

PUBLIC HEARINGS

What You Need to Know as the Public



TYPES OF HEARINGS

Quasi-judicial hearings involve site-specific decisions (such as considering a request to rezone specific property or to consider a variance request) as opposed to legislative hearings, which require decisions that have a broad application (such as a change in the text of a zoning or subdivision ordinance, which may affect multiple parcels or zones).

WHAT SHOULD YOU EXPECT AS A MEMBER OF THE PUBLIC?

THE PUBLIC HEARING WILL HAVE THE FOLLOWING ORDER:

- Brief introduction of the subject of the hearing by County staff.
- Presentation by applicant. *(15 min. max)* Applicant may also respond to questions from the Commissioners or Board.

This is when all information about the application needs to be expressed for the record and all questions asked by the Commissioners/Board and applicant. The applicant has the burden of persuasion in Quasi-Judicial matters. There are a set of criteria for each application type – this is what a decision will be based on.

- County staff may present a staff report or respond to questions to clarify application materials, related regulations, etc. *(15 min. max)*
- Open Public Hearing: Testimony from public in the following order: *(3 min. max per person)*
 - In favor of proposal
 - Neutral respecting proposal
 - Opposed to proposal
- Rebuttal testimony from applicant.

The rebuttal should be based on the application and information that is already on record. If new facts are elicited that have not been part of the record, the public must be given an opportunity to respond to the new facts – perhaps by reopening opposing testimony.

- Close Public Hearing
- Discussion and Decision by the Commission or Board.

The Commission/Board may approve or deny an application, or they may continue the application to a different meeting.

TESTIFYING AT A PUBLIC HEARING

SIGNING UP TO TESTIFY

Sign-up sheets will be provided at the entrance of the Commissioners' Chamber prior to the Public Hearings starting. The sign-up sheet must be filled out correctly and be legible for the testimony to be accepted.

You MUST sign up to testify BEFORE the public hearing begins. If you do not sign up, you will NOT be permitted to testify at the public hearing.

If you do not wish to testify orally, you may provide a brief, written comment at the time of signing up to testify (before the public hearing begins). The comment(s) that you provide on the sign-up sheet will be read into the record at the appropriate time for public comments.

WHAT TO EXPECT WHEN TESTIFYING

Once the Public Hearing has been opened for comment, testimony from public will be heard in the following order:

1. In favor of proposal
2. Neutral respecting proposal
3. Opposed to proposal

Three (3) minutes will be given, per person, for individual testimony. If you are a spokesperson for a group, and you have been pre-authorized by the Chair, you may have up to 15 minutes for testimony.

Because decisions are based on set Criteria of Approval for each application type, it is important to provide comments in terms of how an application relates to the Criteria of Approval and/or its compliance with County Ordinances – whether you are in favor, neutral, or opposed to the application.

GENERAL RULES FOR TESTIFYING

No person shall be permitted to speak before the Commission/Board at a public hearing until such person is recognized by the chairperson.

Testimony should

- Directly address the subject at hand.
- Comply with the established time limits.

Testimony should not

- Be repetitious with other entries into the record.
- Be personally derogatory.

If oral testimony fails to comply with the aforementioned standards, the chairperson may declare such testimony out of order and require it to cease.