



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



September 23, 2011

TO: Land Conservation and Development Commission (LCDC)

FROM: Bob Rindy, DLCD

RE: Agenda Item 3, October 6-7, 2011, LCDC Meeting.

## **REPORT FROM THE CITIZEN INVOLVEMENT ADVISORY COMMITTEE**

This item is provided as an opportunity for the state's Citizen Involvement Advisory Committee (CIAC) to update the commission regarding the committee's recent work.

At the August LCDC meeting, in a joint LCDC/CIAC discussion, the CIAC indicated problems with Goal 1 and expressed concern that the Goal has not been interpreted in a manner that ensures adequate citizen involvement. The committee recommended that LCDC consider an interpretive rule to provide a more clear description of the goal requirements. It was noted that most of the other statewide goals have a related interpretive rule to clarify terms and requirements. In response, some LCDC members asked CIAC to provide more detail as to the content of such a rule.

The CIAC met later that day, and again on September 7, in order to discuss this request and determine a response. The attached memo from CIAC provides a more detailed description of the content that CIAC would recommend for an administrative rule. The committee requests that LCDC consider this as part of its 2011-2013 Policy Agenda (see Item 4).

A member of CIAC will be at the October 6 LCDC meeting to present this and answer questions from the commission.

For additional information about this agenda item, contact Bob Rindy at (503) 373-0050 ext. 229, or email [bob.rindy@state.or.us](mailto:bob.rindy@state.or.us).

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## Citizen Involvement Advisory Committee

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### Statewide Land Use Planning

#### Goal 1:

To insure the opportunity for all citizens to be involved in all phases of the planning process.

#### Website:

<https://www.oregon.gov/LCD/citizeninvolvement.shtml>

#### CIAC Members:

**Mollie Eder** (Chair)  
Powell Butte

**Ann Glaze**  
Dallas

**Don Greene**  
Ashland

**Debra Martzahn**  
Lincoln City

**Gregory McClarren**  
(Vice-chair)  
Redmond

**Christine White**  
Portland

**Pat Zimmerman**  
Scappoose

Date: September 14, 2011

To: Land Conservation and Development Commission

From: Citizen Involvement Advisory Committee

Subject: Agenda Item 3, October 6, 2011, LCDC Meeting

At its August 2011 meeting with the CIAC, the committee recommended that LCDC consider adoption of an administrative rule to clarify Goal 1 requirements. In response, members of LCDC asked CIAC to provide more detail about what should be included in a new administrative rule to emphasize Goal 1. The attachment to this memo is a description of the content of a possible Goal 1 rule.

Thank you for your consideration of this request.

## CIAC recommendations for LCDC's Policy Agenda Goal One Rulemaking

Goal One, the foundation of Oregon's land use system, has no implementing rules. The Citizen Involvement Advisory Committee requests that LCDC initiate Goal One rulemaking so that Citizen Involvement becomes a positive force for reconnecting Oregon's citizens with their land use system. New rules would also deal with the system's changes over the last 30 years.

Our suggestions quote Goal One language (boldface) and propose related rulemaking topics.

1. **Citizen Influence – to provide the opportunity for citizens to be involved in all phases of the planning process.**<sup>1</sup> Jurisdictions must notify interested parties when a land use application is deemed complete or when Comprehensive Plan Amendments, Intergovernmental Agreements, UGB amendments or other actions with significant impacts on local land use policy are first proposed. Jurisdictions must provide ongoing opportunities for citizens to participate in shaping local policies through advisory committees or other mechanisms, well before formal hearings occur.
2. **The citizen involvement program shall involve a cross-section of affected citizens.**<sup>2</sup> Stakeholder groups must include a cross section of the local population, including representative genders, races, incomes, languages and underserved populations. Outreach to engage and involve citizens in the decision making process is required.
3. **Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.**<sup>3</sup> Transparency is required. Communication must include internet/email channels. Membership in stakeholder groups and their affiliation must be posted at time of appointment. "Ordinary citizen" comprehensible tutorials/guides, including a local government contact whose job it is to explain the process, must be available to help citizens participate effectively. Citizens must be able to view and comment on all applications, staff reports and other documents on the net, which must be posted as soon as they are deemed complete.
4. **The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process...the program ..shall include an officially recognized committee for citizen involvement broadly representative of geographic areas and interests related to land use and land-use decisions.**<sup>4</sup> Neighborhood advisory committees are stakeholders. Neighborhood organizations or other geographically based groups and/or ad hoc issue-focused groups are a required part of the land use process. The Planning Commission is not a stakeholder. The neighborhood committees should generally be permanent, with membership equal to the diversity statistics of the area. In some situations an ad hoc group focused on a particular issue may substitute. Membership in neighborhood organizations is generally open to any resident; if membership is limited, it must be selected through a democratic process rather than appointment by governing bodies.

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<sup>1</sup> Goal #3; also, Guideline C.6:" the general public...should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process..." The requirement for early consultation is part of the Goal.

<sup>2</sup> Goal #1

<sup>3</sup> Goal #2; Goal #4:"Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information."

<sup>4</sup> Goal #1

5. **A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.**<sup>5</sup> Findings must show specifically and quantitatively how citizen input was used in decision making. Citizen input must be collected well before public hearings; findings or other documents supporting the decision making body's action must summarize citizen input and the points at which it occurred, and discuss how that input affected staff recommendations.
  
6. **A land use action taken without adequate citizen involvement as defined in these rules does not comply with Goal One.** Without this, all of the above is for naught.

If the Commission undertakes Goal One rulemaking, an additional topic could be the interrelated responsibilities of a local government, CIAC, DLCD and LCDC in regard to a Planning Commission taking on the role of the Goal One mandated CIC.

Respectfully submitted,

Members of the Citizen Involvement Advisory Committee.

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<sup>5</sup> Guideline E.2