

FERRY COUNTY

PUBLIC PARTICIPATION PLAN

~~RESOLUTION~~ ORDINANCE ~~2009~~ 2023- 1804

~~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
RESOLUTION 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~~ to ensure 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 all Ferry County~~ 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~~ Revised Code of Washington (RCW)

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

- ~~3.1 RCW 42.30.010~~ ~~Legislative Declaration~~—Open Public Meetings Act
- ~~3.3 RCW 36.70.470~~ ~~Planning Agency—Promotion of Public Interest~~Enabling Act
- ~~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/ or Change _Notice Requirements~~
- ~~3.7 RCW 43.21C.030(2)(c)~~ SEPA Requirements for Counties & Cities-

4.0 Definitions

- 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 County Commissioners.

Acronym List

- BOCC Board of County Commissioners
- PC Planning Commission
- PPP Public Participation Plan
- ~~GMHB~~ ~~Growth Management Hearings Board~~

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 and informing the people's public servants of their views so that they may retain control over the instruments they have created. For these reasons, even when not required by law, public agencies are encouraged to incorporate and accept public comment during their decision-making process." ~~(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~~ PPP 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 or the Planning Commission (PC), or BOCC,~~ pertaining to ~~Growth Management Act~~ plans or ordinances in draft or adopted form, shall be published once in the newspaper of record (if time permits), posted on the County website and prominently displayed at the meeting location ~~given~~ at least 24 hours prior to the time of such meeting ~~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 on the county website ~~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, at least ten days before the hearing ~~(Republic News Miner)~~. Notices may also be published ~~The notice will also be sent to the Tribal Tribune~~ in neighboring newspapers.

8.0 Public Review Announcements

Announcements of availability of all draft plans or ordinances, for public review, shall be published ~~twice for 2 consecutive weeks~~ in the newspaper of record; ~~(Republic News Miner)~~ then allowing 60 days from the first published notice for the review and the submission of comments ~~after the first published notice~~. Notices may also be published in neighboring newspapers ~~The notice will also be sent to the Tribal Tribune.~~

9.0 Public Review of Draft Studies, Plans and Ordinances

Public review of and comments 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 BOCC, Planning Director ~~and or~~ PC Chairman. The meeting(s) may be scheduled during development of the draft plan or ordinance, or at the ~~beginning~~ end of the comment period.

A State Environmental Policy Act (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~~ Submissions

~~Public w~~Written comments ~~on draft plans and ordinances~~ shall be sent or delivered to the Planning 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 PC 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~~ documented. 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 using~~ 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 e~~Copies of all original public comment letters and documented comments shall be made available to the public at the County Planning Department or the BOCC office. Tape recordings of all oral public comments ~~This documentation shall also be available to the PC and BOCC for review. All public comment documentation shall be kept by the Planning Department or BOCC for 6 years.~~ 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~~ documented) public comments taken at study meetings, PC meetings and hearings of the PC and BOCC. The ~~PC~~ Planning Department or BOCC shall maintain ~~recordings for 5 years, by comment author's identification, of the PC's~~ all responses indicating those to public comments for 6 years. ~~that were~~

~~considered for inclusion.~~ These records shall be available to the public for review at the County Planning Department ~~office~~ or BOCC. Copies of these records 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~~ by the PC.

~~After a PC public comment period,~~ the PC and/or its working groups ~~may be~~ are 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~~ BOCC 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~~ 2 consecutive weeks in the ~~Republic~~ newspaper of record. The notice ~~will~~ may also be sent to ~~the Tribal Tribune~~ neighboring newspapers. 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~~ BOCC Disposition of Final Draft Plans and Ordinances

Upon receipt of a final draft plan or ordinance, and a public hearing ~~has~~ having 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~~ with directions for continued action by the PC.

In the event that substantive changes are made ~~in~~ to 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 Plans~~ plans 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 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.~~

1816.0 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.

1917.0 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.~~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~~

~~APPROVED AS TO FORM: _____ ATTEST:~~

Debbie Bechtol,
Prosecuting Attorney

Michael G. Sandona,
Clerk of the Board