

# Council Communication

## August 16, 2016, Business Meeting

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### **Second Reading of an ordinance amending the Citizen Participation and Involvement Chapter of the Ashland Comprehensive Plan to establish the Ashland Planning Commission as the Committee on Citizen Involvement.**

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**FROM:**

Brandon Goldman, Senior Planner, Community Development Department  
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**SUMMARY**

This ordinance amends the Ashland Comprehensive Plan to remove references to Citizen Advisory Committee (CPAC), and to clarify that the Ashland Planning Commission is the designated Committee on Citizen Involvement (CCI) charged with enhancing citizen involvement in land use planning and evaluating the process being used for citizen involvement.

**BACKGROUND**

At its August 2, 2016 regular session, the City Council approved first reading of an ordinance amending the City of Ashland Comprehensive Plan's Introduction and Definitions Chapter (Chapter II), and Citizen Involvement Element (Chapter III), to designate the Planning Commission as the City's Committee for Citizen Involvement, and to replace references to the Citizen's Planning Advisory Committee with references to the Committee for Citizen Involvement.

As directed by Council on August 2, 2016, the proposed ordinance has been amended to newly include a sixth policy within the Citizen Participation and Involvement Chapter that clarifies that the Mayor and Council may appoint short term citizen committees to address specific planning assignments as needed.

**COUNCIL GOALS SUPPORTED:**

*Goal 2. Promote effective citizen communication and engagement*

**FISCAL IMPLICATIONS:**

N/A.

**STAFF RECOMMENDATION AND REQUESTED ACTION:**

The Planning Commission held a public hearing on July 16, 2016, and recommend the City Council approve planning action 2016-00682 adopting the ordinance amending the Comprehensive Plan as presented.

Staff recommends approval of Second Reading of the ordinance as amended.



**SUGGESTED MOTION:**

I move to approve second reading of an ordinance entitled “ An Ordinance Amending the Citizen Participation and Involvement Chapter of the Ashland Comprehensive Plan to establish the Ashland Planning Commission as the Committee for Citizen Involvement.” as presented (or as amended)

**ATTACHMENTS:**

- Ordinance amending the Comprehensive Plan Citizen Involvement and Participation Element



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CITIZEN PARTICIPATION AND INVOLVEMENT CHAPTER OF THE ASHLAND COMPREHENSIVE PLAN TO ESTABLISH THE ASHLAND PLANNING COMMISSION AS THE COMMITTEE FOR CITIZEN INVOLVEMENT**

Annotated to show ~~deletions~~ and **additions** to the code sections being modified. Deletions are **~~bold lined through~~** and additions are in **bold underline**.

**WHEREAS**, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

**WHEREAS**, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

**WHEREAS**, the Ashland Comprehensive Plan contains policies regarding the citizen participation and involvement to ensure the opportunity for citizens to be involved in all phases of the planning process, and

**WHEREAS**, Oregon land use law requires each city to have a Committee for Citizen Involvement that is responsible for evaluating and assessing citizen engagement in land use planning processes and making recommendations to the governing body regarding citizen engagement.

**WHEREAS**, the Citizen Planning Advisory Committee (CPAC) has been inactive since 1992; and

**WHEREAS**, in 1992, the City Council of the City of Ashland passed Resolution 92-25 which directed the Planning Director to prepare amendments to the Comprehensive plan to reorganize the Citizen Planning Advisory Committee to function more effectively; and

**WHEREAS**, in 2016, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of Ordinance #3124 repealing Chapter 2.27 and amending Chapter 2.12 of the Ashland Municipal Code to designate the Ashland Planning Commission as the Committee for Citizen Involvement in accordance with Article 10 of the Ashland City Charter; and

**WHEREAS**, the City of Ashland Planning Commission considered the recommended amendments to the Ashland Comprehensive Plan at a duly advertised public hearing on July 12, 2016 and following deliberations, recommended approval of the amendments by a unanimous vote of; and

**WHEREAS**, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on August 2, 2016; and

**WHEREAS**, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter.

**THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitations are true and correct and are incorporated herein by this reference.

**SECTION 2.** The City of Ashland Comprehensive Plan, Chapter III, [CITIZEN PARTICIPATION AND INVOLVEMENT] is hereby amended to read as follows:

**CHAPTER III  
CITIZEN PARTICIPATION AND INVOLVEMENT**

Initial Plan Formulation

The City has made every attempt to involve as many people as possible in the planning process. During the initial drafting of this Plan document, four citizen advisory committees were established, each with a different area of concern.

- 1) Environmental Resources Committee: Areas of interest include subjects related to the environment (air, water pollution) and park, open space and recreation programs.
- 2) Economic and Manpower Resource Committee: Areas of interest include economic development, commercial and industrial land, and manpower programs.
- 3) Public Facilities Committee: Areas of interest include water, sewer, police, fire and transportation.
- 4) Housing and Social Services Committee: Areas of interest include housing, aging programs, health, and other social services.

The committee memberships were established by selecting certain individuals with relevant skills, including SOU faculty members, and by advertising in the newspaper for volunteers. An attempt was made to give each committee a balanced membership with regard to income, age, sex and geographic area of residence. All meetings were advertised and open to the public and all attending were encouraged to take part in the discussion and policy formulations.

The committees met frequently, both separately and jointly, with an average attendance of 9 and 40 respectively. This represented approximately 1250 citizen hours of participation as of December 15, 1975.

There was also a neighborhood involvement element in the Ashland Plan procedure. The City was divided into eight neighborhoods according to areas with similar problems. There were two neighborhood meetings to review the planning process and the Land Use Map. Attendance averaged about 30 for each meeting.

#### Citizen's Planning Advisory Committee on Citizen Involvement

After the initial Plan draft, a permanent committee was formed to provide continuing citizen involvement. ~~The Citizens' Planning Advisory Committee is appointed by the Mayor. It consists of 16 persons who meet monthly~~ On April 19, 2016, the City Council designated the Ashland Planning Commission as the Committee for Citizen Involvement. ~~to review planning issues which involve LCDC and Comprehensive Plan Goal items. They also~~ This committee provides direction and expertise in development of new ordinances and policies, and This committee assists the City Council with promoting and enhancing citizen involvement in land use planning, the implementation of the citizen involvement program, and evaluation of the process for citizen involvement ~~shoulder the bulk of the ongoing citizens' involvement~~ in the planning process. All major changes in Plan direction or implementation will be reviewed by the committee, and the committee will be responsible to assist in increasing communication between the City and the government decision-makers.

#### GOAL:

TO MAINTAIN A CITIZEN INVOLVEMENT PROGRAM THAT ENSURES THE OPPORTUNITY FOR CITIZENS TO BE INVOLVED IN ALL PHASES OF THE PLANNING PROCESS.

#### POLICIES:

- 1) Continue ~~existing Ashland Citizens' Planning Advisory Committee to assist the~~ Committee for Citizen Involvement Ashland Planning Commission to assist the ~~and~~ Ashland City Council on significant planning issues, implementing ordinances, and all LCDC and Comprehensive Plan goals.
- 2) Ensure, as much as possible, that the ~~16-7~~ member ~~Citizens' Planning Advisory Committee~~ Ashland Planning Commission, as the Committee for Citizen Involvement, represents a geographic, occupational and ideological cross-section of the citizenship of Ashland. All future selections to the ~~Committee~~ Ashland Planning Commission should be with the ideal of representing a cross-section of Ashland's population.
- 3) Ensure in the future that all citizens are given the opportunity to contribute their views to planning issues through the public hearing process.
- 4) The City shall sponsor informal workshops during the development of significant elements of the Plan implementing ordinances, so that complex issues may be better understood by the public.
- 5) The City should develop education materials such as guidelines, handouts, etc. to

increase understanding of the City codes by the general public. When necessary, the City should sponsor seminars and classes to better inform the public.

- 6) **The Mayor and City Council may appoint short-term citizen committees to address specific planning assignments as needed.**

**SECTION 3.** The City of Ashland Comprehensive Plan, Chapter II, [INTRODUCTIONS AND DEFINITIONS], SECTION 2.04.16, is hereby amended to read as follows:

Plan Review 2.04.16

This plan will be reviewed for adequacy of its policies and timeliness of the supporting data every two years from the date of plan adoption. Revisions of the plan text or plan map shall be subject to the complete citizen involvement process including public workshops, **CPAC Committee for Citizen Involvement (CCI)** participation, Agency coordination, Planning Commission hearings and recommendations, and Council action by ordinance.

**SECTION 4. Severability.** The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

**SECTION 5. Codification.** Provisions of this Ordinance shall be incorporated in the City Comprehensive Plan and the word “ordinance” may be changed to “code”, “article”, “section”, or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 1, 4-5) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the \_\_\_\_ day of \_\_\_\_\_, 2016, and duly PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Barbara M. Christensen, City Recorder

SIGNED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
John Stromberg, Mayor

Reviewed as to form:

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David Lohman, City Attorney