# FERRY COUNTY

# PUBLIC PARTICIPATION PLAN

# RESOLUTION 2009-18

**April 6, 2009**
**March 16, 2009**
**March 20, 2007**

**FERRY COUNTY**
**Planning Department**
**147 N. Clark Ave., Suite 7**
**P.O. Box 305**
**Republic, WA 99166**

# FERRY COUNTY
# PUBLIC PARTICIPATION PLAN
# RESOULUTION NO. -2009-18

**WHEREAS,** every county planning under the Growth Management Act (RCW 36.70A) shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans; and

**WHEREAS,** 36.70A.035 states that the public participation requirements shall include notice procedures that are reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, and organizations of proposed amendments to comprehensive plans and development regulation.

**NOW, THEREFORE BE IT HEREBY RESOLVED** that the Ferry County Board of Commissioners hereby provides for the Public Participation Plan for Ferry County.

RESOLUTION 2009-18

# FERRY COUNTY PUBLIC PARTICIPATION PLAN

RELATING TO: GROWTH MANAGEMENT ACT

## 1.0 Purpose of Plan

Ferry County provides this Plan in response to the directive by the State Legislature that maximum public participation is to be promoted in all phases of the development of plans and ordinances related to County land use planning and development.

## 2.0 Scope of Plan

This Plan applies only to plans and ordinances specified by the State Legislature under the Growth Management Act, RCW 36.70A for preparation by counties and cities.

## 3.0 Reference State Legislative Laws

The following legislative laws applicable to Growth Management planning shall be used as the minimum guide in this Public Participation Plan, and are included by reference.

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| 3.1 RCW 42.30.010 | Legislative Declaration - Open Public Meetings Act |
| 3.3 RCW 36.70.470 | Planning Agency – Promotion of Public Interest |
| 3.4 RCW 36.70.380 | Comprehensive Plan - Public Hearing Required |
| 3.5 RCW 36.70.390 | Comprehensive Plan – Notice of Hearing |
| 3.6 RCW 36.70.440 | Comprehensive Plan – BCC May Approve/Change Notice Requirements |
| 3.7 RCW 43.21C.030(2)(c) | SEPA Requirements For Counties & Cities. |

## 4.0 Definitions

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|---|---|
| Public | Persons who are residents and/or land owners in Ferry County and other affected and interested individuals, Colville Confederated Tribes, government agencies, businesses, school districts, and organizations. |
| Studies | Investigations of issues related to land use planning and development. |
| Ordinance | "Ordinance" means a legislative enactment by the Ferry County Board of Commissioners. |

### Acronym List

| | |
|---|---|
| BOCC | Board of County Commissioners |
| PC | Planning Commission |
| GMHB | Growth Management Hearings Board |
| RCW | Revised Code of Washington |
| SEPA | State Environmental Policy Act |

## 5.0 Policy Statement

"The people of this state do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created." (Sec. 3.1 RCW 42.30.010)

It shall be the policy of Ferry County that every reasonable effort will be made to solicit public participation in the preparation and/or revision and review of planning studies, plans and ordinances in draft or adopted form. Furthermore the public participation program requirements of the State Legislative laws (RCWs) listed in Section 3.0 shall be considered the minimum requirements, which the County in good faith will endeavor to meet.

## 6.0 Meeting Announcements

Notice of all special meetings of planning study groups and Planning Commission (PC) pertaining to Growth Management Act plans or ordinances in draft or adopted form shall be given at least 24 hours prior to all Commission members and the media.

An e-mail registry may be maintained of persons and groups in the county interested in any planning related meetings. The registry service may be publicly announced and actively promoted at least twice annually in the news media. An e-mail notice of any meetings in Sections 7.0, 8.0 and 9.0 may be sent to all persons on the registry.

## 7.0 Hearing Announcements

Announcements of public hearings by the Board of County Commissioners (BOCC) or the Planning Commission (PC) shall be published once in the newspaper of record (Republic News-Miner). The notice will also be sent to the Tribal Tribune.

## 8.0 Public Review Announcements

Announcements of availability of all draft plans or ordinances for public review shall be published twice in the newspaper of record (Republic News-Miner) allowing 60 days for the review and submission of comments after the first published notice. The notice will also be sent to the Tribal Tribune.

## 9.0 Public Review of Draft Studies, Plans and Ordinances

Public review of and comment on all draft plans and ordinances shall be actively promoted as indicated in Sections 7.0, 8.0, and 9.0. In conjunction with any draft plan or ordinance for public review, one or more public informational meetings may be promoted and conducted by the Planning Director and PC Chairman. The meeting(s) may be

scheduled during development of the draft plan or ordinance, or at the beginning of the comment period.

A SEPA review and analysis as specified in RCW 43.21C.030(2)(c) shall be performed by the County on original plan and ordinance drafts if required before submittal to the public for review and before submittal to the BOCC for its final hearing on new documents or revisions.

## 10.0 Public Written, Oral Comments and Recommendations

Public written comments on draft plans and ordinances shall be sent or delivered to the Director of Planning and shall be date stamped on receipt or on the postmark date if mailed. The comment author may also send copies to the BOCC, and/or Chairman of the PC.

Oral comments by members of the public at meetings, or public information meetings of the PC or hearings by the BOCC shall be recorded. The speaker may identify himself or herself. Such recordings and attendance list shall be kept by the PC or BOCC for 5 years. Recordings shall also be available to the public at County Planning Department or BOCC offices. Copies of the recordings shall be available to the public upon request at the then current fee schedule.

The public may record on their own equipment at all open meetings and hearings in a manner that is not intrusive or disruptive to the meeting.

## 11.0 Handling of Public Written and Oral Comments

The Planning Director shall provide copies of all original public comment letters. Tape recordings of all oral public comments shall be available to the PC and BOCC for review. Copies of these documents and recordings shall also be made available to members of the public upon request at the then current fee schedule.

## 12.0 County Response to Written and Oral Public Comments

The PC may review copies of all original written and oral (recorded) public comments taken at study meetings, PC meetings and hearings of the PC and BOCC. The PC shall maintain recordings for 5 years, by comment author's identification, of the PC's response indicating those comments that were considered for inclusion. The record shall be available to the public for review at the County Planning Department office. Copies of record will be available to the public upon request at the then current fee schedule.

## 13.0 Incorporation of Public Comments in Reports, Plans and Ordinances.

The PC and its working groups may be responsible for incorporating accepted written and oral public comments into draft plans and ordinances. Comment resolutions by PC

working groups shall be carefully reviewed and approved by a majority of the PC before submission to the BOCC with a recommendation of action.

## 14.0 Commissioners Hearing on Final Draft Plans and Ordinances.

The BOCC shall conduct a public hearing of the PC recommended plan or ordinance. The date, time and place of the hearing shall be published once a week for 3 consecutive weeks in the Republic newspaper. The notice will also be sent to the Tribal Tribune. At the public hearing, the BOCC may concurrently consider additional proposals related to the subject of the hearing, whether or not considered by the PC.

## 15.0 Commissioners Disposition of Final Draft Plans and Ordinances

Upon receipt of a final draft plan or ordinance and a public hearing has been held, the BOCC may disposition the document by a majority vote of approval, disapproval, defer, change or remand to the PC with written reasons for disapproval or remand and directions for continued action by the PC.

In the event that substantive changes are made in the document by the BOCC, the document shall be resubmitted for an additional public review and comment period after which the BOCC shall hold at least one public hearing for oral and written comment prior to consideration or adoption.

Final comment resolution shall be in accordance with Sections 12.0, 13.0, 14.0, and written directives by the BOCC.

Nothing in this Plan shall be construed to limit the legislative authority of the BOCC to consider and adopt new, re-written, or amended versions of the Comprehensive Plan and all ordinances.

## 17.0 Docket of Suggested Amendments

Any interested person may, at any time, suggest an addition or amendment to the Comprehensive Plan or any of the plan's implementing development regulations. This includes any citizen, property owner, project applicant, and representative of any government agency.

Suggestions for amendment shall be submitted in writing to the Planning Department and shall be specific as to the amendment or addition suggested, and shall include a statement as to why the suggestion should be considered.

The Planning Department shall keep a list or docket of suggested amendments and shall make the docket available for public review at the Planning Department office during office hours.

At least once per year the Planning Department shall ensure that the docket of suggested amendments is reviewed by the Planning Commission and that a recommendation is made as to whether each suggestion is, or is not, appropriate to be included as a proposed amendment to the relevant plan or development regulation.

## 18.0 Emergency Legislation by the Board of County Commissioners

Nothing in this Plan shall be construed to limit the BOCC authority to enact emergency ordinances to remedy a true emergency condition(s) effecting public health and safety. Such emergency legislation shall not require compliance with the terms of this Plan; HOWEVER, such emergency legislation shall expire within 180 days unless extended by the BOCC for up to an additional 180 days. Thereafter, the emergency legislation shall be void and any replacement shall be enacted in accordance with this Plan.

## 19.0 Severability

If any provision of this Plan and its application is held to be invalid by legal decree, the remainder of this Plan and its application is not affected.

APPROVED this 6th day of April, 2009.

FERRY COUNTY BOARD OF COUNTY COMMISSIONERS
FERRY COUNTY, WASHINGTON

Brad L. Miller, Chairman

Ronald J. Bond, Vice Chairman

Robert L. Heath, Member

ATTEST:

Debbie Bechtol,
Clerk of the Board

APPROVED AS TO FORM:

Michael G. Sandona,
Prosecuting Attorney