



# Growth Management Act

## PUBLIC PARTICIPATION PROGRAM GUIDELINES

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*“With Public sentiment, nothing can fail; without it, nothing can succeed. Consequently, he who molds public sentiment goes deeper than he who enacts statutes or pronounces decisions.”*

Abraham Lincoln, First Debate with Senator Stephen Douglas, 1858

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### Introduction

A cornerstone of the Growth Management Act (GMA) is citizen participation. That concept is first articulated in the GMA planning goals, specifically RCW 36.70A.020(11), which states that jurisdictions shall “...encourage the involvement of citizens in the planning process.”

Opportunities for public involvement will be provided throughout the Comprehensive Plan Update to encourage early and continuous public participation.

Other provisions of the GMA expand upon that public participation planning goal. Spokane County must establish “...procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans.” [RCW 36.70A.140 and WAC 365-196-600]

Spokane County’s *Public Participation Program Guidelines* form the framework for achieving early and continuous participation and an interactive dialogue between local decision-makers, staff, and the public. These guidelines apply throughout the local planning process leading to adoption of the comprehensive plan, development regulations to implement the plan, and amendments to both. These guidelines apply only to meetings subject to the Open Public Meetings Act (RCW 42.30), Growth Management Act (RCW 36.70A), and the Planning Enabling Act (RCW 36.70).

The “early and continuous” mandate sets a standard for ‘enhanced’ public participation throughout the local planning processes which augments the minimum legal public notification requirements found in Chapter 36.70 RCW - the Planning Enabling Act and Chapter 36.70A - Growth Management Planning by Selected Counties and Cities, and supplements the Open Public Meetings Act.

Various county bodies have certain responsibilities under the requirements of GMA and in terms of these public participation guidelines. Four bodies have major roles in the local planning process:

**Spokane County Board of County Commissioners (BoCC)**

**Spokane County Planning Commission**

**Spokane County Building & Planning Department**

**Steering Committee of Elected Officials**

All four share the responsibility for following these guidelines, implementing specific public participation activities based upon these guidelines, and employing any other methods that bring the public actively into the local GMA planning process.

The Growth Management Steering Committee of Elected Officials plays a key role in the regional coordination of the periodic Urban Growth Area Update providing a coordinated public review of the Countywide Planning Policies, to provide for oversight of regional planning activities and making recommendation for amendment by the Board of County Commissioners.

The Board of County Commissioners is the legislative authority that determines the direction and content of policy documents and regulations that are found to be in the community’s best interest.

The guidelines that follow form the basis for ongoing public participation outreach initiatives related to GMA and Spokane County’s local planning process. Spokane County shall comply with these guidelines as standard practice. However, it should be noted that legitimate deviations from the guidelines may be warranted, given specific circumstances. The GMA, specifically RCW 36.70A.140, states that:

*“...errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed.”*

# **Public Participation Guidelines**

## **1. Early and Continuous Public Involvement**

Spokane County shall ensure early and continuous public participation through the methods identified below.

Regarding early participation with respect to Comprehensive Plan Amendments specifically, Spokane County will ensure the public has an opportunity to comment on proposed comprehensive plan amendments prior to their initiation by the Board of County Commissioners, with the exception of amendments initiated pursuant to RCW 36.70A.130(2)(b).

## **2. Communication programs and information services**

*Spokane County will develop, implement, and maintain robust communication programs and information services for the purpose of involving the broadest cross-section of the community in the planning process.*

Spokane County shall involve the public in planning for growth in a meaningful manner. Spokane County will communicate to help the public understand the basic concepts of Growth Management, the local planning process, and how individual participation can affect local plans and regulations. Spokane County will help the public to know how and when to get involved and to understand how their input is used.

Spokane County will inform the public through various techniques including, but not limited to, the following.

- Develop and maintain a virtual site containing information from various agencies concerning the local GMA planning process, meeting and hearing notices, summaries, documents, or maps.
- Establish, publish, and maintain electronic, virtual web-based, and traditional participation opportunities, which announces GMA meetings and hearings and the availability of documents.
- Establish, advertise, and maintain a virtual participatory platform to allow remote public testimony and facilitate participation during, and outside of, in-person public meetings.

- Produce and post on a periodic basis news and relevant information and articles regarding Spokane County Growth Management, local planning issues, and meeting or hearing notices.
- Design, display, and distribute printed and digital/electronic material to inform the public about the local planning process and engage them in relevant discussions.
- Compile and maintain a list of parties interested in Growth Management and local planning issues from meeting and hearing sign-in sheets, virtual/ web submittals, written correspondence, and known community groups, as well as specific requests to be included.
- Issue press releases, public service announcements, and media packets to inform the public about GMA issues, local planning activities, availability of documents, opportunities to participate virtually, and meeting and hearing dates.
- Establish an online video and “in-person” speakers bureau consisting of staff and officials with GMA expertise who are willing to explain, as well as facilitate public discussions about, growth management and local planning issues.

### **3. Broad dissemination of proposals and alternatives**

*Spokane County will digitally post and distribute documents so that they are readily available in a timely fashion to all who want to review them.*

Documents that contain or describe proposed plans, policies, maps, regulations, or the amendment of those and supporting documents such as reports, analyses, recommendations, or environmental reviews shall be readily available via web or office access.

Spokane County commits to make available documents proposed for final action no fewer than twenty-one (21) days before a public hearing where they may be discussed or considered. Documents and exhibits for workshops and public meetings for projects in progress and seeking comment will be available no fewer than seven (7) days in advance.

All meetings shall be officially and properly noticed to the public in accordance with applicable laws. Distribution may include some or all of the following:

- All documents and presentations will be accessible on the Spokane County web site—where comments may also be submitted.
- Digital and hard copies in-office review at the Building & Planning office, and, as appropriate, through other divisions or agencies.

- Paper copies available for the cost of reproduction through the Building & Planning office or, as appropriate, through other divisions or agencies.

Meeting and hearing notices shall state the availability and location of documents on the web and Building & Planning offices describing proposals and alternatives or other supporting documents being considered.

Public participation requirements shall include communication procedures that are reasonably calculated to provide notice to impacted property owners and other affected and interested individuals, tribes, government agencies, businesses, and organizations of proposed amendments to the comprehensive plan and development regulations.

Reasonable notice procedures may include as appropriate:

- Publishing notice on the Building & Planning web page;
- Posting property for site-specific proposals;
- Mailing, or emailing impacted, adjacent property owners;
- Publishing notice in a newspaper of general circulation in the general area where the proposal is located or that will be affected by the proposal;
- Notifying individuals and groups with known interest in a certain proposal or in the type of proposal being considered via web alert, email, or postal mail;
- placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and
- Sending notice to agency mailing lists, including general lists or lists for specific proposals or subject areas;
- Publishing notices in conformance with applicable laws as required for specific actions.

#### **4. Public meetings after effective notice**

*Spokane County will publicize public meetings and hearings to ensure that the broadest cross-section of the community is made aware of the opportunities to become involved in the planning process.*

At a minimum, the requirements of RCW 42.30, RCW 36.70, and RCW 36.70A pertaining to public hearings and notification will always be met. Spokane County shall ensure the public is aware of meetings or hearings and of their opportunity to be involved in local planning efforts.

Public meetings, including activities such as workshops, open houses, or design studios, are opportunities for open discussion between the public, staff, and decision-makers. Meetings and workshops/studios do not normally involve live public comment but may incorporate virtual and digital comments and questions.

Public hearings are more formalized legal proceedings where public testimony is presented to a decision-maker for consideration. The result of a public hearing generally consists of formal finding-of-facts and recommendation in the case of the Planning Commission, Steering Committee, or a legislative decision by the Board of County Commissioners.

These guidelines provide direction regarding the number, location, and notification of meetings or hearings relative to the local planning process.

At least one public hearing will be conducted prior to making either a recommendation or a legislative decision on a comprehensive plan, a development regulation implementing the plan, or an amendment to either.

Web presentations will be posted prior to public hearing(s) as a means to involve and educate the public and solicit their opinions, reactions, or suggestions. Web presentations, documents, and agency comments may be available for viewing and public comment 24-hours a day. Multiple traditional meetings may be held as useful.

Public meetings for proposed plans, regulations, or amendments which are applicable countywide shall be held virtually and at a public location central and convenient to the public.

Spokane County may create virtual open houses where background research, forecasts, policy, and land-use proposals will be presented at the viewer's convenience and where the viewer can comment on any aspect of these proposed actions.

Working subgroup meetings may deviate from these guidelines at times due to the unique circumstances associated with their function. The work program for subgroups shall be guided by methods noted above as applicable as well as the Open Public Meetings Act as applicable and will include at least the following elements.

- The initial meeting(s) of the group should be widely advertised via the Spokane County web and other appropriate methods noted above.
- Sign-in sheets should be offered at each meeting to develop a specific mailing list for the group itself, as well as adding to the compiled list of parties interested in GMA and local planning issues.
- Meeting summaries should be prepared and available as soon as possible after the meeting.

## 5. Provision for open discussion

*Spokane County will ensure that public meetings allow for an open discussion of the relevant issues and that hearings allow for appropriate public testimony.*

Spokane County will ensure that those who choose to participate in the planning process virtually or in person have the opportunity to have their comments heard when public meetings are conducted.

Towards that end, the following actions will be implemented.

- An agenda shall clearly define the purpose of the meeting, the items to be considered, and actions that may be taken. The agenda should provide a brief overview of any documents or proposals to be considered. The agenda should be included or summarized in the notices.
- The scheduled date, time, and place—virtual and physical location—should be convenient so as to encourage the greatest number of people to participate.
- A designated facilitator or chair will conduct the meeting in an orderly fashion to ensure that all attendees have an opportunity to discuss issues, offer comments, or provide testimony.
- The facilitator or chair should provide introductory remarks outlining the purpose of the meeting and describing how the attendees can best participate and how their input may be used.

All persons desiring to participate should be allowed to do so. However, specific factors, such as the purpose of the meeting, size of attendance, time factors, or other opportunities to participate, may suggest some appropriate constraints to be applied. Virtual participation may be offered in advance of a meeting. Virtual comments may be accepted after a meeting if future recommendation or action is planned. Rules of order for the meeting or hearing shall be summarized on the agenda and clearly restated by the chair or facilitator.

All attendees are encouraged, but not required to identify themselves. All meetings and hearings shall be recorded.

Web-based communications are encouraged via document submittal, video/audio recording, and other means;

Written comments may be submitted by traditional means.

Persons speaking, testifying, or electronically submitting comments should be encouraged to concisely express their comments verbally and provide specific details in written format.

Summaries shall be available as soon as possible following a meeting and should include a listing of relevant issues, comments, or responses. In the case of public hearings, the findings and decision document will serve as the summary.

Special arrangements for meetings or hearings will be made under the provisions of the Americans with Disabilities Act (ADA) with advance notice.

If the Board of County Commissioners (BoCC) chooses to consider a change to an amendment to the comprehensive plan or development regulations, and the change is proposed after the opportunity for review and comment has passed under the county's procedures, an opportunity for public review and comment on the proposed change shall be provided before the BOCC votes on the proposed change.

An additional opportunity for public review and comment is not required if:

- an environmental impact statement has been prepared under Chapter 43.21C RCW for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement;
- the proposed change is within the scope of the alternatives available for public comment;
- the proposed change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect;
- the proposed change is to a resolution or ordinance making a capital budget decision as provided in RCW 36.70A.120; or
- the proposed change is to a resolution or ordinance enacting a moratorium or interim control adopted under RCW 36.70A.390.

## **6. Opportunity for written comments**

*Spokane County strongly encourages submission of written comments or written testimony throughout the planning process.*

In many instances, detailed, technical, or personal comments can best be expressed and understood in written format. The following steps should be taken to encourage written comments.

- Web-based means will be made available for the submission of document files for written comments and testimony, and brief video or audio clips.

- Notices for meetings and hearings will include the name and email/ postal mail address of the person(s) to whom written comments should be sent, or the web page where comments can be submitted along with the deadline for submitting comments.
- Persons speaking, testifying, or electronically submitting comments will be expected to concisely express their comments verbally and provide specific details in written format.
- The deadline for submitting written comments, if allowed subsequent to a meeting or hearing, will be clearly announced by the facilitator or chair.

Innovative techniques, as appropriate to a specific planning task, should be developed and implemented to solicit and document the public's concerns, suggestions, or visions for the community. Techniques may include, but are not limited to, surveys, interactive displays, or the innovative use of electronic communication technologies.

## **7. Consideration of and response to public comments**

*Spokane County will consider relevant public comments and public testimony in the decision-making process.*

Additional steps will be taken so that comments and recommendations from the public are reviewed by the decision-makers for relevancy, including the following.

Time should be reserved after the close of a hearing or comment deadline and prior to an actual decision so that the decision-makers can adequately review all relevant material or comments.

A meeting may be reconvened for the purpose of addressing comments is an option that the decision- makers may use on a case-by-case basis.

Substantive comments pertaining to studies, analyses, or reports, along with necessary responses, should be included or linked in the published document.

The record, including recordings, written and web-based comments or testimony, documents, summaries, etc., will be compiled and maintained by Spokane County Building & Planning Department. That record will be made available to the decision-makers for their consideration and review prior to a decision.

Relevant comments or testimony shall be addressed through the findings-of-fact portion of the decision-makers' written decision or recommendation.