shall be responsible for assuring that the citizen involvement provisions of this chapter are implemented. To that end, the Director shall consult periodically with the Committee for Citizen Involvement and may make such recommendations as are necessary to implement the purposes of this chapter and LCDC Goal 1. The Director may delegate his duties to a Citizen Involvement Coordinator; however, he shall reserve the authority to overrule such coordinator to assure compliance with the provisions of this chapter.

2. The 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 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 Director.
4. The Director shall act as liaison between the citizens of Douglas County and the Board and shall respond to citizen comments on planning 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 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. Such proposals and background information shall be provided to the Douglas County Public Library in Roseburg and at such other library facilities the Director may deem necessary to provide for an informed citizenry.
6. The 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 chapter.
7. The responsibilities of the Director, under this section, shall continue, even after acknowledgment of the Douglas County Comprehensive Plan and Implementing Ordinances by the Land Conservation and Development Commission.