

Practical Hearings



A Panel Discussion on Hearing Best Practices and Experiences

Introductions

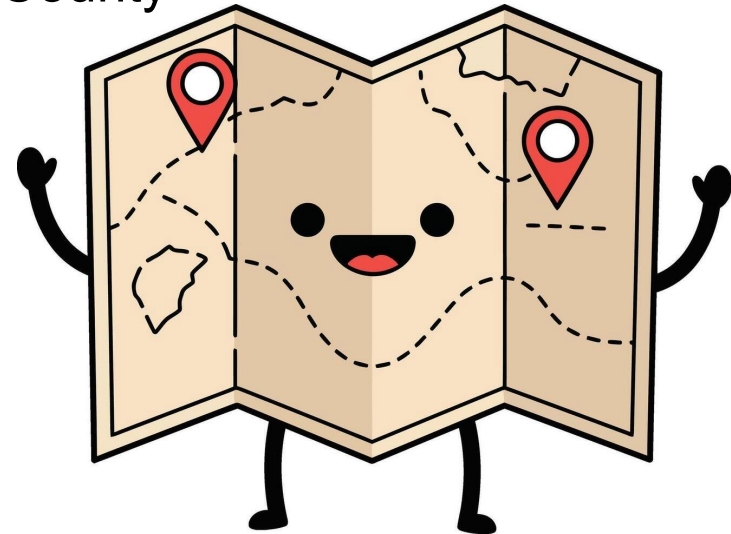
Ian Faulds – Senior Planner, Sanbell

Karl Granrath – Hearing Examiner, City of Spokane

Kim Gunderson – Owner/Principal Planner, Mahoney Planning

Melissa Place – Principal Planner, Snohomish County

Nick Schmeck – Planner, City of Bothell



Poll Questions

<https://forms.gle/S34HTotqb1Jb36d26>



Case Study: 7 Seas Gig Harbor, WA

- Waterfront Commercial zoning adjacent to Waterfront Residential
- Remove Green Turtle Restaurant and yacht sales store, build 7 Seas. Rebuild existing marina.
- Requesting SSDP from HEX
- Hearing context:
 - City recommended Approval
 - 50% public opposed. Opposition hired legal representation
 - Owned by local brothers. Significant redesign to accommodate neighbor concerns
 - HEX changed hearing schedule
- Best practices employed:
 - Know your project
 - Prep your applicant
 - Keep your head on a swivel, always remembering your recourse options
 - Remind the public (and HEX) of HEX authority



How to make it successful

Pre-Hearing

- HAVE A PRESENTATION (double check it)
- Know the orders and procedure of your jurisdiction / HE
- Staff to educate the applicant on the process
 - Burden of proof is on the applicant, not the jurisdiction
- Staff and applicant need to communicate before the Hearing
 - Staff decision and conditions
- Have a pre-hearing prep meeting with all review staff
 - Include attorney as needed
- Create a team mentality, try to come to a consensus before the hearing

In the Hearing

- Submit a final closing comment memo into the record
- Applicant states they agree (or disagree) with the staff recommendation
- Build a complete record
 - Number Slides / Exhibits
- Things happen



If (when) things fall apart

- Asking for a continuance of the hearing is ok
- Keeping the record open can be useful
- Better to get accurate information
- Set a specific date (be realistic)
- Be ready to pivot / head on a swivel
- Ask for a brief break to regroup



Open Discussion

Possible Topics

- Preparing for the Hearing
 - Addressing public comments
 - Who is there
- Conduct in Hearing
- Last minute changes
 - Asking for help or time to discuss with your team offline
- Staff's role
- Applicant's role
- Examiner's role



Future Changes

- Are roles changing?
 - Removal of HE?
 - Does perception change?
- Remove Council from appeals?
- Public accessibility to meetings?
- Resources for non-English native speakers?

